

Public Document Pack



LICENSING SUB-COMMITTEE

Wednesday, 2 October 2019 at 10.00 am
Council Chamber, Civic Centre, Silver Street,
Enfield, EN1 3XA

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Council website: www.enfield.gov.uk

Councillors : Chris Bond (Chair), Mahym Bedekova and Jim Steven

AGENDA – PART 1

1. WELCOME AND APOLOGIES FOR ABSENCE

2. DECLARATION OF INTERESTS

Members are asked to declare any disclosable pecuniary, other pecuniary or non pecuniary interests relating to items on the agenda.

3. DARJI MITRA MANDAL OF THE UK CENTRE, HINDU COMMUNITY CENTRE, 26 OAKTHORPE ROAD, LONDON, N13 5JL (REPORT NO. 96) (Pages 1 - 44)

Application for a Variation of a Premises Licence.

4. MINUTES OF PREVIOUS MEETINGS (Pages 45 - 78)

To receive and agree the minutes of the meetings held on Wednesday 19 June 2019, Tuesday 9 July 2019, and Wednesday 7 August 2019.

5. EXCLUSION OF THE PRESS AND PUBLIC

If necessary, to consider passing a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for any items of business moved to part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).
(There is no part 2 agenda)

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MUNICIPAL YEAR 2019/20 REPORT NO.

COMMITTEE:
Licensing Sub-Committee
2 October 2019

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
<p>SUBJECT: Application for a Variation of a Premises Licence</p> <p>PREMISES: Darji Mitra Mandal of the UK Centre, Hindu Community Centre, 26 Oakthorpe Road, LONDON, N13 5JL.</p> <p>WARD: Palmers Green</p>	

1 LICENSING HISTORY:

- 1.1 On 13 June 2006, a new premises licence application by **Darji Mitra Mandal of UK**, which was not subject to any representations, was granted by the Licensing Authority (LN/200600207).
- 1.2 Mr Prataprao Thakordas Chikhliia has been the named Designated Premises Supervisor (DPS) since 10 September 2014.
- 1.3 The most recent Temporary Event Notice (TEN) was in New Year's Eve 2017 into New Year's Day 2018.
- 1.4 The licence has not been subject to any review action.
- 1.8 A map of the area is attached as Annex 1.
- 1.9 A copy of the existing premises licence is attached as Annex 2.

2.0 THIS APPLICATION:

2.1 On 22 May 2019 an application was made by **Darji Mitra Mandal of UK** to vary the premises licence, namely, to extend the licensable hours.

2.2 This application had to restart a number of times, to ensure that the advertising requirements were met. In the meantime, the Licensing Authority had considered the original application, and proposed amended licensing times which the applicant agreed. When the consultation restarted on 7 August 2019, the applicant amended the variation application to include the timings proposed by the Licensing Authority. The table below shows the existing times and licensable activities, and the final column in bold shows the most up to date hours sought by the application:

Activity	Current Hours	Hours Applied	Hours Applied for As Amended (agreed with Licensing Authority)
Open to the Public	08:00 – 23:30 Sun– Thurs 08:00 – 00:00 Fri-Sat	08:00 – 00:30 Mon – Thurs 08:00 – 01:30 Fri – Sun	08:00 – 00:00 Sun - Thurs 08:00 – 00:30 Fri – Sat
Alcohol (on sales)	19:00 – 23:00 Sun 19:00 – 23:30 Fri - Sat	11:00 – 00:00 Mon – Thurs 11:00 – 01:00 Fri - Sat	11:00 – 23:30 Sun - Thurs 11:00 – 00:00 Fri - Sat
Indoor Sporting Events	19:00 – 23:00 Fri	No change	No change
Live Music	Mon – Thurs not licensed 20:00 – 23:30 Fri – Sat 20:00 – 23:00 Sun	11:00 – 00:00 Mon – Thurs 11:00 – 01:00 Fri - Sun	11:00 – 23:30 Sun – Thurs 11:00 – 00:00 Fri - Sat
Recorded Music	Not licensed	11:00 – 00:00 Mon – Thurs 11:00 – 01:00 Fri - Sun	11:00 – 23:30 Sun – Thurs 11:00 – 00:00 Fri - Sat
Performance of Dance	Mon – Thurs not licensed 20:00 – 23:30 Fri – Sat 20:00 – 23:00 Sun	11:00 – 00:00 Mon – Thurs 11:00 – 01:00 Fri - Sun	11:00 – 23:30 Sun – Thurs 11:00 – 00:00 Fri - Sat

2.3 Each of the Responsible Authorities were consulted in respect of the application.

2.4 A copy of the application is attached as Annex 3 (timings in application to be ignored – use table above).

3.0 RELEVANT REPRESENTATIONS:

3.1 **Other Persons:** Representations have been made, against the application, by 11 local residents, who live in the surrounding area, in Oakthorpe Road, Chimes Avenue, Ecclesbourne Gardens and Grove Road. The residents are referred to as IP1 to IP111. The grounds of representation are based on all four of the licensing objectives not being met.

3.2 Copies of these IP representations are attached in Annex 4.

3.3 The applicant has advised that they will be responding to the representations, which will be provided in a supplementary report.

3.4 The Licensing Authority (on behalf of Enfield's Licensing Enforcement Team and was made in consultation with and on behalf of the Trading Standards

Service (inspectors of Weights & Measures), Planning authority, Health & Safety authority, Environmental Health authority and the Child Protection Board) submitted a representation to the original application, namely objecting to the full hours sought. Reduced times and activities were proposed and modification to conditions. The applicant agreed, therefore the Licensing Authority representation was withdrawn.

3.5 No other Responsible Authorities made a representation to this application.

4.0 PROPOSED LICENCE CONDITIONS:

4.1 Conditions arising from this application and unopposed by the Responsible Authorities are attached in Annex 5.

5.0 RELEVANT LAW, GUIDANCE & POLICIES:

5.1 The paragraphs below are extracted from either:

5.1.1 the Licensing Act 2003 ('Act'); or

5.1.2 the Guidance issued by the Secretary of State to the Home Office of April 2017 ('Guid'); or

5.1.3 the London Borough of Enfield's Licensing Policy Statement of January 2015 ('Pol').

General Principles:

5.2 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].

5.3 The licensing objectives are:

5.3.1 the prevention of crime and disorder;

5.3.2 public safety;

5.3.3 the prevention of public nuisance; &

5.3.4 the protection of children from harm [Act s.4(2)].

5.4 In carrying out its functions, the Sub-Committee must also have regard to:

5.4.1 the Council's licensing policy statement; &

5.4.2 guidance issued by the Secretary of State [Act s.4(3)].

Hours:

5.5 The Sub-Committee decides licensed opening hours as part of the implementation of the licensing policy statement and is best placed to make decisions about appropriate opening hours in their area based on their local knowledge and in consultation with responsible authorities [Guid 10.13].

5.6 Stricter conditions with regard to licensing hours may be required for licensed premises situated in or immediately adjacent to residential areas to ensure that disturbance to local residents is avoided. This will particularly apply in circumstances where, having regard to the location, size and nature of the

premises, it is likely that disturbance will be caused to residents in the vicinity of the premises by concentrations of people leaving, particularly during normal night-time sleeping periods [Pol s.8.4].

Decision:

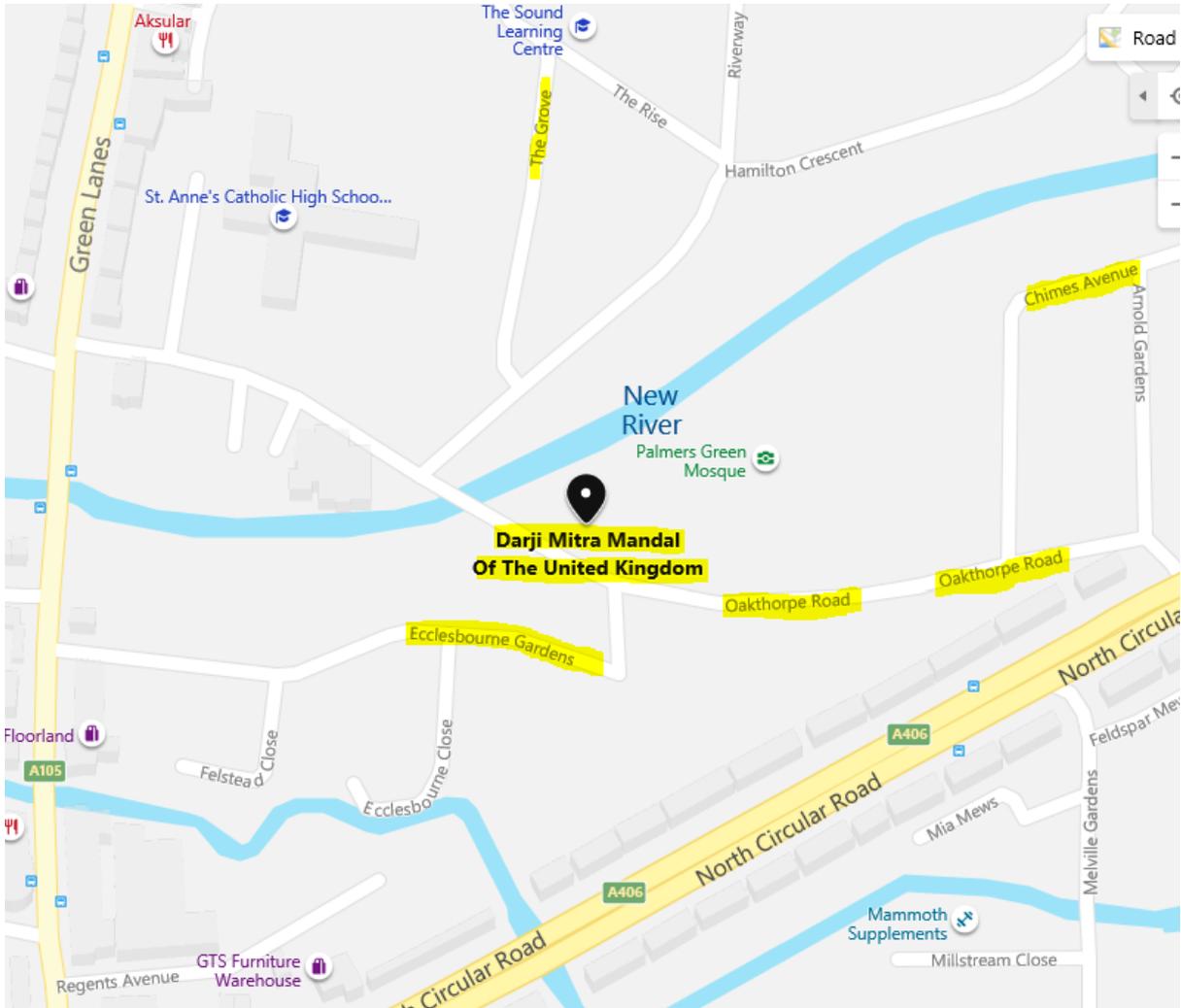
- 7.1 As a matter of practice, the Sub-Committee should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas [Guid 9.37].
- 7.2 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the Sub-Committee must give appropriate weight to:
 - 7.2.1 the steps that are appropriate to promote the licensing objectives;
 - 7.2.2 the representations (including supporting information) presented by all the parties;
 - 7.2.3 the guidance; and
 - 7.2.4 its own statement of licensing policy [Guid 9.38].
- 7.3 Having heard all of the representations (from all parties) the Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are:
 - 7.3.1 to grant the application subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
 - 7.3.2 to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - 7.3.3 to refuse to specify a person in the licence as the premises supervisor;
 - 7.3.4 to reject the application [Act s.18].

Background Papers:
None other than any identified within the report.

Contact Officer :
Ellie Green on 020 8379 8543

Annex 1

Location Map



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Licensing Act 2003

PART A – PREMISES LICENCE

Granted by the London Borough of Enfield as Licensing Authority

Premises Licence Number: LN/200600207

Part 1 – Premises Details

Postal address of premises:

Premises name: Darji Mitramandal of the UK Centre

Telephone number: 020 7723 0766

Address: Hindu Community Centre 26 Oakthorpe Road
LONDON N13 5JL

Where the licence is time-limited, the dates:

Not time limited

The opening hours of the premises, the licensable activities authorised by the licence and the times the licence authorises the carrying out of those activities:

Operating Schedule Details

Location	Whole premises
Activity	OPEN-Open to the Public
Sunday	08:00-23:30
Monday	08:00-23:30
Tuesday	08:00-23:30
Wednesday	08:00-23:30
Thursday	08:00-23:30
Friday	08:00-00:00
Saturday	08:00-00:00
Non-Standard Timings & Seasonal Variations	

Location	On supplies
Activity	ALCS-Supply of Alcohol
Sunday	19:00-23:00
Monday	-
Tuesday	-
Wednesday	-
Thursday	-

Friday	19:00-23:30
Saturday	19:00-23:30
Non-Standard Timings & Seasonal Variations	

Location	Indoors
Activity	INDS-Indoor Sporting Events
Sunday	-
Monday	-
Tuesday	-
Wednesday	-
Thursday	-
Friday	19:00-23:00
Saturday	-
Non-Standard Timings & Seasonal Variations	

Location	Indoors
Activity	MUSL-Live Music
Sunday	20:00-23:00
Monday	-
Tuesday	-
Wednesday	-
Thursday	-
Friday	20:00-23:30
Saturday	20:00-23:30
Non-Standard Timings & Seasonal Variations	

Location	Indoors
Activity	DANP-Performance of Dance
Sunday	20:00-23:00
Monday	-
Tuesday	-
Wednesday	-
Thursday	-
Friday	20:00-23:30
Saturday	20:00-23:30
Non-Standard Timings & Seasonal Variations	

Location	Indoors
Activity	DANC-Facilities for Dancing
Sunday	20:00-23:00
Monday	-
Tuesday	-

Wednesday	-
Thursday	-
Friday	20:00-23:30
Saturday	20:00-23:30
Non-Standard Timings & Seasonal Variations	

Part 2

Name and (registered) address of holder of premises licence:

Name:	Darji Mitra Mandal Of The Uk
Telephone number:	020 8885 2421
e-mail:	[REDACTED]
Address:	Darji Mitramandal of the UK Centre, Hindu Community Centre, 26 Oakthorpe Road, LONDON, N13 5JL

Registered number of holder (where applicable): 1036109

Name and (registered) address of second holder of premises licence (where applicable):

Name:	Not applicable
Telephone number:	
Address:	

Name and address of designated premises supervisor (where the licence authorises the supply of alcohol):

Name:	Mr Prataprao Thakordas Chikhlia
Address:	[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor (where the licence authorises the supply of alcohol):

Personal Licence Number:	LN/200713756
Issuing Authority:	London Borough of Barnet

Premises Licence LN/200600207 was first granted on 7 June 2006.

