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LICENSING SUB-COMMITTEE

Wednesday, 7 August 2019 at 10.00 am
Council Chamber, Civic Centre, Silver Street,
Enfield, EN1 3XA

Contact: Jane Creer
Committee Secretary
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Councillors : Chris Bond (Chair), Vicki Pite and Maria Alexandrou

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. VBO LOUNGE & BAR RESTAURANT, 1-3 NORTHAMPTON ROAD, ENFIELD, EN3 7UL. (REPORT NO. 82) (Pages 1 - 52)

Application for a new premises licence.

4. MINUTES OF PREVIOUS MEETINGS (Pages 53 - 82)

To receive and agree the minutes of the meetings held on Wednesday 19 June 2019 and Wednesday 9 July 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.82**

COMMITTEE:
Licensing Sub-Committee
7 August 2019

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item 3
SUBJECT: Application for a New Premises Licence	
PREMISES: VBO LOUNGE & BAR RESTAURANT, 1-3 NORTHAMPTON ROAD, ENFIELD, EN3 7UL.	
WARD: Ponders End	

1 LICENSING HISTORY:

- 1.1 On 22 November 2005, an application by Pubs 'n' Bars Plc to convert an existing Justices On Licence to a Premises Licence, which was not subject to any representations, was granted by the Licensing Authority (LN/200501718).
- 1.2 The premises was then known as The Granville pub. It was permitted to be open, sell alcohol and provide regulated entertainment between 9am and 1am latest.
- 1.3 The premises licence has since been transferred four times.
- 1.4 The premises has been known as Black and White, The Village and Boodzys Bar.
- 1.5 The premises licence has not been subject to any review application.
- 1.6 Since 26 November 2011, following a variation application, the premises licence permitted opening between 7am and 3.30am, and the supply of alcohol until 2.30am and regulated entertainment until 2am latest. The variation application was subject to representation by the Police and Trading Standards, which were subsequently withdrawn when their times and conditions sought were agreed by the applicant.
- 1.7 The premises licence lapsed when the premises licence holder, A Class Above Events & Hospitality Services Limited dissolved on 4 July 2017.
- 1.8 Mr Kudakwashe Marshall Zinhu has applied for and been granted the following Temporary Event Notices:
 - 8pm on 12 July 2019 to 6am on 14 July 2019;
 - 8pm on 19 July 2019 to 6am on 22 July 2019;
 - 8pm on 2 August 2019 to 6am on 5 August 2019.

2.0 THIS APPLICATION:

- 2.1 On 12 June 2019 an application was made by Vickbenok Limited for a new premises licence.
- 2.2 The Directors of Vickbenok Limited are Victor Ben-Okoh, and Carolyn Branson.
- 2.3 The proposed Designated Premises Supervisor is Mr Kudakwashe Marshall Zinhu.
- 2.4 The application seeks:

Activity	Times originally sought by application	Amended Times following agreement to Police and LA representations
Opening hours	09:00 – 05:00 Mon 09:00 – 02:00 Tues - Thurs 09:00 – 04:00 Fri 09:00 – 06:00 Sat - Sun	09:00 – 02:00 Sun - Thurs 09:00 – 04:00 Fri - Sat
Live Music*	23:00 – 06:00 Everyday	23:00 – 01:30 Sun – Thurs 23:00 – 03:30 Fri – Sat
Recorded Music*	23:00 – 06:00 Everyday	23:00 – 01:30 Sun – Thurs 23:00 – 03:30 Fri – Sat
Late Night Refreshment	23:00 – 05:00 Mon 23:00 – 02:00 Tues – Thurs 23:00 – 04:00 Fri 23:00 – 06:00 Sat - Sun	23:00 – 01:30 Sun - Thurs 23:00 – 03:30 Fri – Sat
Supply of alcohol (on)	11:00 – 05:00 Mon 11:00 – 02:00 Tues – Thurs 11:00 – 04:00 Fri 11:00 – 06:00 Sat - Sun	11:00 – 01:30 Sun - Thurs 11:00 – 03:30 Fri – Sat

- 2.5 Each of the Responsible Authorities were consulted in respect of the application.
- 2.6 A copy of the application is attached as Annex 1.

