

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 8 MAY 2019**

COUNCILLORS

PRESENT (Chair) George Savva MBE, Derek Levy and Chris Dey

ABSENT

OFFICERS: Ellie Green (Principal Licensing Officer), Antonia Mankanjuola (Legal Services Representative), Jane Creer (Democratic Services)

Also Attending: (For Item 3)
On behalf of The Occasional Half: Andy Grimsey (Solicitor, Poppleston Allen), Susan Smyth (General Manager and Designated Premises Supervisor), Tim Greaves (Area Manager, Stonegate Pub Company Limited)
Councillor Achilleas Georgiou (Bowes ward councillor)
(For Item 4)
On behalf of Broadwick Venues Limited: Philip Colvin QC (Legal Counsel), James Dutton (Ops Manager, Field Day), Simon Tracey (CEO, Vibration Group), Josh Finesilver (Production Director, Ground Control), Alan Lynagh (Consultant, Compliance UK), Jon Drade (Group Production Director, Broadwick Live), Simeon Aldrid (Broadwick Live), Matthew Johnston (Head of Development, Broadwick Live), Luke Juxham (Festival Manager, Broadwick Live), William Holdoway (Ops Coordinator, Broadwick Live), Ben Whur (Director, Proud Events), Amanda Usher (Woods Whur LLP)
On behalf of Metropolitan Police Service (IP2): Gary Grant (Legal Counsel), Sergeant Andy Underwood (North Area Events & Operations), Chief Inspector Neil Billany (Neighbourhoods Lead – Enfield & Haringey), PC Mark Greaves (Police Licensing Officer), Jim Hartland (Licensing Governance Hub)
On behalf of Tottenham Hotspur Limited and Tottenham Hotspur Football & Athletics Co Ltd (IP3): Gerald Gouriet QC (Legal Counsel), Sue Dowling (Blandy & Blandy LLP), Richard Serra (Head of Planning THFC), Alex Thorpe (Senior Business Development Manager THFC), Jennifer Swit (Trainee Blandy & Blandy LLP)
On behalf of London Fire Brigade (IP4): Tony Byford (Inspecting Officer)
On behalf of Enfield Safety Advisory Group (IP6): Esther Hughes (Chair, SAG)
Counsel for Licensing Committee: Stuart Jessop (Barrister, Six Pump Court)

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LB Enfield Officers: Simon Gardner (Socio Economic Lead Meridian Water), Afraa Ali (Principal Regeneration Officer), Melanie Dawson (Service Regeneration Lawyer), Anouska Leggett (Property Information Team)
Councillor Edward Smith (Cockfosters ward councillor)
1 x Press representative

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WELCOME AND APOLOGIES FOR ABSENCE

Councillor Savva as Chair welcomed all those present and explained the order of the meeting.

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DECLARATION OF INTERESTS

NOTED there were no declarations of interest.

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**THE OCCASIONAL HALF, 66 - 77 GREEN LANES, LONDON, N13 4TD
(REPORT NO. 226)**

RECEIVED the application made by Stonegate Pub Company Limited for the premises situated at The Occasional Half, 66 – 77 Green Lanes, London, N13 4TD for a Variation of a Premises Licence (LN/200502147).

NOTED

1. The introductory statement of Ellie Green, Principal Licensing Officer, including:
 - a. The application was for a variation of a premises licence by Stonegate Pub Company Limited for The Occasional Half, 66-77 Green Lanes, N13.
 - b. The premises was in a mixed commercial parade on a busy road, with residential properties in surrounding streets and above commercial premises.
 - c. The pub had been operating since before 2005.
 - d. The application sought an extension to hours to 01:00 for alcohol sales on Friday and Saturday with 01:30 closing: this would be a one hour extension on two days per week only. The amendments to non-standard timings were set out on page 3 of the officers' report.