Signed: 

Date: 27 April 2018

for and on behalf of the
London Borough of Enfield
Licensing Unit, Civic Centre, Silver Street, Enfield EN1 3XH
Telephone: 020 8379 3578



Annex 1 - Mandatory conditions

- 1. No supply of alcohol may be made under the premises licence:
(a) At a time when there is no designated premises supervisor in respect of the premises licence; or
(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.**
- 2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**

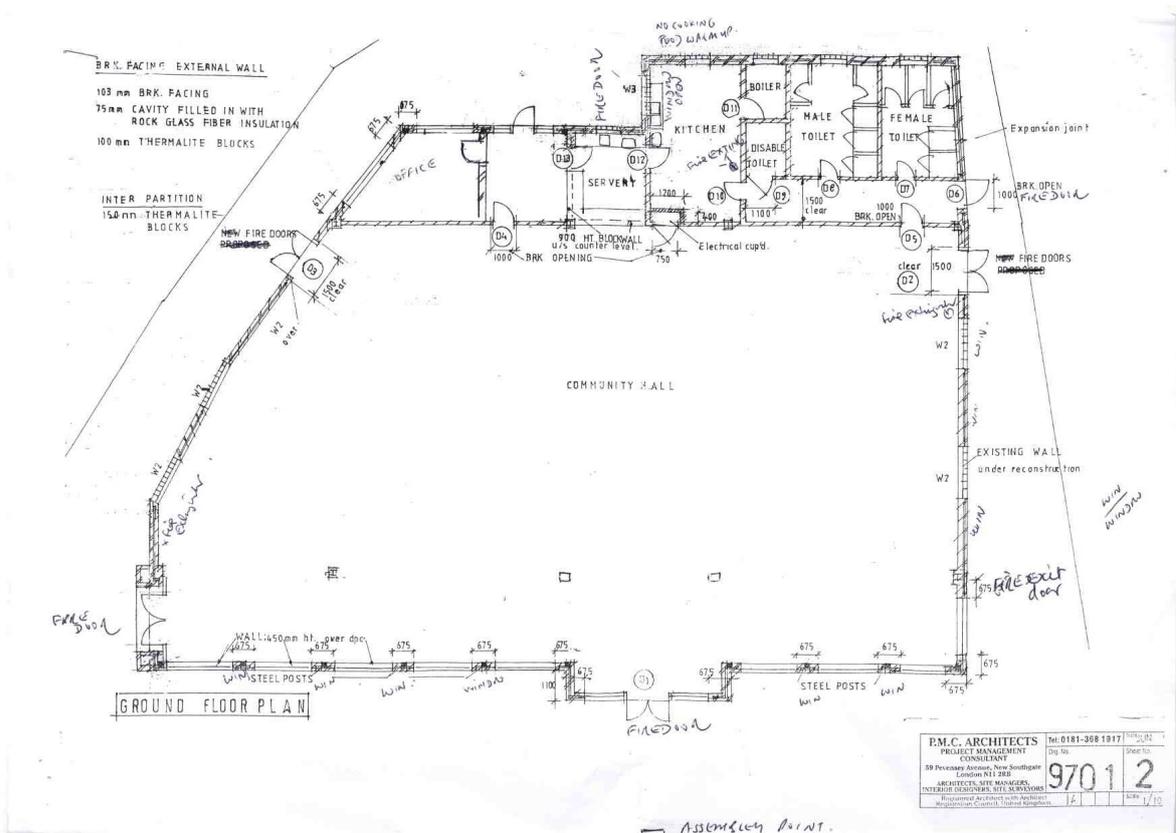
Annex 2 - Conditions consistent with the Operating Schedule

- 3. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.**
- 4. A minimum of one warden shall be on duty whenever the premises are in use under this licence.**
- 5. Children shall only be admitted to the premises if they are accompanied by a parent.**

Annex 3 - Conditions attached after a hearing by the licensing authority

- 6. Any alcohol stored on the premises shall be locked in a cabinet in the locked office.**
- 7. Doors and windows shall be kept closed but not locked during any amplified music entertainment.**
- 8. The Manager or other person in charge shall do subjective assessments of noise levels at site boundary at hourly intervals when any amplified music entertainment is provided to ensure it does not cause disturbance to residents in the area.**
- 9. A noise-limiting device shall be installed and set up to the satisfaction of the Local Authority.**
- 10. The car park shall be patrolled to ensure quiet dispersal of patrons for 30 minutes after closing.**
- 11. Signs shall be displayed at the exits and in the car park requesting that patrons respect the needs of local residents and leave the premises and the area quietly.**

Annex 4 – Plans



W/A 21900421

07989
2190.00



London Borough of Enfield

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

RECEIVED
LONDON BOROUGH OF ENFIELD
22 MAY 2019
ENVIRONMENT & STREET SCENE

You may wish to keep a copy of the completed form for your records.

I/We Darji Mitra Mandal of UK

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	LN 1200600207
-------------------------	---------------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 26 Oakthorpe Road London N13 5JL			
Post town	London	Postcode	N135JL

Telephone number at premises (if any)	-
Non-domestic rateable value of premises	£ 244.40 PER MONTH 2018-19

19,250-

Part 2 – Applicant details

253.07 PER MONTH 2019-20
CUSTOMER NO 50065

Daytime contact telephone number	[Redacted]		
E-mail address			
Current postal address if different from premises address			
Post town	LONDON	Postcode	[Redacted]

RECEIVED
LONDON BOROUGH OF ENFIELD
22 MAY 2019
20 MAY 2019
ENVIRONMENT & STREET SCENE

Premises licence
Seen. 22/5/19.
[Signature]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

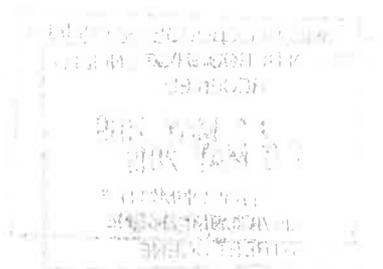
Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

We wish to open the premises from 08:00 to 01:00 and extend the bar opening hours

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

<i>No</i>



Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11am	Midnight	<u>Please give further details here</u> (please read guidance note 5) For performance of attending public 1/2 hour increase to current timing	Both	<input type="checkbox"/>
Tue	11am	Midnight			
Wed	11am	Midnight		<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)	
Thur	11am	Midnight		For performance to attending public 1/2 hr increase in current timing	
Fri	11am	1am		<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)	
Sat	11am	1am		1hr increase in time from present	
Sun	11am	1am			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11am	Midnight	Please give further details here (please read guidance note 5) For performance to attending public		
Tue	11am	Midnight	1/2 hour increase to current timing		
Wed	11am	Midnight	State any seasonal variations for the playing of recorded music (please read guidance note 6) For performance to attending public		
Thur	11am	Midnight	1/2 hour increase to current timing		
Fri	11am	1am	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	11am	1am	For performance to attending public 1hr increase to current timing		
Sun	11am	1am			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11am	Midnight	Please give further details here (please read guidance note 5) <i>For performance to attending public</i> <i>1/2 hour increase to current time</i>	Both	<input type="checkbox"/>
Tue	11am	Midnight			
Wed	11am	Midnight	State any seasonal variations for the performance of dance (please read guidance note 6) <i>For performance to attending public</i> <i>1/2 hour increase to current time</i>		
Thur	11am	Midnight			
Fri	11am	1am	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7) <i>For performance to attending public</i> <i>1 hour increase to current time</i>		
Sat	11am	1am			
Sun	11am	1am			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>	
Day	Start	Finish		Off the premises	<input type="checkbox"/>	
Mon	11am	Midnight	State any seasonal variations for the supply of alcohol (please read guidance note 6) NO Seasonal Variations	Both	<input type="checkbox"/>	
Tue	11am	Midnight				
Wed	11am	Midnight				
Thur	11am	Midnight		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	11am	12:30 1am				
Sat	11am	1am 23:30				
Sun	11am	1am 23:30				

Alcohol sale upto 1am. Increase of 1/2 hours to people attending event/function. This will be in the hall premises only.

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

N/A - NONE

L N/A

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	0800	0030	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)</p> <p>Type text here.</p>
Tue	0800	0030	
Wed	0800	0030	
Thur	0800	0030	
Fri	0800	0130	
Sat	0800	0130	
Sun	0800	0130	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

The Dmmuc will use the services of local and current online promotions. The facilities for current use are adequate and will not need additional requirements as the times are extended for up to 1 1/2 hrs only

b) The prevention of crime and disorder

The Dmmuc will have adequate members as required to ensure prevention. The functions are family based and community based

c) Public safety

There will not be additional persons coming to events outside the current capacity. Chaperones will be available to ensure the safety of public attending.

d) The prevention of public nuisance

There will be no increase in people attending. The Dmmuc committee members ensure all people are within the premises so there is no likelihood of nuisance

e) The protection of children from harm

These family events are attended by children with their parents. As such they normally leave early to ensure their children are in bed on time. In any event where children are present, the committee members are also present to protect the children from harm. The children are not allowed without parents or guardians.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

N/A

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

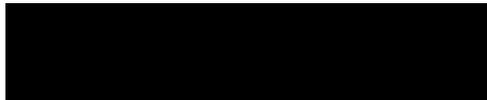
Signature	
Date	1st MAY 2019
Capacity	DARJI MITRA MANDAL OF THE UK - VICE PRESIDENT

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	1st MAY 2019
Capacity	DARJI MITRA MANDAL OF THE UK - TREASURER

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

PRAVIN JIVAN (PRESIDENT)



Post town	LONDON	Post code	
Telephone number (if any)			
E-mail address			

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Annex 4

IP Representations

****All residents who have made objections live in Oakthorpe Road, Chimes Avenue, Ecclesbourne Gardens and Grove Road****

IP1 Representation

Dear Sir/Madam,

My name is xxxxx xxxxx and I live with my family at xxxxx xxxxx and directly opposite the Pavilion.

I called many times the council after midnight on weekends to complain about the loud noise from the music especially during the Summer when the doors are open. On weekends the situation is unbearable with loud voices, people leaving the premises arguing or laughing and talking loudly and leaving empty bottles and rubbish outside my house which I need to clean the next morning.

Some times there are arguments with police involvement resulting us to stay awake for a long time after midnight .

Sometimes during the week when they have meetings, or other big functions the cars are parked everywhere even on the double yellow lines ..

Other times massive buses blocking the road and the situation is terrible.

The pavilion is suppose to be a community centre but is more like a night club in a residential area.

Many times I thought to put my house on the market and find somewhere else to live .. It is very sad indeed to even thinking that way because I love my house and the pavilion is forcing me to move out.

It will be a disaster for our neighbourhood to extent the opening hours to midnight on week days and serve alcohol This is a residential area and We need to rest at night and go to work the next day.

How can we go to sleep with drunken people coming out of the pavilion, shouting and arguing right outside our bedroom window ?

It happens now on the weekends but if is every night we will become ill and driven to leave our homes .

Please do not extend the hours with alcohol license on weekdays and if is possible you need to review the existing license of alcohol and noise control outside of the centre on weekends .

I am writing to you and asking you to help and protects us by refusing the license.

Thank you

Yours faithfully
Xxxxx xxxxx

IP1 Additional Representation

Dear Sir/Madame

Following my July email I sent to you to object the extension of hours and alcohol at the Darji Pavilion I am sending this email today to object for the new hours proposal for the exact same reasons stated in my previous email.

The pavilion suppose to be a community centre and not a night club serving alcohol in a residential area.

The situation is terrible when people coming out of the centre on weekends and make noise and leave rubbish outside our homes. Many times I clean the empty beer bottles left on my side wall and many times people keep me awake from the noise with laughing and talking loud when coming out of the centre and go to their cars.

It is bad enough on weekends but If that happens on week days we won't be able to sleep until passed midnight and that will have a very bad impact in our work performance and wellbeing.

Can you please make sure you consider my fears and do something about it.

I am desperate to solve the massive problem.

Maybe we should involve our local MP to support the objection or take it further involving a court hearing Please help and let me know what you suggest and what is the best next step.

Thank you very much

IP1 Additional Representation no.2

I enclose herewith pictures I took on a week day just before midnight right outside my gate and outside the bedroom window.

You can see the cars parked on the double yellow line opposite the pavilion and right outside my house.

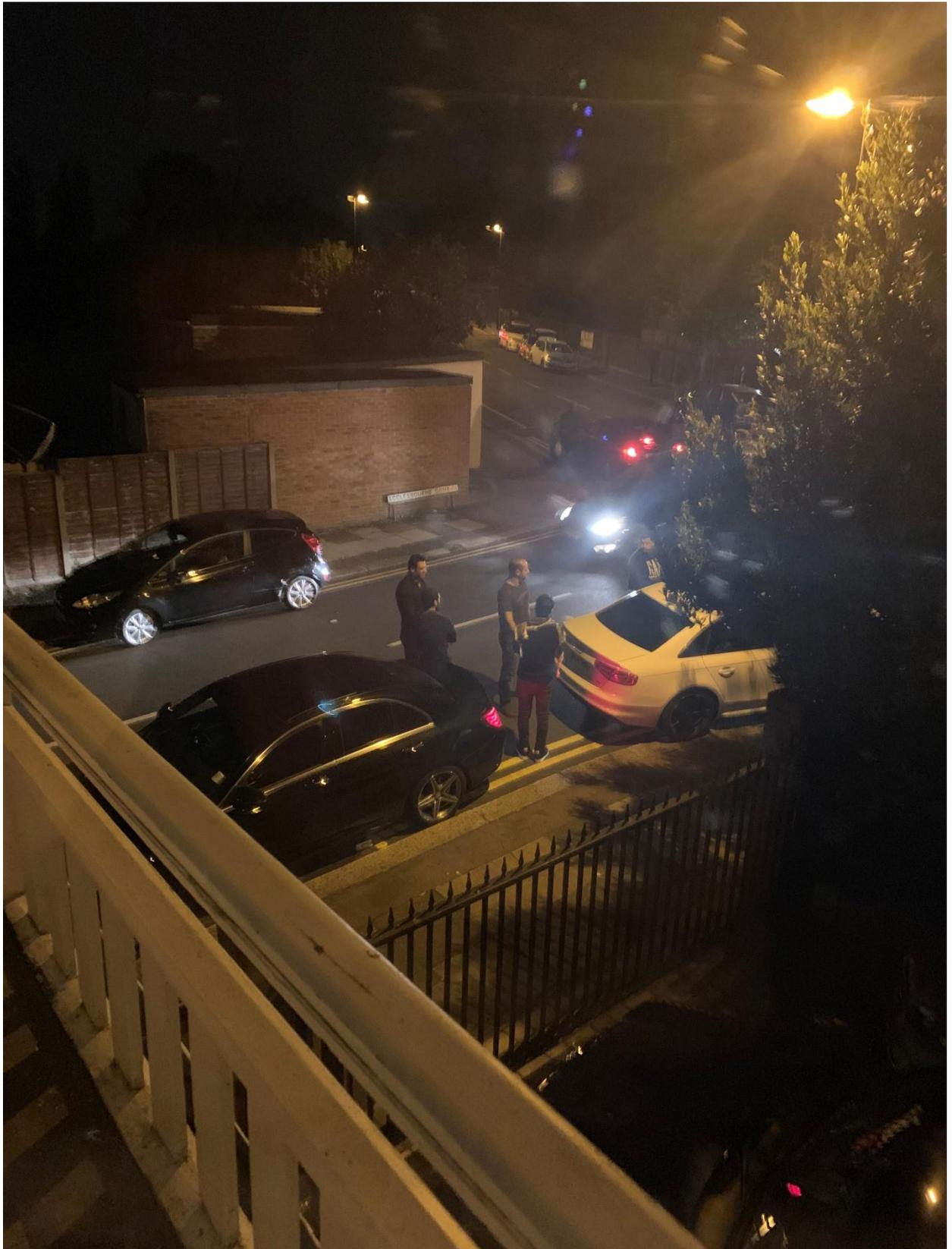
The people were talking and laughing very loud after leaving the pavilion going to their cars standing there for ages creating too much stress to myself and my family.

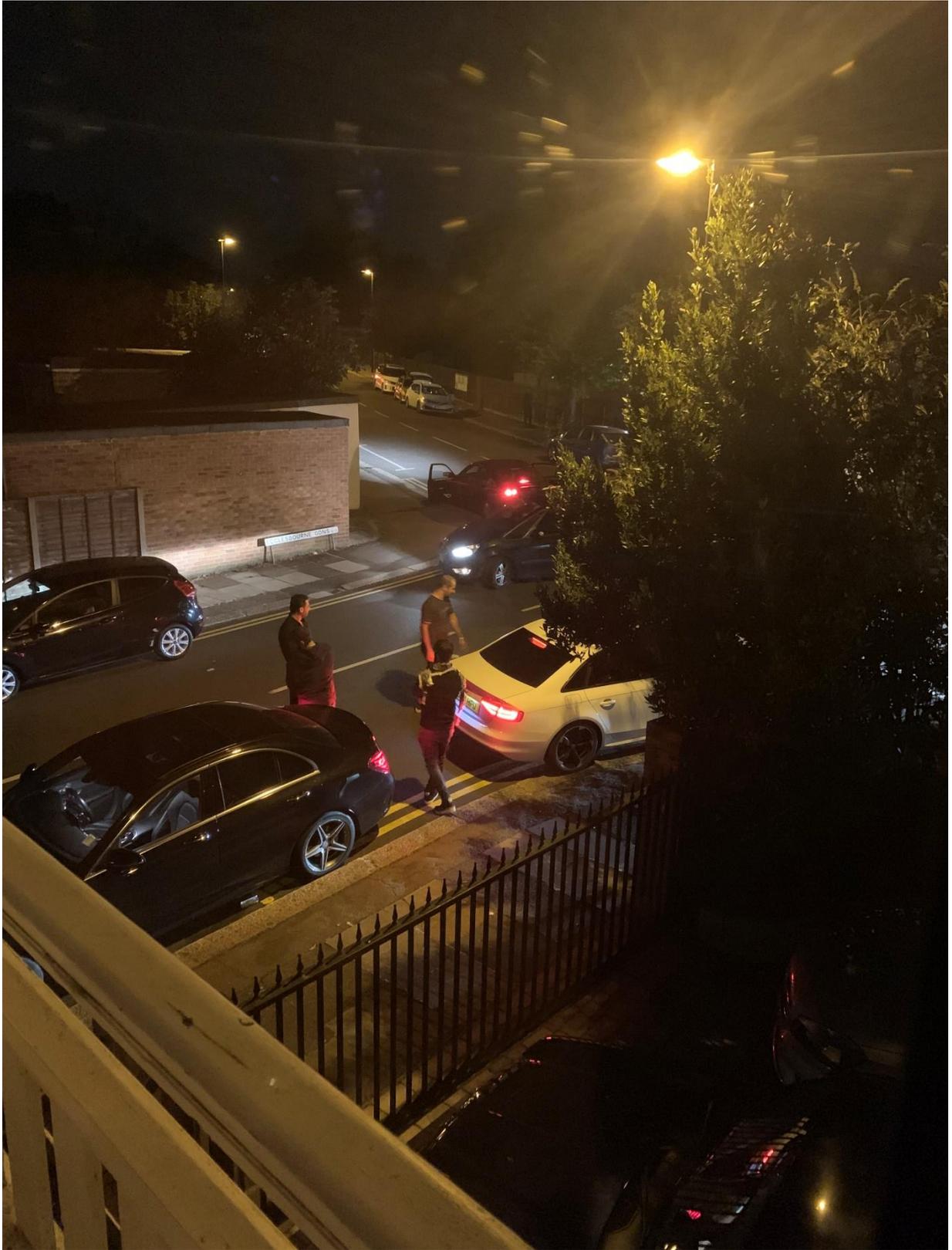
That happens every weekend pass midnight and during the week days some days up to midnight .

The situation is unbearable.

I wish I could represent myself and bring the evidence to the hearing.

I will also be very great full if you can present my emails to the hearing.







IP2 Representation



WRITE INSTEAD
IT IS CONCERN

THE DARS
TRE IN DAKHORE

THE NOISE OF THE
CONSISTENT BANGING OF DRUMS KEEPS
US AWAKE. THE BANGING OF CAR
DOORS AND LOUD VOICES SHOUTING
TO ONE ANOTHER IS ANOTHER THING.
ALSO THERE IS NOT ENOUGH PARKING
FACILITIES SO THEY

ANY AMPLIFIED MUSIC
BUT DOORS ARE LEFT

CONSIDER THE N
LEAVING, BUT T
MEAN THEY W
WE SLEEP IN
A FEW OF OUR NEIGHBOURS
DO. AND ITS VERY ANNOYING

My HUSBAN HA
AND HE CAN GET VERY
AGGITATED OVER THE NOISE. I HAVE
DOUBLE GLAZING BUT ALL THIS
NOISE CAN STILL BE HEARD
ESPECIALLY WHEN THEY SIT ON WALL
OUTSIDE. I WISH TO OBJECT TO
BEING GRANTED PTO.

THANKING YOU

IP3 Representation

I wish to object to the above application under the Licensing Objectives of the Prevention of Crime and Disorder, and the Prevention of Public Nuisance.

Increasing the hours for alcohol sales and performance of live music, recorded music and dance to 1.00am on a Friday, Saturday and Sunday, and midnight for the rest of the week, will certainly disturb the peace of this predominantly residential area. The residents in Oakthorpe Road, Ecclesbourne Gardens and Riverway already suffer from noise and disturbance when the Darji Pavilion closes 1.5 hours earlier; an extra hour and a half available for the consumption of alcohol and the playing of music will undoubtedly increase that suffering.

The noise emanates not only from the loud music, particularly the incessant drumming, but from the patrons arriving and leaving the premises. They may very well be advised to be considerate of the neighbours when departing, but this does not mean they will. Groups of people often loiter outside, particularly on Oakthorpe Road, waiting for their friends and during that wait, will often be sitting on the fences of the houses, talking loudly and carelessly dropping litter and cigarette butts on the footpaths. Most residents have their bedrooms at the front of their houses, so that sleep is often disturbed by the general chatter and by cars starting and revving their engines. There is not enough parking on the Pavilion grounds, so that cars are often parked in the surrounding roads.

It is a condition of their present license that doors and windows are kept closed but not locked during any amplified music entertainment. This stipulation is not always adhered to. The front and side doors are often left open for air, since they do not appear to have installed air conditioning, so that not only noise, but cooking smells permeate the area. On Sunday, 7 July 2019, for instance, all the doors were open in the afternoon during some noisy celebration taking place.

For the reasons mentioned above, I wish to object to the granting of this Variation of Premises License. It can also be noted that the Darji Pavilion is a purely commercial business in this residential area, available for rental to any organisation and offers no added value to the local community.

IP3 Additional Representation

I still object to the extension of hours for sale of alcohol and playing of music, notwithstanding the change of hours.

IP4 Representation

Dear Sirs,

I have just heard the above Community hall have applied for late night opening every night until midnight, plus a licence for alcohol.

I am devastated that this could possibly be granted. They are a thorn in our sides at present with all the loud noise, the cars etc., hooting when they leave, the rudeness & loud swearing that goes on when we are endeavouring to get some sleep. They sit on our walls & talk, sometimes using foul language & eating food. In the morning we are left with cans, sometimes half full of drink, plus empty food containers which we have to clear up.

This road has a lot of elderly people living here, including myself & my husband. Some of them are far from well and could do without all this commotion. On the other end of the scale are families with young children and all of us need sleep. Most people work & have to get up early too.

We are also now a cut through to the North Circular Road, which means we endure lots of traffic quite early in the mornings. There is also the constant coming & going of traffic in and out of the Mosque.

This often causes hold ups in the traffic and again we suffer hooting & swearing at other times of the day.

I beg you not to grant the above amendments to the licence they already have. It will make our life really unbearable. Please think how you would feel if you lived in what was once a lovely quiet road.

It has already changed considerably and not for the better.

Thank you for reading this and I can only hope you can grant our request.

IP5 Representation

My name is xxxx xxxx and I am a current resident of xxxxx and am strongly opposed to the application by the Darji Mitra Mandal to allow their premises to remain open until midnight Monday to Thursday and 1am from Friday to Sunday and serving alcohol until 1am.

We live in a residential neighbourhood and request that it stays this way. The Darji is already a public nuisance with current opening hours causing:

1. Countless noise complaints from attendees spilling out onto the street before/ during and after their events
2. In general events utilise loud music and drums to aid their celebration. Even with the doors closed these drums can be heard from our house with the windows and doors shut

3. The carpark is not adequate to handle current attendees turning the street into a carpark. Numerous occasions people park over single yellow lines boxing us into our own driveway

4. Children playing on the street are often in high danger of cars not seeing them in the dark of the evening.

If this permission is granted it would be in objection to your four Licensing Objectives:

1. Prevention of crime and disorder

Allowing party goers to consume alcohol until 1am on any night of the week heightens the opportunity for violence and disorder. We are often met in the morning with smashed bottles on the road and vandalism to our cars. This will only increase the frequency of these events.

2. Public Safety

The Darji Mitra Mandal is on a busy road where cars drive quickly around blind corners. The addition to late party goers who would be intoxicated until 1am increases the chances of people be hit by cars.

3. Prevention of public nuisance

- To reiterate my opening statement this is a residential street in a quiet neighbourhood. It is ludicrous to think that the new permit would allow the venue to serve alcohol and host parties until 1am on a Sunday evening when the majority of the neighbourhood will need to get up for work in the morning.

- The noise produced by the music from bands, drums, people outside the venue and people spilling onto the street already keeps us awake at night (Often beyond the current 10.30pm curfew). I could not imagine having to wait until midnight on a Wednesday evening to get some sleep before waking up for work at 6am to commute into the city (which is where the majority of the community works)

4. Protect Children from Harm

- Again my concern here is the cars driving fast in the early hours of the night and the precedence of children playing outside the venue being put in harms way.

If the Darji Mitra Mandal wants to open Commercial hours they should move to a commercially zoned area.

Could you please confirm receipt of my letter and keep me abreast of the progression of this licensing application. I am happy to represent these beliefs in any forum necessary.

IP6 Representation

I xxxxx xxxxx of xxxxx live directly opposite the Pavillion. This road is already used as a rat run, suffers on a weekly basis from congestion from the local mosque where the residents and mosque have issues in relation to parking and abuse hurled at mosque attendees every Friday prayer. The road has a number of facilities on it including an old people's home, school, large mosque, park and is a heavily used road where no traffic measure were ever introduced.

I have lived at this location since 2004/5 and have had to come out to deal with fights where I have also called the police, experienced noise until midnight and beyond and recall several petitions by neighbours to put a stop to late night noise. The council would be called often to assess noise and those who booked the venue would often ignore any noise restrictions.

The venue is surrounded by residents - being situated adjacent and surrounded by several residential roads. It is highly inappropriate to allow any extension that introduces noise and possible disruption and/or violence into such a setting and along a busy rat run road with limited parking and no speed measures. This borders on irresponsible. 80% of crimes are alcohol related and should be considered in context with a local mosque and any community tensions and the safety of old people travelling to and from the mosque for prayer times that could coincide with this.

If such a measure was ever to be granted then the local authority and of the owners of the Pavillion should pay for triple glazing on all windows for all neighbouring properties and place noise mitigating measures including sound proofing the premises entirely and externally placing such measure as conifers along its entire boundary and increase its car parking level with lay-by facilities for coaches that often deliver guest; contribute to road traffic flaming measures, upgrade its CCTV presence internally and externally with a direct connection to the local police and limit events to every other Friday and/or Saturday.

There are several wedding venues within 10 minutes from this including one by Palmers Green triangle (5 min walk), two wedding venues close to the civic centre and one on the north circular near IKEA (all within 10 mins drive). I completely accept the use of the Darji Pavillion as a religious hall for festivals and to hire out for occasional community events but not to monetise the hall at the detriment of the local residents, local school children, families and local communities.

IP6 Additional Representation

I have seen what appears to be a new notice and a change of hours. The new notice repacked the old notice in exactly the same position and may be perceived by many to remain to be the old notice. Can a letter be sent out to all neighbours to advise the change please.

With regards to the requirement to be open everyday up until 11:30 and serving alcohol is not appropriate.

Firstly - the Darji Pavillion has rarely shown restraint in terms of noise and finishing on time. The hall is hired out for private functions and rarely will the occupants of those private functions adhere to the closing requirements and the clean up operation will occur after that time.