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- e. There were three representations against the application by other persons who were local residents, marked as IP1 to IP3 in Annex 4 of the report. The representations were based on the licensing objectives of prevention of crime and disorder, and the prevention of public nuisance, and objected to the application in its entirety.
 - f. Councillor Georgiou was the Bowes ward councillor speaking on behalf of the objectors at the hearing.
 - g. There were no representations from the responsible authorities.
 - h. No modifications to the conditions of the licence were sought. Therefore the conditions were as existing and set out in Annex 2.
 - i. Three representatives of the applicant were in attendance: Andy Grimsey (solicitor, Poppleston Allen), Susan Smyth (General Manager and DPS), and Tim Greaves (Area Manager, Stonegate Pub Company).
 - j. Equal consideration must be given to written representations as to oral representations at the hearing.
2. The statement of Councillor Achilleas Georgiou, Bowes Ward Councillor, including:
- a. The officers' report should read Councillor Achilleas Georgiou, rather than Alessandro Georgiou.
 - b. Residents, particularly those living in Kelvin Avenue, had been affected by anti-social behaviour in Green Lanes, though not necessarily from The Occasional Half's customers, and many would say that The Occasional Half had been a good neighbour. They believed that where there was anti-social behaviour currently, the opening of the pub for extended hours on Friday and Saturday would only add to the misery of residents' experience.
 - c. The vicinity was already noisy on Friday and Saturday and anti-social behaviour occurred. The alleyway from Kelvin Avenue, behind The Occasional Half was where a lot of undesirable things went on, and the Police had to be called to that in the past.
 - d. Ward councillors had argued for alleygating, and got gates installed. Unfortunately, some of the users (from premises with keys) were not good at locking the gate and the alleyway was left open, which attracted anti-social behaviour and affected the residents from no. 2 Kelvin Avenue upwards. It made the area unsafe. Young women had been accosted there in the past.
 - e. Residents were also concerned along Green Lanes by people, often smokers, out on the pavement outside pubs, restaurants and other premises, causing litter, including cigarette butts and broken glass, though it was difficult to know how that may be mitigated.
 - f. Residents were also concerned about noise from piped music in the pub.
3. Councillor Georgiou responded to questions, including:
- a. In response to the Chair's query regarding the number of licensed premises in the area open until similar times, it was acknowledged that

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there were several, and that there was already anti-social behaviour in the area at night. He had driven along Green Lanes at midnight last Friday and there was a lot of activity and a thriving night life. Residents were concerned about inappropriate activities on the street and would rather that people were inside premises.

- b. In response to the Chair's query about a notice on the alley gate to ensure it remained locked, it was advised that there were a number of premises with keys to the alley gate, including The Occasional Half, but some other premises were not as responsible in respect of keeping the gate locked. This was an issue the Council should look into and speak to key holders. The Occasional Half suffered because of the situation and the flytipping.
 - c. The Chair queried why a one hour extension for a pub with a good reputation would make things worse. It was clarified that there was not an accusation of bad behaviour linked to The Occasional Half as on the whole the pub was recognised as a good neighbour, but residents felt that granting the application would extend a problem that already exists.
 - d. In response to Councillor Levy's query, it was confirmed that this part of Green Lanes was not in a Cumulative Impact Policy area.
 - e. Councillor Levy noted that the residents' concerns had been spoken of in a generic way, and asked whether it was considered The Occasional Half had taken appropriate steps to promote the licensing objectives, or if there were objections relating to the pub's operating schedule. Councillor Georgiou advised that nothing said to him by residents related to the operating schedule, and there was no evidence whether or not anti-social behaviour had arisen directly from The Occasional Half.
 - f. Councillor Georgiou further agreed that the 14 Temporary Event Notices (TENs) had not resulted in residents' objections, or evidence that The Occasional Half was not taking appropriate steps to promote the licensing objectives.
4. The statement of Andy Grimsey, solicitor on behalf of the applicant, including:
- a. Stonegate Pub Company was an award winning operator.
 - b. Susan Smyth was the long-term and very experienced manager.
 - c. The TENs events were important as they gave the pub the opportunity to trade to a later hour temporarily. If there had been complaints from those events, a different view may have been taken in respect of this application.
 - d. The existing robust conditions on the licence were highlighted.
 - e. There had been discussions with Police in respect of CCTV in 2015.
 - f. The mention of takeaway food containers and spirit bottles in the objections could not be linked to this pub.
 - g. The operator ensured repeated staff training on alcohol sales, displayed notices to customers to be quiet when leaving, kept doors