Secondly and more importantly is the issue of alcohol. Alcohol driven crime and anti social and violent behaviour will ensue from this. I have personally had to call the police and have dealt with violent fights occurring outside my property. I have had Group of travelling communities use the front garden as their toilet facility and use my car as a bed. Not even the police were able to control this crowd whom openly held bare knuckle fighting in the middle of the street.

Thirdly - given the proximity to a old people's home, residents, school, playing fields and mosque there is already a huge amount t occurring on this street and now to add a commercial entity and alcohol to the detriment of local residence is unacceptable given the proximity of several other commercial halls within a few minutes of this location.

If the hall is used for religious functions, weddings on weekends, albeit noisy during the day then that is acceptable and even this already causes a lot of parking issues alongside the mosque but to add alcohol and the potential for events every day would create issues for parking, potential fights with local mosque, noise nuisance, anti social behaviour and increase road traffic issues. This venue is situated not on a high street or industrial estate but in the heart of a residential area and on a road used as a rat run and neighbouring a mosque, playing field and school.

I am against the original and amended proposal

IP7 Representation

Thank you for the below update.

My husband was the one that submitted the original objection but I would like to add my voice to this.

The amended times do not change the fundamental issues here, namely:

- Doors are left wide open which means that noise including music, drumming and that of party goers is not contained (nor is there any attempt to).
- Children are sent outside to play and are running around and screaming past 11 (last night being one example).
- Just because the license ends at a certain time, it doesn't mean that people quietly go home- people loudly loiter, carry on conversations etc for quite some time and there is traffic noise as people try to maneuver around all of the illegally parked cars.
- Cars park on both sides of the road, on double yellow lines, on T junctions and in front of residents driveways. I have several times been yelled at for pointing out that I cannot get into my own home if a car is parked outside my gate. The infrastructure is simply not there to support that many people in a residential area.
- The local street ends up littered with smashed bottles, cigarettes etc.
- There are drunken confrontations which are not only a nuisance but do not make residents feel safe.
- When I have tried to make a noise complaint, the council does not pick up the phone or reply to web complaints and the owner/ manager (who's number is on the signage) say they will sort it out but simply don't.

I am happy to answer any questions but please note that I strictly oppose this application.

If the signs were more prominent to those affected but don't walk past that fence (i.e those who's properties back on to the canal) I dare say there would be twice as much outrage.

IP8 Representation

Dear Sir/ Madam.

We object strongly to proposals to extend hours even later than 11.30 pm at above address even to 1 am! for consumption of alcohol and its obvious noise nuisance associated with this.

1. This is a residential area already over burdened with various noise nuisances around.
2. The disturbance the proposal WILL inevitably cause is an infringement to human rights of working people in the area who need to rise at say 7am to go to work.
3. The proposal offers no benefit to the residents of the area.

Please do NOT allow this. Thank you, on behalf of the residents.

IP8 Additional Representation

Dear sir or madam. You will recall that I have already given disapproval of the above site to extend times of operation for reasons of public nuisance. I note that there is now a fresh request from them. I hope that regardless of the slightly reduced times you will keep my original disapproval as still standing on grounds of high potential of noise pollution and other related neighbour disharmony issues to the general residential area.

IP9 Representation

Darji Mitra Mandal of the UK has applied to the London Borough of Enfield for an extension of licence permit.

- Alcohol Sale up to 1.00.a.m., Live Music, Recorded Music and performance of dance for the following times. Extension by 1.5 hours to people attending Event/Function within the hall premises only-Monday to Thursday 11.00.a.m. To Midnight, Friday/Saturday/Sunday 11.00.a.m. To 1.00.a.m.
- Premises Darji Pavilion Community Centre, 28, Oakthorpe Rd, London, N135JL.
- Representations in writing to London Borough of Enfield Licensing Team, PO Box 57, Civic Centre, Silver Street, Enfield, EN1 3XH or email licensing@enfield.gov.uk by 1st August 2019.
- There is a need to address 1 or more of the 4 licensing objectives.
 - 1] the prevention of crime and disorder
 - 2]public safety
 - 3]the prevention of public nuisance
 - 4]the protection of children from harm

Objections.

Noise of people inside and around premises, car doors shutting, noise of car engines as arrive and leave.

Alcohol consumption can lead to drunkenness, loud behaviour and aggression.

This is a residential area in the streets around the Darji Pavilion and people need quiet for undisturbed sleep so they are ready for work in the morning and are able to relax on weekends and children need undisturbed sleep in preparation for school and for their general health.

The extension to the license could lead to congestion in the surrounding streets due to parking and queuing of traffic as cars are leaving the premises

The area around the Darji Pavilion is a residential area already under stress.

Oakthorpe Rd and surrounding streets suffer from cars queuing to get onto the North Circular, parking restrictions due to events and festivals at the MCEC Mosque and the Pavilion which cause parking on residential streets, parking of clients' cars from Art Motors on the North Circular Road. Furthermore, football matches in the sports field on Saturday and Sunday mornings mean that spectators and participants park in the local area.

The proposed development of the former care home on Oakthorpe Road can only bring more traffic alongside the previous development of Truro House and flats in its grounds.

There is already a high volume of traffic in an area adjacent to the North Circular Road which brings pollution. This can only add to the pollution.

There are problems in the area due to congestion of traffic on narrow roads resulting in arguments between drivers as they have to reverse to let traffic through.

Sometimes cars ferrying people to events park illegally on double yellow lines making it difficult for car drivers to see as they turn the corner from Chimes Avenue into Oakthorpe Road.

There seems to be no overview in the planning for this residential area or consideration to the quality of life of its residents.

Yours sincerely,

Xxxxx xxxxx

IP10 Representation

This is regarding to an application for variation of premises at Darji Mitra Mandal, 26 Oakthorpe Rd, N135JL

I wish to raise my objections to this application.

I live at xxxxx xxxxx along with my xxxxx year old grandson. I believe it would be detrimental to his health and well being if music was allowed at these premises at such a late hour.

I live only a few yards from these premises and have to put up with present noise levels so please do not make it worse.

Also people with cars are a public nuisance problem, due to constant noise of closing car doors and shouting and hollering of drunken revellers.

This place was built as a community hall, it was never intended to be a venue for weddings and the like.

IP11 Representation

I wish to object to the proposal to extend the licensing and opening hours of the Dharji Mitra Mandal in Oakthorpe Road, N13.

The Mandal is in the middle of a residential area. The proposal to extend the licensing (and function/opening times) will cause noise pollution for local residents. The venue is used mostly as an event hall - with loud music playing, congestion of vehicles and on occasion, an increase of rubbish on the streets. It's not just the noise arising from the centre (music) that causes a problem for residents, but people tend to stand outside the location to have a break from the event/smoke a cigarette, and can be noisy - even when visitors go to their cars once the venue has closed can disturb residents. There is very little consideration given to residents, and to extend the licensing hours of the centre will cause even more disturbances than currently experienced.

Even most pubs on the high street where there is not such a concentration of residential dwellings do not open such hours - presumably due to potential problems such as noise and drunk people wandering the street committing criminal offences and other anti social behaviour. It is only right that the logic behind limitation of pubs' opening hours are considered in this application.

There is also an ongoing problem with visitors parking in the area. Visitors to the centre (and also to the nearby mosque) do not always respect residents' rights to park on driveways, and a number of times deliberately block garages and dropped kerbs. Calls to enforcement agencies rarely result in removal of offending vehicles,

and where removal is the preferred course of action (rather than the issue of a ticket), this usually means a waiting time of over an hour, meaning residents are forced to either abandon their travel plans or seek alternative methods of transport. Even recently when a car blocked our dropped kerb and we could not take out our car from our garage, a call to the vehicle removal office said that we were "fifth" on the list and no estimate of time of arrival of the vehicle to remove the car blocking our drive could be quoted.

Residents in this area have long suffered with increased traffic, pollution, noise and congestion, and the problems keep getting worse, with very little acknowledgement or support from Enfield Council. These proposals go against Council's initiative for quieter neighbourhoods and safer streets. I would therefore urge the Council to consider the effects and impact on granting this extension requested by the Dharji Mitra Mandal, not only on local residents, but on the wider community and respectfully ask the Council to refuse the application.

IP11 Additional Representation

If the Council was minded to grant the application as per the request, I think there could be a number of conditions/solutions attached/imposed - obviously depending on views from other residents:

For example,

To counter the noise:

- After a specific time (eg 9.00pm), the doors to the venue must remain closed;
- Given the hot weather experienced recently, and if large events are being held (with many people in attendance) there must be adequate ventilation in the centre so people do not need to open doors to get fresh air, especially if music is playing;
- Drinks must not be taken outside the venue: all alcohol must be consumed on the premises;
- A person responsible for the venue should be on-call to attend premises in event of excessive noise (noting that the Council does operate an out of hours noise service);
- Sale of alcohol should stop about an hour/30 mins before the event concludes.

To counter parking issues/congestion:

- Controlled parking/parking charges should be applicable to all non-residents - this would reduce the numbers of cars parking in the area and blocking drives, congestion etc;
- Perhaps the local mosque could offer their car park for use during events (and vice versa);

- There should not be any events/prayers going on at both venues at the same time;
- Any quicker assistance from the Council to remove obstructing vehicles would be appreciated;
- Installing CCTV to ensure people do not park illegally.

The problems experienced locally have increased over time, and I think it is only right that representatives of both the mosque and the centre have a role in any resolution and take some responsibility in trying to address the current issues.

Annex 5

Proposed Licence Conditions:

Annex 1 - Mandatory Conditions

The Mandatory Conditions are attached and form part of the Operating Schedule of your licence/certificate. You must ensure that the operation of the licensed premises complies with the attached Mandatory Conditions as well as the Conditions in Annex 2 and Annex 3 (if applicable). Failure to do this can lead to prosecution or review of the licence.

Annex 2 - Conditions consistent with the Operating Schedule

3. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.

4. A minimum of one warden/caretaker shall be on duty whenever the premises are in use under this licence.

5. Children shall only be admitted to the premises if they are accompanied by a parent or guardian over the age of 18.

6. Any alcohol stored on the premises shall be locked in a cabinet in the locked office.

7. Doors and windows shall be kept closed but not locked during live and or recorded music.

8. The management shall make subjective assessments of noise levels outside at the perimeter of the premises approximately every hour, whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents. Records shall be kept of the times, dates and any issues discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or police, upon request. Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down.

9. A noise-limiting device shall be installed to any amplification equipment in use on the premises. The noise-limiting device shall be maintained in effective working order and set to interrupt the electrical supply to any amplifier should the volume of the music be audible at the perimeter of the premises.

10. The warden/caretaker shall supervise the front entrance and carpark of the premises for 30 minutes after licensable activities cease to ensure an orderly dispersal of patrons.

11. Prominent, clear and legible notices shall be displayed at all public exits from the premises and in the carpark requesting customers respect the needs of local residents and leave the premises area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.

12. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.

13. All people involved in the sale of alcohol shall be trained in relation to the sale of alcohol and the times and conditions of the premises licence.

14. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.

15. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

Annex 3 - Conditions attached after a hearing by the licensing authority

LICENSING SUB-COMMITTEE - 19.6.2019**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 19 JUNE 2019****COUNCILLORS****PRESENT** (Chair) Tolga Aramaz, Sinan Boztas and Chris Dey**ABSENT****OFFICERS:** Ellie Green (Principal Licensing Officer), Esther Hughes (Chair of Safety Advisory Group), Balbinder Kaur Geddes and Dina Boodhun (Legal Services Representatives), Jane Creer (Democratic Services)**Also Attending:** (For Item 3)
On behalf of Mad Husky Events Limited: Saba Naqshbandi (Counsel), Lizamarie O'Sullivan (Director, Mad Husky Events Limited), 4 representatives from Mad Husky Events Limited, PA Company, Sabre Security and Vanguardia
Other persons making representation: IP3, Councillor Edward Smith and Councillor Alessandro Georgiou (Cockfosters ward councillors)
1 x Press representative
(For Item 4)
On behalf of The Penridge Suite: Desmond Michael (Licensing Consultant), Penridge Suite Premises Manager on behalf of the applicant
Councillor Christine Hamilton**56****WELCOME AND APOLOGIES FOR ABSENCE**

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

57**DECLARATION OF INTERESTS**

There were no declarations of interest in respect of any agenda items.

58**TRENT PARK, COCKFOSTERS ROAD, EN4 0PS (REPORT NO.26)**

LICENSING SUB-COMMITTEE - 19.6.2019

RECEIVED the application made by Mad Husky Events Limited for the premises situated at Trent Park, Cockfosters Road, Cockfosters, EN4 0PS for a New Premises Licence.

NOTED

1. The introductory statement of Ellie Green, Principal Licensing Officer, including:
 - a. The application was made by Mad Husky Events Limited for a new premises licence, in Trent Park.
 - b. The application was for an annual event, but limited to two consecutive weekend days per year, with a maximum capacity at any one time of 17,500 people.
 - c. This year the event would take place on one day only: Saturday 3 August 2019.
 - d. Mad Husky Events Limited had applied for and been granted a one off premises licence for the previous two years. The 51st State Festival had been held since 2014 in Trent Park.
 - e. There had been no formal action by responsible authorities following any of the previous events.
 - f. The application was for licensable activities between 11:00am and 10:30pm, including regulated entertainment, and sale of alcohol from 11:00am to 9:45pm on Saturday, with times on Sunday to be one hour less.
 - g. Trent Park had a full premises licence. The Council's Parks Department were the licence holder.
 - h. Trent Park was hosting additional festivals this summer. More details were set out on page 3 of the agenda pack.
 - i. This application had received 17 representations by other persons in objection: these were local people, resident groups, parks groups and ward councillors, referred to as IP1 to IP17, and set out in Annex 5 of the report.
 - j. This application had also received five supporting representations from residents and local businesses, referred to as SUP01 to SUP05, and set out in Annex 6 of the report.
 - k. The representations in objection were based on all four licensing objectives.
 - l. The applicant had responded, as set out in Annex 3 and provided information on the noise management plan in Annex 4 of the report.
 - m. The Licensing Authority originally made representation, seeking modifications to conditions. The applicant agreed the conditions and subsequently the representation had been withdrawn.
 - n. The Metropolitan Police had not made any representation.
 - o. The applicant had been in consultation with Enfield's Safety Advisory Group (SAG). Esther Hughes, chair of SAG was in attendance at the hearing today.

LICENSING SUB-COMMITTEE - 19.6.2019

- p. Since the report was published, further amended lists of conditions were produced and the final agreed list was set out in Annex 9.
 - q. At this hearing it would be for the Licensing Sub-Committee to determine whether the application was supported the four licensing objectives.
 - r. Representatives of the applicant present included Lizamarie O'Sullivan, Director of Mad Husky Events Limited, Saba Naqshbandi, Counsel, and representatives from PA Company, Sabre Security, and Vanguardia.
 - s. IP3, IP11 and IP12 were present. A note had been received from IP4 who wished to apologise for their absence, and had an objection to the whole of licensing in Enfield. This matter was being dealt with outside the hearing.
2. The statement of Saba Naqshbandi, Counsel for the applicant, including:
- a. In the past four years, the 51st State Festival had been hosted at Trent Park. This year a one day event was planned on Saturday 3 August 2019.
 - b. There had been no representations from the Police to this or previous applications. The organiser had worked with the Police every year, discussed the way forward, and been fully co-operative.
 - c. There had been representation from the Licensing Authority, seeking modifications to conditions. This had been an ongoing process and the agreed conditions were as set out in Annex 9.
 - d. In a global response to the representations from other persons it was advised that 51st State Festival was a day festival with no camping and with a variety of music including soul, reggae and disco. It was confirmed there would be no overnight camping. Attendance was by over 18s only, and the music genres appealed to an older crowd. The core audience was in the 25 to 40 age group. In previous years an application had been made for a time limited licence. This application sought a premises licence. This was something which had always been discussed and proposed once a few years' experience had been built up.
 - e. Future event dates would be determined by the applicant in conjunction with SAG, and SAG would continue to provide oversight and post-event review. In any case, there could be recourse via Environmental Health regarding any noise concerns, and other means whereby the licence could be brought back for review.
 - f. An incremental approach had been taken in respect of capacity, rising from 10,000 to 12,500 to 15,000 and this application was for a capacity of 17,500. For comparison, the ELROW Festival maximum capacity granted was 24,999. In doing this, there had been no objection from the responsible authorities of the capacity number. If there had been any real concern it would have been expected that the Police would have made an objection but that had not been the case.

LICENSING SUB-COMMITTEE - 19.6.2019

- g. Otherwise, the 51st State Festival would be very similar to last year's event, with five stages and several bars and food stalls. The last entry would be 6:00pm, with all attendees in by 7:00pm when the venue would be closed to ingress. There would be no re-entry permitted. Soft closure would begin from 9:00pm. Music would begin winding down from 9:00pm. All alcohol sales would stop at 9:45pm and all music would stop at 10:00pm. Gates would shut at 10:30pm. Times were modest.
- h. Mad Husky Events Limited, and Lizamarie O'Sullivan its Director, were experienced and had been involved with the festival all four years, running it for the last two. Lizamarie O'Sullivan had held a personal licence for nine years and had been a general manager of a large nightclub and run a number of large festivals in parks including Finsbury Park and Brockwell Park.
- i. Every year there was consultation with health and safety, medical and independent experts, and close liaison with Enfield Council. A debrief looked for new measures to improve the following year as an ongoing process. The organisers worked closely with the Police and the SAG.
- j. There had been engagement with resident groups, including a specific meeting held on 5 June 2019, with the applicant, representatives and LB Enfield.
- k. Documentation regarding the festival operation and management was very lengthy, but the noise management plan was provided for assistance. SAG had reviewed all the documentation. These were working documents up to the last moment of the event. Mad Husky Events Limited were reflective and reviewed issues. Changes this year included employment of an external manager Simon Duvall with 15 years' experience, who would liaise on traffic management, residents, local security, etc. There was also a new traffic management company this year. Documents had been prepared regarding risk assessment, evacuation, waste management, traffic management, construction, etc.
- l. Annex 9 set out the up-to-date 19 conditions agreed. These would deal with every aspect of the operation of the event.
- m. Objectors had raised concerns about damage to the site. In Year 3 there had been extremely bad weather, but every year any damage was made good.
- n. In respect of noise concerns, a noise management plan had been drawn up by Vanguardia as previously. Measures would include noise limiters, site layout to mitigate issues, sound checks before the event to set an appropriate level, and staff to monitor on and off site at regular intervals. Staff would visit residents if required. Last year, five noise complaints were received, between 1:00pm and 6:37pm and they were all responded to on the day. Sound levels were reduced or compressions added. That no complaints were received after 6:37pm suggested that the plan was good. Council staff would also be in the event control room, and there would be SAG meetings during and after.
- o. In respect of traffic management, all attendees were encouraged not to drive to the event. Transport for London (TfL) had confirmed that the

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number of attendees could be managed to Cockfosters tube station. The traffic management team last year, unknown to Mad Husky Events Limited, were dealing with two events on the same day. Apologies were expressed on behalf of Mad Husky Events Limited for that. Part of the agreement this year was that the company worked only at this one event on 3 August. Additionally this year there would be division into areas, with an individual manager. This year there would be no road which could not be accessed by residents, and appropriate signs and diversions would be in place.

- p. In respect of crowd management policy, a soft closure process was planned. TfL were happy with the increased numbers. There would be liaison with British Transport Police to be present. Mad Husky Events Limited had paid for additional Police presence of one Inspector, three Sergeants and 18 Officers.
 - q. Communication and planning had improved. This year loud hailers would be used to direct people, with signs to remind attendees to be quiet on leaving the venue. Portaloos would be provided again in the cricket field. Road closures would last until 11:30pm and marshalls would be in place until the area was clear.
 - r. A deployment plan had been drawn up with Sabre Security. Three entrances to the festival would include general entry with 15 search lanes, VIP entry with eight search lanes for 2,800 people, and an artist and staff entrance with one search lane. CCTV would cover the venue, with focussed and panoramic views.
 - s. In respect of protection of children from harm, the festival had an over-18 only policy, and Challenge 25 training for bar staff. A 'cut out and keep guide' would be sent to all attendees. A ratio of one Security individual per 60 people went beyond recommendations.
 - t. Responsible authorities had not made representation or raised concern regarding the increased capacity. Very few complaints received was reflective of the event being well run. There was always room for improvement, and this would continue up to the event. If concerns should arise, there were statutory ways to bring a review to Licensing Sub Committee or the Magistrates Court.
 - u. Supporting representations were also highlighted, with apologies that none were able to attend the hearing, but some local people who had concerns in the beginning were now enthusiastic and enjoyed attending the festival.
3. The applicant and their representatives responded to questions, including:
- a. In response to the Chair's query regarding adequate toilet provision, it was confirmed that provision would be greater than required by guidance, and there would also be several disabled units across the site. On egress, portaloos at the cricket field would be advertised as the last facilities before the station, but there would be more along the road near the station and the taxi pick up point, which would be marshalled by TfL taxi marshals.

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- b. In response to further queries regarding CCTV provision, it was confirmed that the management plan specified the provision that all search lanes would be covered at all entry points. There would also be two bird's eye view cameras covering the whole site, and cameras from the main stage looking into the main crowd.
- c. In response to further queries regarding security provision, it was advised that a dedicated security company would be dealing with the external areas, including Cockfosters Road, Bramley car park and Cockfosters Station. There would be liaison with Environmental Health in respect of the no drinking zone. As attendees entered the festival, any alcohol on their person would be removed. Security for the egress would begin at 6:00pm or earlier with the soft closure and entry gates would close at 7:00pm with no more ingress. The search team of 50 would be redeployed to external areas and be on the egress route by 7:30pm. People would be directed to leave via the cricket field and via Cockfosters Road. At 9:00pm the hard road closure would begin. Security personnel would put in barriers, slowing people going to Cockfosters Station, with crowd planning to stop and start movement so there would be no overcrowding at the station. The station could hold up to 300 people, following TfL recommendations.
- d. In response to queries in respect of damage to the park, the problems with rain in Year 3 were advised and that the bond had been paid to the Council, and that in future a time extension would be sought for de-rigging in similar circumstances. Truckways were laid down in the park, and the ground was now well known, and there was close working and assistance with the Parks Department.
- e. In response to a query whether the same provisions would apply to the two day licence, it was confirmed that each event day would be planned independently. All installations brought in for one day would be kept on site for day two. It was also advised that the five inside arenas were big circus-like tents. The VIP area had an open sided structure. The main stage was fully open.
- f. In response to further requests for details, the site plan was highlighted and that the capacity would be comfortable across the space. The site was well understood, and how the crowd moved, and timings of sets. Each arena had its own separate entrance and hosted a different type of music, and the artists' calibre differed. Each arena had its own capacity specified by a health and safety officer and these were monitored. Each arena had a dedicated security team trained in advance, to control how the arena was filled and prevent overcrowding.
- g. Further information on security was provided, that on the day there would be more than 277 security officers at a ratio of one per 60 attendees, and had been worked out by Vanguardia for the various tasks as more than sufficient and would allow staff to be redeployed and provide a supplement of extra staff. This number included a team for the outside of the park and for the search area as well as inside. Esther Hughes clarified that SAG had an advisory role and it was for the client to risk assess the event and was their ratio for them to

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- deliver. Counsel for the applicant highlighted that Police were aware and had no concern about the security provision ratio.
- h. In response to further queries from the Panel, it was confirmed that no alcoholic drinks would be sold at food stalls, which would have only soft drinks. Alcohol could only be purchased at specified bars. Lizamarie O'Sullivan would be the Designated Premises Supervisor and each bar would have a personal licence holder then a manager overseeing the staff. The bar company used staff who worked in the bar industry and gave them a briefing on the day. The same company had also been used in Year 3 and Year 4. Managers were on site in days prior to the festival. Each bar also had a refusals log and independent folders, and Environmental Health would also inspect on the day. There would be zero tolerance around entry for over-18s only with photographic identification required for entry and robust enforcement. Total medical staff would be 21, planned with NHS advice, and two ambulances. In addition, security staff at strategic locations could act as first responders and had substantial first aid qualifications.
 - i. Councillor Edward Smith (Cockfosters Ward Councillor) asked for reassurance that all documents required had been submitted and signed off. Esther Hughes clarified that SAG did not 'sign off' documentation but were an advisory body. Information required to be submitted had been received and had been gone through, but the documents were live and updates were also coming through: there was no deadline for the process.
 - j. In response to a further query from Councillor Smith, the Police presence was confirmed as one Inspector, three Sergeants and 18 Police Officers. Silver Command would be on site on the day.
 - k. In response to queries from Councillor Alessandro Georgiou (Cockfosters Ward Councillor), the powers of security personnel were confirmed and that they would be in contact with Police at all times to prevent disorder. If any disorder was identified it would be dealt with by security and the Police. Security personnel were also welfare-conscious: anyone found to be intoxicated would be helped, with the medical providers, to sober up or assisted to get somewhere safely. There would be proactive work to identify intoxicated attendees and manage so they were not on the street bothering residents. Such nuisance would be minimised as much as possible. There were provisions to manage the numbers of people, including the stop / start system on egress, and the soft closure. There were the resources to redeploy staff as necessary. The crowd would be regularly monitored and a proactive approach undertaken to manage before any problems arose.
 - l. Residents raised anti-social behaviour and public urination witnessed in residential streets around Cockfosters Road after previous events and that marshals had not acted to stop this. It was advised that this year there would be redeployment of additional security in those areas involving TfL taxi marshals, traffic company personnel and a number of security officers to ensure this did not happen. There would be manned

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barriers so residents could access locations but not festival goers. Further to the residents' meeting, people would be prevented from sitting in the green areas at Westpole Avenue. Security had been discussed in depth and separate areas designated, with a manager each for Cockfosters North, Central, and South, and a solid team of security and traffic management personnel. This would reduce any disturbances. It was confirmed that each road would have one trained Chapter 8 overseer and a traffic marshal in place.

4. The statements on behalf of the objectors, including:
 - a. Councillor Edward Smith (IP12) advised that the basic concern of local residents and ward councillors was that, with its relatively small suburban station, this was not a suitable area for large events. Given this site's unsuitability and the increase in numbers of attendees each year he would recommend consideration of alternative venues for the festival. The Chair advised that the comments would be minuted, but that this hearing was to determine the application received.
 - b. On behalf of Cockfosters Local Area Residents Association, Colin Bull (IP3) also stated that the site was unsuitable. A festival with attendees, often pre-loaded with alcohol, then able to drink for 11 hours was uncomfortable to live next to for local residents. Residents also had concerns there would be insufficient numbers of Police to deal with 17,000 people. Also the road closures during the event caused problems for residents, and there was no liaison with Barnet Council despite the 'rat-run' between the boroughs through these roads. In respect of noise, the organiser had worked constructively to make the event as painless as possible for residents, but there was still concern that the crowds were intimidating. There was a lot of illegal behaviour from festival attendees. If there were other issues arising, for example in the local minimarkets, Police would not be able to respond as it would paralyse their resources. It was understood that more experienced security personnel would be used this year, but residents had concerns about the balance of risk and about the Council's philosophy in respect of events management: that the onus was on the operator and SAG was only advisory. The risks of something going wrong were unacceptable, and it should not be the approach to hold the operator accountable.
 - c. Councillor Alessandro Georgiou (IP11) was also speaking on behalf of IP2. The holding of events in Trent Park such as Cancer Race for Life, Ghana Festival, etc was not objected to, but larger festivals such as ELROW and 51st State were too big for Cockfosters to withstand. Cockfosters Station was a small, suburban station and had seen disruption on the platforms on the previous occasion involving verbal abuse and intimidation. Cockfosters with its largely older population had suffered anti-social behaviour during the previous event including noise, public urination, drugs and alcohol abuse, and there were fears this would be repeated. The bond for damage to the park was also

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- correlated in respect of drugs and inappropriate paraphernalia in Trent Park. There had not been enough Police last time and would not be enough this year. With the way Trent Park was structured and its entry and exit points, crowd densities could not be controlled and dispersed appropriately even with a soft closure. This application should be rejected as it did no good for the people of Cockfosters.
- d. Councillor Alessandro Georgiou referred to the event having already been advertised. The Legal Services representative advised this was not pre-determination as the decision would be based on written representations and oral representations at the hearing. Mad Husky Events Limited took the risk on advertising prior to any decision.
 - e. In summary on behalf of residents it was advised that this event was inappropriate and overwhelming for this area. There would be bottlenecks at the exit point and too many people on one road. The park was not built for such a situation and could not cope. Objectors were not against the use of Trent Park for events, but it should be used for family and community oriented events.
5. For clarification in respect of points raised it was advised by the applicant's representatives that the applicant had paid for policing provision as advised by the Police as fully adequate, having been involved with the festival for the previous four years. There had been debriefing involving the Police after each previous event and nothing of significance had been raised by them.
 6. A further response from objectors that if the applicant wanted to allay residents' concerns they could hire more Police. Residents understood that the Police were under-resourced and would only offer what they felt could be offered. Concentration would be on managing the station as the major area of friction, but a blind eye turned to petty crime.
 7. The closing statement of Ellie Green, Principal Licensing Officer. Having heard representations from all parties it was for the Licensing Sub-Committee to consider whether the application was appropriate and in support of the licensing objectives. Members' attention was drawn to the relevant law, guidance and policies as set out in the report.
 8. The summary statement on behalf of objectors that the operator should consider scaling back the event to previous levels, as the proposed crowd would be too big, and the risks were not properly managed.
 9. The summary statement on behalf of the applicant that a desktop exercise had been held yesterday with an independent reviewer who had experience of policing large festivals. The Police were not making objections and they were best placed to understand the issues, and they knew the event. There would be an experienced security team in place. The operator had gone over and above what was required. The event had improved every year, and the operator was proactive in working with

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parties and was confident in dealing with the numbers expected. Measures would be put in place to uphold the licensing objectives, and the planning had been done for a successful event.