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- and windows closed, and made sure that the door leading to Kelvin Avenue was not used for access.
- h. The pub had a noise limiter in situ for many years. There had been no complaints about noise, or incidents at the pub.
 - i. The applicant wanted to allow customers to stay in their controlled environment. At least 90% of customers were local people. The pub would like to keep its customers, rather than them heading off to Wood Green to premises with a later licence.
 - j. When customers left the pub, the vast majority used Green Lanes rather than Kelvin Avenue.
 - k. The offer provided by the pub included a quiz on Sunday, karaoke or DJ once a fortnight, and live televised sport. None of that was proposed to be changed. No application had been made to extend live music. The typical age of customers was 25 upwards.
 - l. The alleyway did not belong to the pub, and they were a victim too when it was not secure. The possibility of installing CCTV was being discussed if that could be done legally. It was not known who had keys to the gate. The manager had tried to accommodate residents' concerns, for example deliveries were moved through the front of the premises, and at an appropriate time of day.
 - m. There was no specific evidence of problems linked to the premises. It had been acknowledged that the pub was 'a good neighbour'. There was circumstantial evidence of anti-social behaviour but the pub had been a victim too. The pub did their best, for example conducting litter sweeps in and beyond their demise. In the absence of any specific concerns, he asked that the application be granted. There was always the option of review of the licence if there were any problems.
5. The applicant and representative responded to questions, including:
- a. In response to Councillor Dey's queries regarding the alleyway, it was confirmed this was a shared space which ran along Green Lanes behind the commercial premises, for access. When gates were initially installed, the commercial premises were given keys. Unfortunately, some people leave the gate open, and this was impossible to police as it was not known who had keys. The alleyway was not part of the pub premises or in its ownership.
 - b. Councillor Levy asked if there were any further conditions which could be voluntarily added to the licence which could allay the fears of the ward councillor and residents. The applicant's solicitor advised that he had examined the existing operating schedule and honestly did not think any further conditions were required. A hotline to the pub manager had been suggested, but everyone already knew her number. There was already a noise limiter in place. History showed that this pub was well run.
 - c. In response to Councillor Levy's queries it was advised that several patrons of the pub were also residents of Kelvin Avenue, and that pub operators had spoken to customers to gather views about the extension, but not carried out any active promotion in the area. There

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had been investment by Stonegate Pub Company in the pub and it was looking nice, meaning that people would also treat it better.

6. The summary statement of Ellie Green, Principal Licensing Officer, that, having heard the representations of all parties, it was for the Licensing Sub Committee to consider whether the application promoted the licensing objectives and to take the appropriate steps, bearing in mind the relevant guidance and policy set out from page 5 in the officers' report.

RESOLVED that

1. In accordance with the principles of Section 100(a) of the Local Government Act 1972 to exclude the press and public from the meeting for this item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A to the Act.

The Panel retired, with the legal representative and committee administrator, to consider the application further and then the meeting reconvened in public.

2. The Chair made the following statement:

Having considered all the written and oral submissions, the Licensing Sub Committee is satisfied that the applicant had taken appropriate steps in ensuring that the application for a variation of the licence for an extra hour and supply of alcohol on Friday and Saturday up to 01:00am and closing at 01:30am will not have a negative impact on the area.

The Licensing Sub Committee was not persuaded by representations against the application because there was insufficient evidence the nuisance could be attributed to these premises.

Therefore the application is granted in full.

3. The Licensing Sub-Committee **RESOLVED** that the application be **GRANTED IN FULL**.

Conditions (in accordance with Annex 2 (Part 2, Annex 1 of the premises licence)

- (i) Conditions 1 to 19, which are not disputed.