10. The wording of the proposed additional condition was clarified with parties before the close of the hearing.

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 Chairman made the following statement:

“As the Licensing Sub-Committee we have deliberated on the objections, supporting representations, and the applicant’s statements. Both written and oral representations have been taken with equal weight.

The Licensing Sub-Committee has therefore decided to grant the application for the new premises licence for Mad Husky Events Limited (51st State Festival) subject to the amended conditions agreed and one additional condition.

The Licensing Sub-Committee will grant the licence indefinitely, in line with the ruling of the case of “AEG Presents Limited v London Borough of Tower Hamlets”. Given this case, I or anyone else does not have the power to apply a time limited licence when the applicant sought an indefinite licence. If the sub-committee was satisfied that the conditions, times and activities were suitable for one year they should be strong enough to grant the licence for any period of time – the test was the same, regardless of the length of period of a licence. There is a review process if required for this.”

3. The Licensing Sub-Committee **RESOLVED** that the application be **GRANTED IN FULL** as follows:
 - (i) The maximum capacity at any one time is 17,500.
 - (ii) The licensable activities and times are:

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Activity	Saturday	Sunday
Hours the premises are open to the public	11:00 – 22:30	11:00 – 21:30
Supply of alcohol (on supplies only)	11:00 – 21:45	11:00 – 20:45
Live music (indoor and outdoor)	11:00 – 22:00	11:00 – 21:00
Recorded music (indoor and outdoor)	11:00 – 22:00	11:00 – 21:00
Performance of Dance (indoor and outdoor)	11:00 – 22:00	11:00 – 21:00
Films (indoor and outdoor)	11:00 – 22:00	11:00 – 21:00
Anything else of a similar description (indoor and outdoor)	11:00 – 22:00	11:00 – 21:00

Conditions (in accordance with Conditions in LSC Report – Annex 9)

- (iii) Conditions 1 to 19, which are not disputed;
- (iv) **AND Condition attached after hearing by the Licensing Authority**

That the applicant manages the egress and the prevention of anti-social behaviour ensuring at all residential roads within the hard road close for the event the presence of 1 Chapter 8, 1 marshal and 1 security officer.

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THE PENRIDGE SUITE, 470 BOWES ROAD, N11 1NL (REPORT NO. 27)

RECEIVED the application made by Mr Kyriacos Pitsielis for the premises situated at The Penridge Suite, 470 Bowes Road, London, N11 1NL for a Variation of Premises Licence LN/200501167.

1. The introduction by Ellie Green, Principal Licensing Officer, including:
 - a. The application was for variation of a premises licence for The Penridge Suite, 470 Bowes Road, N11.
 - b. The venue was at the end of a commercial parade, on a busy road, with residential properties above the shopping parade and surrounding.
 - c. The venue had been operating since before 2005.
 - d. The application sought an extension of licensable hours, as set out in the table on page 80 of the agenda pack, with a latest hour of 01:30am. The table showed the amended times following the applicant's agreement to Licensing Authority proposals. The extension was

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- essentially 1.5 hours on Friday and Saturday and 1 hour on Sunday. The opening hours and recorded music would be reduced via the variation.
- e. The Monday to Thursday supply of alcohol hours was confirmed as correctly stated at 11:00 – 22:30. This allowed 30 minutes' drinking up time.
 - f. Ten representations had been received, against the application, from local residents, and were set out in Annex 4. Representations were based on prevention of crime and disorder, and public nuisance, and objected to the application in its entirety.
 - g. The Licensing Authority had made representation originally. The reduced times and activities proposed were agreed and therefore the Licensing Authority representation was withdrawn.
 - h. There were no representations from other responsible authorities.
 - i. Agreed conditions were set out in Annex 5.
 - j. Apologies had been received from the applicant who had to travel abroad at short notice on a family matter, but was represented by the Premises Manager and a Licensing Consultant. Councillor Christine Hamilton was also in attendance as a witness in support of the applicant.
 - k. The ward councillor or other persons were not able to attend the hearing, but full consideration must be given to the written representations.
2. The statement of Desmond Michael, Licensing Consultant, on behalf of the applicant, including:
- a. The Penridge Suite was not a nightclub or a disco. It was purely a function suite and catered primarily for family-type events, such as birthdays and christening parties. The clientele was very much family oriented and were not likely to cause nuisance or noise.
 - b. Planning restrictions had been dealt with prior to the Licensing application. The Planning Inspectorate had granted a permission on appeal. A Licensing application had then been made for similar hours, and taking regard of the responsible authorities' representations.
 - c. Further to officers' clarification of amended times agreed, it was confirmed that the hearing should proceed on the basis of the most up to date hours sought by the application as set out in the table on page 80 of the agenda pack. If a further extension to hours was required, another variation application would be made.
 - d. The Penridge Suite had operated responsibly since 2003. In that time there had been no recorded complaints to the Licensing Authority.
 - e. Recently, as a result of the public notice in respect of this hearing, some local residents had submitted some representations regarding parking issues. In attempting to address this, the management had invited all interested parties to a residents' meeting last week, and two residents attended. The venue had set out various measures which could be put in place to address any perceived parking issues that may

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arise. It had been recommended that residents should contact the Council and keep an incident diary of their own to collect evidence which could be examined. Residents had also been offered a telephone number to contact the venue as any incidents were occurring, but had refused that offer. Both these measures were standard means of communication which were generally acceptable.

- f. Currently, attempts were being made to enter into partnerships regarding facilities for parking. Discussions were still ongoing, but the operators were trying to secure purpose-built parking a short distance away with provision of a taxi / minibus shuttle for patrons to the venue.
- g. A local resident had written to the venue, supporting the application, and it was offered to be read out. The Chair noted that a copy of the letter had not been provided by the applicant in time to follow due process and to be distributed to all parties, and this would affect the weight given to it by the Sub-Committee.
- h. The Premises Manager confirmed that the venue had been operating for 16 years, and that Arnos Grove Underground Station was close by, and had parking. Residents of Brunswick Park Road had raised concerns that Penridge Suite clientele parked in their road, but the operator was looking for a solution to help out.
- i. Councillor Christine Hamilton spoke in support of the venue, which she had used for a number of years to host charity events, including the Mayor's formal fund-raising dinner in 2018 and a recent event for Enfield Town Football Club. There had been no problems experienced with dropping off or parking, and the management had been very supportive. Guests had not complained about parking as they had been directed to the station and other car parks. Noise had not been noted when leaving and event-goers said their goodbyes inside the venue, but with the tube station close by this area was always busy including people returning from London.

3. Questions were responded to, including:

- a. In response to the Chair's queries, Ellie Green confirmed that the non standard timings applied for were quite usual for venues and pubs. She also confirmed that no complaints in respect of this venue had been received by the Licensing Authority.
- b. In response to Councillor Dey's query regarding the display of the licensing notice behind frosted glass, it was advised that the whole consultation had been re-started and re-advertised due to this error, and that all statutory requirements had been fully complied with.
- c. In response to Councillor Dey's queries regarding residents' concerns about noise within the written representations, the mitigation measures were confirmed by the applicant. A sign was displayed to remind attendees to leave quietly and respect local residents. Attendees were also asked to stay inside the venue until their taxi arrived, and if driving to the venue were asked to move on and not stand around talking. If attendees did drive it was usually for family events where there was

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less drinking. It was also not certain that the noise arose from Penridge Suite guests, given that the area was busy and there was also a petrol station in the vicinity. The venue was a family run business and did not receive complaints. The Planning Inspectorate appeal decision on page 112/3 referred to the absence of noise issues or complaints.

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 Chairman made the following statement:

“The Licensing Sub-Committee has deliberated on the application from Penridge Suite and has also taken into consideration the written evidence submitted by objectors.

The Licensing Sub-Committee is granting the licence in full subject to the agreed proposals made by the Licensing Authority.”

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

- (i) The licensable activities and times are:

Activity	
Supply of Alcohol (on)	11:00 – 22:30 Mon – Thurs 11:00 – 01:30 Fri – Sat 11:00 – 00:30 Sun (Plus Non-Standard Timings 1)
Recorded Music	12:00 – 23:00 Mon – Thurs 12:00 – 01:30 Fri – Sat 12:00 – 00:30 Sun (Plus Non-Standard Timings 1)
Live Music	12:00 – 23:00 Mon – Thurs 12:00 – 01:30 Fri – Sat 12:00 – 00:30 Sun (Plus Non-Standard Timings 1)
Performance of Dance	12:00 – 23:00 Mon – Thurs 12:00 – 01:30 Fri – Sat 12:00 – 00:30 Sun

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	(Plus Non-Standard Timings 1)
Films	10:00 – 22:00 Mon – Thurs 10:00 – 00:00 Fri – Sat (Plus Non-Standard Timings 2)
Late Night Refreshment	None Mon – Thurs No change Fri - Sun
Opening Hours	08:00 – 23:00 Mon – Thurs 08:00 – 02:00 Fri – Sat 08:00 – 01:00 Sun

Conditions (in accordance with Conditions in LSC Report – Annex 5)

(ii) Conditions 1 to 15, which are not disputed.

60**MINUTES OF PREVIOUS MEETINGS**

RECEIVED the minutes of the meetings held on Wednesdays 17 April, 24 April, 8 May and 15 May 2019.

AGREED the minutes of the meetings held on Wednesdays 17 April, 24 April, 8 May and 15 May 2019 as a correct record.

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LICENSING SUB-COMMITTEE - 9.7.2019

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON TUESDAY, 9 JULY 2019**

COUNCILLORS

PRESENT (Chair) Tolga Aramaz, Derek Levy and Jim Steven

ABSENT Chris Bond

OFFICERS: Ellie Green (Principal Licensing Officer), Esther Hughes (Chair of Safety Advisory Group), Antonia Makanjuola (Legal Services Representatives), Jane Creer (Democratic Services)

Also Attending: On behalf of Broadwick Venues Limited: Paddy Whur (Woods Whur LLP), and 8 representatives on behalf of the applicant
On behalf of Metropolitan Police Service (IP2): Gary Grant (Legal Counsel), Chief Inspector Alex Kay (Safer Neighbourhoods), PC Mark Greaves (Police Licensing Officer), PC Jim Hartland (Licensing Governance Hub)
On behalf of Tottenham Hotspur Football & Athletic Co Ltd (IP3): Gerald Gouriet, QC (Legal Counsel), Sue Dowling (Blandy & Blandy LLP), Richard Serra (Head of Planning THFC), Tim Spencer (Tim Spencer & Co), Alex Thorpe (Senior Business Manager THFC)
Counsel for Licensing Committee: Stuart Jessop (Barrister, Six Pump Court)

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WELCOME AND APOLOGIES FOR ABSENCE

Councillor Aramaz as Chair welcomed all those present and explained the order of the meeting. Councillor Aramaz (Vice Chair of Licensing Committee) chaired the meeting in the absence due to illness of Councillor Bond.

105

TRIBUTES TO MARK GALVAYNE

Tributes were paid in respect of the recent death of Mark Galvayne, former LB Enfield Licensing Officer, and attendees stood for a minute's silence.

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DECLARATION OF INTERESTS

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NOTED there were no declarations of interest.

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MERIDIAN WATER, UNIT 4-6B ORBITAL BUSINESS PARK, 5 ARGON ROAD, EDMONTON, N18 3BW (REPORT NO.58)

RECEIVED the application made by Broadwick Venues Limited for the premises situated at The Drumsheds, Meridian Water, Unit 4-6B Orbital Business Park, 5 Argon Road, Edmonton, N18 3BW for a New Premises Licence.

NOTED

1. The introduction by Ellie Green, Principal Licensing Officer, including:
 - a. This was a new premises licence application for events licensing by Broadwick Venues Ltd at the Drumsheds, Meridian Water, Edmonton.
 - b. The applicant now sought a maximum capacity of 7,000.
 - c. The premises licence was to be time limited to January 2024.
 - d. The application sought provision for various regulated activities as set out in the officers' report, and subsequently amended to finish at 03:00 indoors rather than 06:00.
 - e. Initially, seven representations were received from Responsible Authorities and other parties including the London Fire Brigade and Enfield's Safety Advisory Group (SAG). The Fire Service (IP4) withdrew their representation yesterday as their requirements had been met. Subsequently, the SAG representation (IP6) had also been withdrawn, and the applicant had submitted conditions with agreed SAG wording, set out in Annex 34 of the agenda pack.
 - f. There were five outstanding representations, including the Metropolitan Police Service (MPS) (IP2) and Tottenham Hotspur Football & Athletic Co Ltd (THFC) (IP3), who were in attendance at the meeting. Three local residents who made representations (IP1, IP5 and IP8) were unable to attend but the panel were reminded that these representations must be given equal consideration as if they were in attendance.
 - g. Mediation had been ongoing throughout the process, and final submitted conditions agreed with SAG were produced in Annex 34 and conditions re-submitted by the MPS were produced in Annex 35.
2. The statement on behalf of the applicant, Broadwick Venues Ltd, represented by Paddy Whur, including:
 - a. In respect of the agreement reached with the MPS, Annex 35 set out the schedule and amendments to timings, capacities and conditions.

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- The application had originally been open-ended with a 9,999 capacity. Heed had been paid to what the MPS said, and the transport issues, and the need for the applicant to prove themselves. There had been a reduction in capacity sought to 7,000 and to the maximum number of events to be sought in each category until the licence expired in 2024.
- b. Suggested conditions had been accepted in principle in totality. There was some work to do to avoid repetition in the conditions and to finesse some of their wording and to ensure they were all considered enforceable by the Responsible Authorities.
 - c. Gary Grant, Legal Counsel for Metropolitan Police, confirmed the MPS agreement with the applicant, and that subject to conditions set out in Annex 35 they had no objections to granting of the licence.
 - d. One amendment was proposed to the final condition: Condition 23 in Annex 35 with words to be inserted to the effect that if there was an insurmountable clash of events and this could not be resolved, as a 'backstop' the Police would consult both relevant parties and with those who looked after transport which was crucial. After consultation, if an insurmountable clash in the view of a senior Police officer undermined the licensing objectives, only then could an activity taking place under the licence be vetoed. This condition would give comfort that the application could be granted without the risk of undermining the licensing objectives.
 - e. In respect of the applicant, the background of Broadwick Venues Ltd was described, and that they held over 20 premises licences across the country including at four iconic London venues (as set out in Annex 14) and put on over 4,000 events last year with over a million attendees. They had never been subject to a licence review, or had a negative relationship with Responsible Authorities. A key success was The Printworks London in LB Southwark, close to Canada Water Tube Station, which had over 213,000 people through the doors and only four arrests. Another premises licence had recently been granted next door for 1,500 capacity. The successful grant of a licence at Mayfield Depot in Manchester was also highlighted, where the company had proved themselves to the Responsible Authorities in an area close to football stadia and the MEN Arena. The applicant also had recent licence grants in London at 'Magazine' next to the O2 Arena, Greenwich, and 'Exhibition' at Westfield, Shepherd's Bush. They were top in their field.
 - f. The company had been approached by Enfield Council in respect of Meridian Water because of their experience and their unblemished record, for cultural use and wider purposes. There had been close liaison with Property and Regeneration staff. The Festival licence had been granted successfully and the Events application was for consideration today. The application had been through a significant SAG process. The Field Day Festival had been delivered last month: Annex 16 set out the SAG debrief document and showed the company had delivered on the promise given to the authorities.

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- g. The site was now unrecognisable: this use was an important part of the regeneration process. The licence would be temporary and the aspirations for residential, retail and leisure for the future of the site were recognised. Broadwick Venues Ltd specialised in meanwhile uses.
 - h. A lot of work had been put in, and the offer had been fine-tuned. London Fire Brigade and SAG were satisfied with the application, and agreement had now been reached with MPS.
 - i. In respect of proposed Condition 23 and the Police veto, this had been finessed that if there was an insurmountable clash with this venue and THFC stadium use the MPS could exercise that veto. This was a significant offer to give the Police and the Licensing Authority comfort there would not be a clash where there could be a negative impact on the licensing objectives.
 - j. In respect of the three representations from local residents, the applicant would continue to work with all those who lived close to the site to explain what was going on, and to provide contact details to make sure their voice could be heard going forward. A higher number of residents had made representation against the Festival application, but there had been no negative impact after that event.
 - k. In respect of the THFC representation and the statement of Alex Thorpe, the applicant did not want to frustrate these ambitions, but agreed with that statement and the importance of investment in the area. Approval of this licence would mean Broadwick Venues Ltd could do the same and that Enfield would benefit significantly. £500k investment would come to this site, but if the licence was refused this would be put into jeopardy. THFC were nervous of impact on their commerciality, but this was not a material consideration for the Sub-Committee. Broadwick Venues Ltd had shown they could work with commercial operators and Responsible Authorities elsewhere. They would work with THFC, and would have a programme of events which could be disclosed, and could be looked at if they caused concern.
 - l. A number of documents in the pack proved the high standards of this operator, with apologies that the security plan could not be redacted in time for inclusion, but assurance that there would be a safe environment. An event at The Printworks at the moment was one of the most secure in London: there was no better operator in respect of a safe and properly run environment.
 - m. There were also some regeneration documents showing that Field Day Festival and other events were significant drivers in the continued development of the area, including some that were non-impactful, such as filming.
 - n. The operating schedule had been finessed with SAG and MPS and showed that the licensing objectives would be promoted, as had been done so successfully elsewhere by this applicant.
3. The applicant and representatives responded to questions, including:

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- a. The Chair reiterated that the Sub-Committee would make a decision based on the licensing objectives.
 - b. In response to Councillor Levy's question regarding discussions with THFC over clashes of event dates but not times, it was advised there had been two meetings between the parties to discuss how a clash was perceived and that work would continue. The applicant had provided documentation to show ingress and egress and that there could be events at different times at both sites. There had also been agreement to the Police veto condition in response to concern raised.
 - c. In response to Councillor Levy's further questions regarding the outline programme of events and whether this pre-dated the publication of football fixtures, it was confirmed that the event programme was aspirational at the moment as the licence authorisation was needed. The fixture list would play a key role for the applicant, who wanted to prove themselves to THFC and all. THFC had less flexibility as they were given the fixture list. Broadwick Venues Ltd had not gone to contract with any acts.
 - d. In response to further queries in respect of avoidance of clashes, the applicant had experience of identifying unusual spaces and creating events and considering all stakeholders in a locality; and was confident that with discussion everything was surmountable. There would be planning around transport infrastructure being able to cope, and the final veto would be held by the Police.
 - e. Councillor Levy asked if any discussions with THFC related to the potential of operating a fan zone concurrent to matches. It was confirmed that the applicant had two strands – as promoters they worked with acts who may want to use the stadium, and they wanted to work with THFC in partnership rather than against them especially during home games or American football, as a base for supporters who wanted to participate. It could be mutually advantageous to work together.
 - f. In response to the request for clarification from the Chair, it was confirmed that the proposed conditions requested by the MPS were accepted by the applicant, subject to the small changes to proposed Condition 23.
4. The statement of Gary Grant, Counsel on behalf of the Metropolitan Police Service, including:
- a. The Police supported the Council's efforts to regenerate Meridian Water and had no desire to block events in so far as they were compatible with public safety. Therefore the proposed conditions and veto had been put forward.
 - b. Thanks were recorded to the applicant for their constructive approach to the MPS concerns.
 - c. The veto Condition 23 was sought as a backstop in the hope never to have to use it. With sufficient give and take with the applicant and THFC the veto would not need to be used. It would not automatically

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- lead to a veto on two events on the same day. The criteria was if the licensing objectives were likely to be seriously undermined and only then if the issue was wholly insurmountable and there was a serious risk.
- d. The wording of Condition 23 had been amended to add various parties to be consulted and should also read 'local train operators' rather than Greater Anglia Railway.
5. The MPS confirmed to the panel they were comfortable with the application and that the licensing objectives would be promoted to their satisfaction, and the only concerns were around potential clash of events. There were no other questions to the MPS.
6. The statement of Gerald Gouriet, Counsel on behalf of THFC, including:
- a. It was noted that the issues for discussion had narrowed considerably, and all parties had the same aim of promoting public safety.
 - b. The THFC position outstanding was the real and identifiable risk to public safety that the Police veto condition (Condition 23 in Annex 35) did not solve. The concern was that the Police were given authority to consult with parties, but the position was not clear if one of the consultees were to take a different view to the Police. If that was the case, the veto should also be given to Transport for London (TfL), local train operator, and British Transport Police (BTP). If any had outstanding concerns that could not be surmounted, all should have the right to veto an event. It was unfair that Police had the sole authority of decision making; necessitating them going into areas where they were not experts, such as transport management.
 - c. The proposed condition was capable of amendment and for the gap between the parties to be solved.
 - d. There should not be a clash between a Drumsheds A, B or C event and an event at the THFC stadium, for obvious reasons relating to prevention of crime and disorder, nuisance, and public safety. The Police's understandable focus was crime and disorder. Similarly, THFC met all four licensing objectives, but public safety was their expertise. Tim Spencer's statement (Annex 31) was highlighted: he was an expert in public safety with experience built up over a decade. On any stadium event day, local public transport was used to capacity.
 - e. At a licensing hearing it was common for the panel's advice to be that if a concern raised by objectors was to materialise, that the licence could be brought for review. That could not be the way of doing things if the concern was public safety, as the risk could not be taken. It would be no comfort that the licence could be amended at a later date.
 - f. A suggested default was that there should be no licensable activities at the venue on any THFC stadium event day. The exceptions to this were what gave rise to complications.
 - g. There were snags to the seeming simplicity that an event could take place later in the day at the Drumsheds if a football match took place

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earlier in the day at the stadium. The timing of football fixtures on any day could and did change, sometimes at the last minute. At any point a stadium event time may change and become a clash, and it was not clear what would be done if such a situation arose. The wording of Condition 23 should be considered more carefully.

- h. The assumptions being made in Annex 25 in respect of events at the Drumsheds were sometimes invalid and unrealistic. For example, a stadium kick-off time of 12:30 gave rise to egress 14:00 – 17:15. It was asserted that a Drumsheds event could start at 17:00 without a clash. This assumption required that no attendees would arrive before 17:00. Based on such documentation, it could not be relied on the applicant for providing a solution and guaranteeing no clash. Such assertions led Tim Spencer to conclude that the Drumsheds transport management plan was deficient and unfit for purpose.
- i. Annex 31 was highlighted, with the chart setting out actual survey results in respect of Field Day Festival event day. For arrivals, the Tottenham Hale / Victoria Line route was significantly used. Use of Meridian Water station was as predicted for Field Day, and so the reliability of the applicant's different predictions for Drumsheds events was questioned.
- j. What was being asked was to permit a licence that allowed clashes subject to Police being able to veto. To prevent the risk of undermining public safety with sufficient certainty, the default position should be to prohibit any event on a day which clashed with a stadium event unless it was permitted for good reason, in writing, by more than just the Police.
- k. If the only concern was prevention of crime and disorder, that was the Police's remit and it would be difficult to criticise them having control over the decision. The problem in this case was that public safety issues involved transportation and a complexity of arrangements which fell outside the Police's remit.
- l. Written permission to allow an event should be required from Haringey Licensing officers, Enfield and Haringey Police, and British Transport Police. It was not enough to say they should be consulted as that did not deal with the problem that would arise if there was a disagreement between them. (The Principal Licensing Officer confirmed that Haringey Licensing Authority was consulted on this application and had no comments. They had fed into the SAG for the Festival application and made representation only against the Festival application.)
- m. A higher benchmark should be set where there was a public safety concern. The risk should not be taken of anything going wrong and questions then being asked around recognition of risk. Other parties should be empowered to stop an event if they felt it was unsafe.
- n. With the only veto being held by the Police, the risk to public safety was not eliminated. The request was reiterated for written consent from Haringey Licensing Authority, MPS and BTP, and consultation with TfL, local train operator and THFC.

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- o. The relevant train stations which would be used were in LB Haringey. The obvious real possibility could not be discounted that if there were too many people at the same time on the platform this would lead to problems and repercussions, and that had to be avoided.
 - p. It was not enough that the Police “make reasonable efforts to consult”. Condition 23 should read “shall consult”.
 - q. If the Police were the sole arbiter how would they know if there was a last minute change of time at THFC or consequent Drumsheds timings. There needed to be a mechanism for the necessary information to be in the right hands.
 - r. There should also be a definition of “insurmountable clash”.
 - s. Tim Spencer was also available to answer questions.
7. Gerald Gouriet and THFC representatives responded to questions, including:
- a. The Chair highlighted the satisfaction of Responsible Authorities, subject to proposed conditions, and that other parties including the train operator had not made representation themselves, querying the evidence of concerns in respect of public safety. In response, the concerns were summarised as too many people on the streets moving to and from stations, too many people funnelling into station entrances, too many people on any platform where a train was passing or due to stop. These situations were potentially dangerous. The recent email from Greater Anglia (set out in Annex 33) corroborated and justified Tim Spencer’s statement and gave it more weight. Too many people at any one time was a danger that must be avoided, which could be the case if there was a Drumsheds event on the same day as an event at the THFC stadium. As a solution to the risk being offered, it was unfair on the Police to give them that responsibility. The Police were the main advisor in respect of the licensing objective of prevention of crime and disorder but did not hold themselves as experts on transport.
 - b. In response to the Chair’s queries that Greater Anglia had not taken the opportunity to make objections, it was advised that their letter demonstrated the risks, and that they were greater than supposed, given issues like closures and train lengths. The proposed condition was not enough: the train operator should be given the right of veto.
 - c. Councillor Levy questioned that it seemed there was an assertion of primacy for THFC’s existing licence at the stadium over a licence which was being applied for in this case. In response it was advised that it would be irresponsible if THFC did not raise concern if it was felt that public safety could be compromised if the Police only and not Greater Anglia could veto. Secondly, it did concern THFC if their fans were at one of those places where there may be a problem. The stadium had 56 event days, which left around 300 days free for Drumsheds events. Annex 30 set out the football fixtures: there were 23 away match days, 15 of them on a Saturday, which would also be available for Drumsheds events. THFC were not seeking their own veto, and were

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- grateful they should be consulted, but it could not be ignored that they had a licence, planning permission, and events planned, and that a risk had been identified. THFC had a genuine concern about public safety.
- d. In respect of evidence to support a contention in respect of a public safety risk, Tim Spencer highlighted the information provided in Annex 31. The Field Day Festival had been successful, and had gone forward with explicit avoidance of any clash with stadium events. He had extensive experience of what happened on match days at the stadium and had evidence-based surveys. He had concerns about the travel forecast predictions put forward by the applicant, and could not agree with assumptions built into the appraisal. There was heavy reliance on the Victoria Line: use as a minimum would reflect Field Day, and could be 90-95%. The rail services set out were unrealistic, particularly in respect of Meridian Water station which should be disregarded as it would not be primarily how people would arrive or leave. The emphasis should be on Tottenham Hale. The new THFC stadium was a world class facility and was different to the old White Hart Lane ground: people turned up in high numbers early and stayed late for up to three or four hours after an event. There were also flows from stadium staff. There was a large increase in use of public transport. He asked that Drumsheds events take place on days when there was no conflict with stadium events.
- e. In response to Councillor Levy's further queries regarding exceptions to enable two events on the same day, it was advised that a problem would arise if there was a change to timings of a THFC stadium event. Drumsheds indicated they could deal with that and adjust times, but it was considered this would not work. The exception would be if the consultees agreed to an exception and an event taking place, but they may not and that was where the condition would be problematic. Tim Spencer advised he had been through some hypothetical events. Television schedules in respect of football coverage were published on a month by month basis, and more immediately later in the season: changes to timings of matches may be made too late to influence Drumsheds events. It was complex to work around rail line closures too. It was important that parties with the transportation knowledge should be involved in making decisions about proceeding.
- f. The Chair raised the assumption that if TfL had concerns they would have made objections and defended their right to have a veto. In response it was acknowledged that any number of organisations could have participated in the process, but THFC were in attendance as they were worried about implications, particularly any risk to the stadium's safety certificate.
- g. It was confirmed that MPS did not wish to ask any questions.
- h. In response to Esther Hughes' query regarding closure order powers, the solicitor on behalf of LB Enfield clarified that a closure order would relate to disorder and the issue raised at the hearing related to public safety. This issue could be dealt with by a condition.