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BROADWICK VENUES LTD, MERIDIAN WATER, UNIT 4-6B ORBITAL BUSINESS PARK, & LAND TO THE SOUTH OF UNITS 4-6B, ORBITAL

BUSINESS PARK, 5 ARGON ROAD, EDMONTON, N18 3BW (REPORT NO. 227)

RECEIVED the application made by Broadwick Venues Limited for the premises situated at Meridian Water, Unit 4-6B Orbital Business Park, & Land to the south of Units 4-6B, Orbital Business Park, 5 Argon Road, Edmonton, London, N18 3BW for a New Premises Licence.

NOTED

1. The introductory statement of Ellie Green, Principal Licensing Officer, including:
 - a. The application was for a new premises licence, made by Broadwick Venues Ltd, for Meridian Water, Unit 4-6B Orbital Business Park, and Land to the south of Units 4-6B Orbital Business Park, 5 Argon Road, Edmonton, N18 3BW and had been referred to as the 'Festival Application'.
 - b. The application sought a maximum capacity of 22,261.
 - c. The application sought the premises licence to be unlimited, but restricted to the Field Day Festival which was two consecutive event days only.
 - d. This year's Field Day Festival was proposed for Friday 7 June and Saturday 8 June 2019. The hours sought for regulated entertainment and alcohol on sales were set out in paragraph 2.7.4 of the officers' report.
 - e. Initially, eight representations were received from responsible authorities and other persons, including the Metropolitan Police Service (IP2) whose representations were set out in Annex 7 and in further submissions dated 3 May 2019 and circulated to all parties.
 - f. London Fire Brigade (IP4) made representation, set out in Annex 8. Tony Byford was introduced as Inspecting Officer, London Fire Brigade and advised that documents had been received last week and the information reviewed, and that London Fire Brigade was content to withdraw its representation.
 - g. For Tottenham Hotspur Football & Athletic Co Ltd (IP3), its original representation was set out in Annex 10, and additional representation in Annex 20 in the agenda supplement dated 1 May 2019. Three maps had also been circulated on 7 May 2019 showing the location of the premises and of the football ground.
 - h. The applicant attended Enfield's Safety Advisory Group (SAG) in preparation for the application being made. An overview report from Esther Hughes, SAG Chair, was set out in Annex 6. SAG had initially made representation, but this had been amended. Esther Hughes was introduced and advised that representation had been made in respect of outstanding documents, but the information had been provided. The SAG supported the London Fire Brigade. The representation was therefore withdrawn.

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- i. Representations had been received from three local residents (IP1, IP5 and IP8) and were set out in Annex 9, Annex 11 and Annex 14. None of the residents were able to attend the hearing, but the sub committee should give equal weight to written as to oral representations.
 - j. Notification was received yesterday that the representation made by London Borough of Haringey Licensing Authority (IP7) was withdrawn.
 - k. Annexes 15 to 19 contained supporting information. The Annex on page 225/6 should be labelled Annex 15.
 - l. Further submissions received yesterday, circulated to all parties, and published as supplements dated 7 May 2019 included a plan, and a revised list of conditions, and the current situation regarding the statutory authorities. A condition had been agreed with the applicant and SAG and LB Haringey to be included in Condition 2.
 - m. Annex 3 contained Property Information explanation. Anouska Leggett from Property Information Team was in attendance if further details were required.
 - n. Annex 1 contained Meridian Water Project Overview. Simon Gardner, Socio-Economic Lead, Meridian Water Team was in attendance if further details were required.
 - o. The hearing should focus discussion on outstanding points of contention. All parties had indicated a timeframe which had been agreed to manage the hearing. It was for the Licensing Sub Committee to take such steps as it considered appropriate for the promotion of the licensing objectives.
2. The statement of Philip Kolvin QC, Cornerstone Barristers, representing Broadwick Venues Limited that, with the consent of Gerald Gouriet QC (on behalf of Tottenham Hotspur Limited) and Gary Grant (Licensing Counsel on behalf of Metropolitan Police), he wished to make a request to the Sub Committee. Over the last day or so, a number of authorities had withdrawn representations. The main substantive issue remaining related to the mechanism for arranging a festival date in 2020 convenient to Tottenham Hotspur Limited and his client. Having had opportunity to speak to Gerald Gouriet QC today was useful, and, if the Sub Committee was willing, a short adjournment of the meeting to allow discussion with respective parties was sought. Gary Grant had advised that if a solution could be agreed he would be satisfied.
 3. The Chair agreed to a 30 minute adjournment, and then, as progress was being made, to an extension of the adjournment over the lunch break to permit drafting of wording, conditions and agreement between the parties.
 4. The hearing resumed at 13:30. It was noted that there had been progress between the parties, and the Chair agreed to Gerald Gouriet QC's request for a further short adjournment to gain final approval from Tottenham Hotspur Limited on proposed conditions. The list of proposed conditions was printed, and circulated to the Sub Committee and to all parties.