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- i. Esther Hughes confirmed that representatives of TfL were involved in SAG and were present at the de-brief following Field Day Festival.
8. The summary statement of Ellie Green, Principal Licensing Officer, that, having heard the representations from all parties, it was for the Licensing Sub-Committee to consider if the application was appropriate and in support of the four licensing objectives. The potential steps were set out on page 6 of the agenda pack. Relevant guidance and policy was set out on page 4.
 9. The closing statement of Gary Grant, Counsel on behalf of the Metropolitan Police Service, including:
 - a. It was agreed that there were potentially serious risks if there were 7,000 attendees from the Drumsheds and 60,000+ from THFC using Tottenham Hale station. There would be risks around public safety and crime and disorder. This was why the Police were advising a veto was necessary: a veto would resolve that issue in the Police's view.
 - b. THFC asked that written permission should be given for events at Drumsheds on the same day as events at the stadium. However, there was a permissive presumption in licensing, and Condition 23 had been worded in accordance with that. The Police would consult with all relevant parties and come to a conclusion. The Police filled the role of public safety certifiers in stadiums. They would go to experts and when they had all the information, only then would they be in a position to exercise the veto.
 - c. Police were happy with the proposed wording amendment to "shall consult" rather than "have made reasonable efforts to consult" in proposed Condition 23.
 - d. The Police were in the ideal position to be in sole veto as they operated across the boroughs of Enfield and Haringey.
 - e. If too many parties had a power of veto, this could create difficulties, particularly time difficulties as decisions often had to be made quickly. There could also be legal issues. Other parties to whom THFC wished to give a power of veto (or requirement for written permission which was similar to having a power of veto) were not in attendance at the hearing.
 - f. MPS supported grant of the licence, with the proposed conditions.
 10. The closing statement of Gerald Gouriet, Counsel on behalf of THFC, including:
 - a. The reason the veto condition was still requested to be altered was that, as written, things could easily go wrong, such as Police being unaware of event timing changes, or not informed of rail disruption. A requirement for parties' written permission would make for a much safer outcome. There would be a short list of a certain named group

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- who should agree in writing before a clash of events on the same day took place. Others should be consulted.
- b. Those who should agree in writing should be Haringey Licensing Team, MPS and BTP. Their consent should be required, and if not given the presumption would be the event would not take place. TfL, Greater Anglia and THFC must be consulted.
 - c. A real problem foreseeable in the condition proposed was that consultees may not agree among themselves.
11. The closing statement on behalf of the applicant, Broadwick Venues Ltd, represented by Paddy Whur, including:
- a. He agreed with the points made by Gary Grant, and that alteration to the proposed condition would be contradictory to the ethos of licensing legislation. It was correct that the Police held the power of veto: they were the appropriate Responsible Authority, and they had a duty under the Licensing Act in respect of crime and disorder and public safety.
 - b. The Police had the same licensing team across both boroughs of Enfield and Haringey. If they exercised a power of veto, Broadwick Venues Ltd would not challenge that.
 - c. Broadwick Venues Ltd wanted to work in conjunction with others, and had a good track record of working with many other organisations in other places.
 - d. A wide range of people would be involved should there be a clash of events.
 - e. LB Haringey had made representation in respect of the Field Day, but not in respect of this application.
 - f. BTP could have made representation, but they had been involved in the process, as were TfL and Greater Anglia.
 - g. The SAG had proposed conditions and withdrawn their representation, as had London Fire Brigade. The Health and Safety Executive made no representation.
 - h. The Sub-Committee could be comfortable that the applicant had a good record and the Council had been very thorough.
 - i. With a reduction in hours, capacity and frequency, the Police were satisfied, and had thanked the applicant for being co-operative and constructive.
 - j. Broadwick Venues Ltd would continue to work with all responsible authorities, and with THFC, and public safety would be paramount.

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.

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

2. The Chairman made the following statement:

“The Licensing Sub-Committee (LSC) have considered all the material placed before it and we are of the view that this application for a licence should be granted subject to the conditions as set out in Annex 34 and 35 subject to some small changes. On this day, the 9th of July 2019, the LSC was informed that the Metropolitan Police Service would withdraw their representations subject to all the conditions proposed being included in the licence. All other objectors, apart from IP1, IP3, IP5 and IP8 had withdrawn their objections.

The sole issue of dispute at the hearing between the applicant and IP3 was paragraph 23 of supplementary report 4. It was agreed in the course of the hearing that the words “have made reasonable efforts to” should be replaced with the words “have consulted with”, and the word “both” is deleted. The police and the applicant also agreed to extend the consultees within that paragraph to include, Transport For London (TfL), local train operators and the British Transport Police (BTP). THFC agreed all of the conditions proposed save for they had issues with paragraph 23, supplementary report 4. They agreed in principle that there should be a veto to operate where there was a clash of events at THFC and the applicant’s venue. However, they disagreed with para 23 in the following way:

- They argued that there should be a prohibition on any event taking place at the applicant’s venue when there was an event already taking place at THFC on the same day, unless TfL, BTP and local train operators gave their written consent.

The LSC was of the view that the condition at para 23 as written but subject to the amendments as proposed by the police and the applicant on the day, is both appropriate and proportionate to promote the licensing objectives.

The LSC were content that all responsible authorities had an opportunity to raise any issues during the process and particularly with the SAG and those issues have undergone sufficient scrutiny. The LSC are aware that the licensing regime is a permissive one and therefore were not persuaded that para 23 should be written in such a way as to place a prohibition on a licensable activity taking place. However the LSC were persuaded that it was proportionate and appropriate for the police to have the veto on whether licensable activities took place in the event of a clash and having consulted with the applicant, representatives of THFC, TfL, local train operators and BTP. The concerns raised related to issues of public safety and we consider that this list of consultees is sufficient. The LSC considered all the issues raised by all the other IPs and concluded that these issues were sufficiently

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dealt with by the conditions as agreed. We were reassured by the applicant's unblemished track record in managing events of this type and beyond the steps they have taken to promote the licensing objectives that they would work with all interested parties to resolve any issues that may arise.

The LSC were of the view that the conditions as agreed by the police and the applicant were within the spirit of the Licensing Act and promoted the licensing objectives.

23: No licensable activities shall take place under this premises licence if a senior officer of the Metropolitan Police (Inspector rank or above) has indicated in writing to the premises licence holder that due to a clash of events (of whatever description) being held under this premises licence and at Tottenham Hotspur Football Club's Stadium, in his or her opinion the licensing objectives of crime and disorder, public safety or public nuisance are likely to be seriously undermined by licensable activities taking place under this premises licence over a specified period. No decision shall be made to veto, or limit, such an event or events under this condition unless the police have consulted with the premises licence holder, representatives of Tottenham Hotspur Football Club, Transport for London, local train operators and British Transport police in order to resolve the potential clash."

3. The Licensing Sub-Committee resolved that the application be granted as amended in full as follows:

The Licence is to be time-limited until Jan 1st 2024.

The licensable hours for any licence granted will be 08:00 hours until 03:00 hours daily, including all non-standard hours.

The maximum capacity of the premises licence will be 7,000 persons.

Conditions (in accordance with Annex 34 (Conditions agreed between Applicant and SAG) and Annex 35 (Conditions sought by Metropolitan Police)

Conditions 1 – 27 in Annex 34 and 1 – 22 in Annex 35

AND

Condition 23 as amended above.

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LICENSING SUB-COMMITTEE - 7.8.2019

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 7 AUGUST 2019**

COUNCILLORS

PRESENT (Chair) Chris Bond, Vicki Pite and Maria Alexandrou

OFFICERS: Ellie Green (Principal Licensing Officer), Antonia Mankanjuola (Legal Representative), Jacqui Hurst (Governance and Scrutiny Team)

Also Attending: Mr Victor Ben-Okoh (applicant and Director of Vickbenok Limited)

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WELCOME AND APOLOGIES FOR ABSENCE

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

There were no apologies for absence.

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DECLARATION OF INTERESTS

NOTED, there were no declarations of interest.

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**VBO LOUNGE, BAR AND RESTAURANT, 1-3 NORTHAMPTON ROAD,
ENFIELD, EN3 7UL. (REPORT NO. 82)**

RECEIVED an application for a new premises licence for the premises known as VBO Lounge, Bar and Restaurant, situated at 1-3 Northampton Road, Enfield, EN3 7UL.

NOTED

1. The introductory statement of Ellie Green, Principal Licensing Officer, including:
 - a. The application was for a new premises licence by Vickbenok Limited.
 - b. The licensing history of the premises as set out in section one of the report.
 - c. The times that had originally been sought by the application and the amended times following agreement to representations from the Police and Licensing Authority as set out in section 2.4 of the report.
 - d. Representations had been made by the Licensing Authority and Metropolitan Police to the original application seeking modification in

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- conditions and reduction in hours, which had been agreed by the applicant. Those representations had now been withdrawn.
- e. Representations had been made, against the application, by 20 local residents; referred to as IP1 to IP20 in the report (Annex 2 of the report referred). The residents were representing Gilda Avenue and Duck Lees Lane. The grounds of representation were based on all four of the licensing objectives: prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm. In the light of the amended times and conditions, IP10 had since withdrawn their representation.
 - f. The applicant had provided a response to the objections, set out in Annex 3 of the report. In addition, the Directors of Vickbenok Limited, Victor Ben-Okoh and Carolyn Branson had organised a meeting for local residents to discuss their concerns and respond to issues raised. No residents had attended the meeting.
 - g. No residents were in attendance at the hearing.
 - h. The conditions arising from this application were set out in Annex 4 of the report.
2. The statement of Victor Ben-Okoh, Director of Vickbenok Limited (applicant), including:
 - a. The personal history and experience of Mr Ben-Okoh as referred to in Annex 3 of the report and outlined to Members at the meeting. It was noted that the premises aimed to be a bespoke hybrid venue designed for multi-purpose use.
 - b. The application, as amended, now being sought, as set out in the report.
 3. The questions raised by the Sub-Committee and responses received, including:
 - a. The Temporary Event Notices (TENs) that had previously been agreed for the premises as detailed in paragraph 1.8 of the report. In response to questions raised, it was noted that there had been no complaints or issues of concern raised in respect of these events.
 - b. The most recent event had taken place on 5 August 2019. Mr Ben-Okoh reported that he had monitored the noise level from the premises and had found it to be significantly less than the noise caused by the traffic passing by the premises.
 - c. In response to a question raised, it was confirmed that local residents had been provided with the business telephone number of the applicant.
 - d. A discussion took place regarding the capacity of the premises. 200 people had attended the recent event. The Sub-Committee were advised that the capacity of the premises was 350. Members sought confirmation that the numbers in attendance would be monitored and the premises closed if the maximum number was reached. Members

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- also sought information on the expected peak times for attendance. The applicant responded setting out the most popular times for families and for evening events.
- e. The Sub-Committee sought information on how long an evacuation of the premises would take with 350 attendees. In response the applicant stated that a risk assessment had been undertaken but he was unable to provide further detailed information to the Sub-Committee at the hearing.
 - f. In response to a representation received the Sub-Committee noted that the building had been erected around a street lamp column. The applicant had sought its removal but the company concerned had been unable to do so. It was noted the premises and surrounding area were sufficiently lit.
4. The closing statement of Ellie Green, Principal Licensing Officer. The Sub-Committee should consider the oral and written representations received and whether the proposed conditions were appropriate to the application under consideration. The Sub-Committee could decide to grant the application in part or in full; or refuse the application, as set out in the 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 Sub-Committee 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 Chair thanked everyone present for their attendance at the hearing and the representations made. The Licensing Sub-Committee had listened to and considered all the representations made; and, noted the written objections that had been received from local residents and the applicant’s response. The Licensing Sub-Committee agreed to grant the application in full for the hours as set out above. Conditions 1 to 40, in accordance with Annex 4 of the report, were not disputed and had been agreed by all parties to promote the four objectives of the Licensing Act. The Licensing Sub-Committee agreed an additional condition to limit the number of attendees to 300; to be monitored by staff by clicking the attendees in and out of the premises on the grounds of public safety”.

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3. The Licensing Sub-Committee resolved that the application be **GRANTED IN FULL** as follows:

- (i) Licensing Hours and Activities:

Activity	Amended Times following agreement to Police and Licensing Authority representations	Final Times determined by Licensing Committee
Opening Hours	09:00 – 02:00 Sun – Thurs 09:00 – 04:00 Fri - Sat	09:00 – 02:00 Sun – Thurs 09:00 – 04:00 Fri - Sat
Live Music*	23:00 – 01:30 Sun – Thurs 23:00 – 03:30 Fri - Sat	23:00 – 01:30 Sun – Thurs 23:00 – 03:30 Fri - Sat
Recorded Music*	23:00 – 01:30 Sun – Thurs 23:00 – 03:30 Fri - Sat	23:00 – 01:30 Sun – Thurs 23:00 – 03:30 Fri - Sat
Late Night Refreshment	23:00 – 01:30 Sun – Thurs 23:00 – 03:30 Fri - Sat	23:00 – 01:30 Sun – Thurs 23:00 – 03:30 Fri - Sat
Supply of alcohol (on)	11:00 – 01:30 Sun – Thurs 11:00 – 03:30 Fri - Sat	11:00 – 01:30 Sun – Thurs 11:00 – 03:30 Fri - Sat

Conditions (in accordance with Annex 4):

- (i) Conditions 1 to 40, which are not disputed
(ii) **AND**

Limit to 300 attendees. This to be monitored by staff by “clicking” the attendees in and out of the premises, on the grounds of public safety.

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MINUTES OF PREVIOUS MEETINGS

RECEIVED, the minutes of the meetings held on 19 June and 9 July 2019.