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5. The hearing resumed at 14:05.
6. The statement of Philip Kolvin QC, Cornerstone Barristers, representing Broadwick Venues Limited, including:
 - a. He was grateful for the time permitted which had enabled production of the list of agreed conditions between the parties.
 - b. Additional conditions had been agreed. Field Day Festivals 2019 and 2020 had been agreed to have stated capacities and hours.
 - c. Festival dates in the second weekend of July 2020 had been agreed with Tottenham Hotspur Limited. If earlier dates became available it was possible that the festival dates could be moved forward.
 - d. It was conditioned that licensable activities outdoors would stop by 22:30 except for late night refreshment, so that the event did not disgorge on mass, and therefore relieve pressure.
 - e. Total capacity of the Drumsheds would not exceed 7,000, as Police were concerned about more than 7,000 people disgorging at 03:00. Assessment would be made at the 2019 event in liaison with the Police, and there may be scope to apply for a variation in the future.
 - f. In 2021 and beyond, the event would only take place if all parties agreed that it should. If the event did take place, all other hours and conditions would apply.
 - g. As an informative, if earlier dates in 2020 became available, Tottenham Hotspur Limited in good faith would notify his client and agreement would be sought with all parties that they were happy to agree the Field Day Festival in 2020 could move forward. If not, the festival would take place on 10 July and 11 July 2020.
 - h. The schedule of conditions was included in the agenda pack at Annex 19 Tab 2 and amended in the supplement of 7 May 2019. As a consequence of today's agreement Conditions 1 and 2 in the schedule would no longer be required as they were covered by other conditions.
 - i. Attention was also drawn to Condition 26 and that noise conditions were the same as the planning permission and the same as the management plan, and agreed by all parties. Essentially, the limit was 75dB, in common with urban festivals. Not all had a condition regarding bass, but 90dB had been adopted in this case. After 23:00 the limits were 45dB and 65dB, in line with what was routinely imposed for events.
 - j. The conditions were agreed with Tottenham Hotspur Limited, Metropolitan Police and Field Day Festival.
 - k. The three residents' objections remained. IP1 was concerned about noise nuisance. Noise conditions had been endorsed by the Planning Authority and Environmental Health, and conditioned by the noise monitoring plan. IP5 was concerned about transportation. The 192 bus would continue to run. Meridian Water Station would be open. IP5 had suggested a shuttle bus, but that would be inappropriate for such numbers, and the traffic management plan confirmed it would be unnecessary. People did not leave festivals late by bus. IP8 was a Chingford resident, living over two miles away. The issues raised were

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dealt with in the event plan and other documents, and the responsible authorities were content with the proposals.

7. A question from Councillor Edward Smith in respect of Meridian Water Station being operational by 19 May, was responded to by James Dutton, Operational Manager for Field Day. It was confirmed that the traffic management plan covered different scenarios. Plan A was that travellers would be split between Meridian Water and Tottenham Hale stations. There was also provision to cover a scenario where Meridian Water was not available. He had spoken last week at length to Car Park At, Greater Anglia and Network Rail, and there would be extra services. A Meridian Water Station press event was going ahead before the festival. It was fully expected that the new station would be operational, but there were plans made to cover if it was not. Desktop exercises had been conducted, and even in an emergency where Tottenham Hale was unavailable, plans did not depend on Meridian Water Station. Meridian Water Station was not part of the late night planning, but was part of the early disengagement.
8. There were no further questions and the Chair confirmed that the panel members would retire to consider their decision.

RESOLVED that

1. In accordance with the principles of Section 100(a) of the Local Government Act 1972 to exclude the press and public from the meeting for this item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A to the Act.

The Panel retired, with the legal representative and committee administrator, to consider the application further and then the meeting reconvened in public.

2. The Chair made the following statement:

The Licensing Sub Committee (LSC) considered the written representations of three residents. In light of the event management plan, traffic management plan, noise management plan and the reduction in capacity and hours, the LSC are of the view that the concerns of the residents have been addressed. We have therefore concluded that the licensing objectives have been met.

The remaining parties have agreed seven additional conditions as set out in the 'Agreed Additional Conditions' document dated 8th May 2019:

The licensed event

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1. This licence permits the two-day Field Day Festival (“the festival”) in 2019 and 2020 with a capacity of 22,661 persons.

Opening hours

2. The festival is only permitted to take place on the following dates and hours:

2019

- 12:00 midday on Friday 7 June 2019 to 03:00 am on Saturday 8 June 2019
- 12:00 midday on Saturday 8 June 2019 to 03:00 am on Sunday 9 June 2019

2020

- 12:00 midday on Friday 10 July 2020 to 03:00 am on Saturday 11 July 2020
- 12:00 midday on Saturday 11 July 2020 to 03:00 am on Sunday 12 July 2020

3. The dates of the festival in 2020 may be altered but only with the written agreement of the licence holder, Tottenham Hotspur Football and Athletics Co Ltd, licensing authority, London Borough of Haringey, and Metropolitan Police.
4. After 22:30 all licensable activities (save for late night refreshment) are restricted to inside the Drumsheds and not in any outside area.
5. The maximum total capacity of the Drumsheds must not exceed 7,000 persons after 22:30.

Field Festival 2021

6. No Field Day Festival or other licensable activities may take place under this premises licence in 2021, or beyond, unless the licensing authority, the Metropolitan Police, Tottenham Hotspur Football and Athletics Co Ltd, and the London Borough of Haringey, all give written permission for the festival or any other licensable activities to take place.
7. If a festival does take place in 2021, or beyond, it may only operate to the hours and conditions authorised for the festival in 2019 and 2020.

Consequent Deletions and Additions

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Proposed Conditions 1 and 2 in the revised conditions served by the Applicant on 7 May 2019 are deleted. The remaining conditions 3-33 set out in that document are to be imposed on the licence.

Informative

If earlier dates for 2020 become available, Tottenham Hotspur Football and Athletics Co Ltd, acting in good faith, will notify the premises licence holder.

Condition 1 and 2 of the revised conditions served on 7 May 2019 are deleted. The remaining conditions 3 to 33 set out in that document are to be imposed on the licence.

The LSC welcomes the consent order and agreed conditions and agrees that it and the licence promotes the licensing objectives.

3. The Licensing Sub-Committee **RESOLVED** that the application be **GRANTED** as agreed in the consent order above.

Conditions (in accordance with Conditions in LSC Report - Annex 19, Tab 2)

- (i) Conditions 3 to 33, which are not disputed.

AND

- (ii) Additional 7 Conditions set out above.

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MINUTES OF PREVIOUS MEETINGS

RECEIVED the minutes of the meeting held on Wednesday 13 March 2019.

AGREED the minutes of the meeting held on Wednesday 13 March 2019 as a correct record.