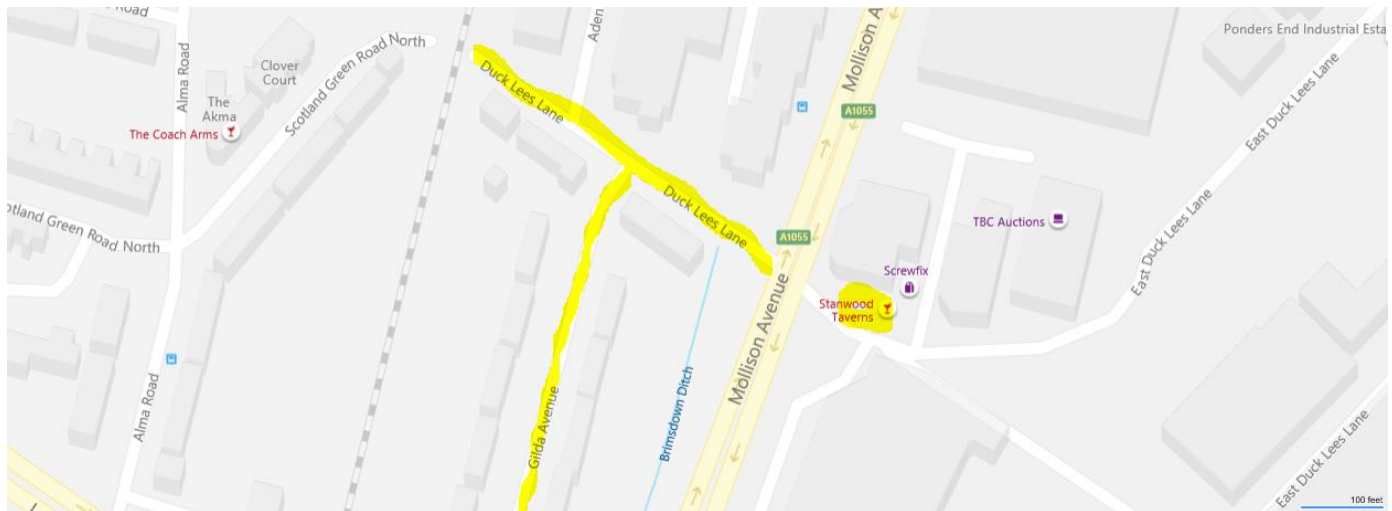
3.0 RELEVANT REPRESENTATIONS:

- 3.1 **The Licensing Authority and Metropolitan Police:** Representations were made seeking modification in conditions and reduction in hours, which were agreed by the applicant. Those representations have now been withdrawn.
- 3.2 **Other Persons:** Representations have been made, against the application, by 20 local residents. The residents are referred to as IP1 to IP20 respectively. The grounds of representation are 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. Please note that in light of the amended times and conditions brought to the attention of the residents, IP10 has now withdrawn their representation.

3.3 Copies of these IP representations are attached in Annex 2.

3.4 All residents live in either Gilda Avenue or Duck Lees Lane, which have been highlighted on the map below. The premises is situated where it has been highlighted 'Stanwood Taverns'.



3.5 The applicant has provided a response to the objections and is attached in Annex 3.

4.0 PROPOSED LICENCE CONDITIONS:

4.1 The conditions arising from this application can be found in Annex 4.

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

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WCK/219008

9921219537 WP
£100.00

Annex 1

Application for a premises licence to be granted 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.

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

I/We **VICKBENOK LTD**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 1 – 3 NORTHAMPTON ROAD ENFIELD			
Post town	LONDON	Postcode	EN3 7UL

Telephone number at premises (if any)	NONE
Non-domestic rateable value of premises	£0

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/ limited liability
partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

L190

18,000

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable) [INTENTIONALLY BLANK]

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable) [INTENTIONALLY BLANK]

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name VICKBENOK LTD
Address REGISTERED OFFICE: 2 DONCASTER ROAD LONDON N9 7RB
Registered number (where applicable) 09132364
Description of applicant (for example, partnership, company, unincorporated association etc.) COMPANY

Telephone number (if any)

[REDACTED]

E-mail address (optional)

[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
A	S	A	P				

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)

THE PREMISES IS A PURPOSE BUILT LICENSED PREMISES ON THE SITE OF A FORMER PUBLIC HOUSE.

THE PREMISES COMPRISES TWO FLOORS (PLEASE REFER TO THE PLANS SUBMITTED WITH THIS APPLICATION IN RELATION TO THE LAYOUT OF THIS PREMISES)

THE PREMISES WILL BE KNOWN AS VBO LOUNGE & BAR RESTAURANT. THE PREMISES WILL BE A MULTI-USE VENUE WITH FOOD AND DRINK OFFERING

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) THE PREMISES WILL OCCASIONALLY ENGAGE LIVE PERFORMERS – SINGERS & BANDS – AS PART OF THE WIDER ENTERTAINMENT OFFERING AT THE PREMISES. ALL LIVE MUSIC WHERE POSSIBLE WILL BE ROUTED THROUGH THE PREMISES' MUSIC SYSTEM WHICH INCLUDES A NOISE LIMITER.		
Mon		06:00			
	23:00				
Tue		06:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
	23:00				
Wed		06:00	NONE		
	23:00				
Thur		06:00			
	23:00				
Fri		06:00	<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 6)		
	23:00				
Sat		06:00	FROM THE END OF PERMITTED HOURS ON NEW YEAR'S EVE TO THE START OF PERMITTED HOURS ON NEW YEAR'S DAY		
	23:00				
Sun		06:00			
	23:00				

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon		06:00	THE PREMISES WILL HAVE A DIVERSE RANGE OF RECORDED MUSIC FROM BACKGROUND MUSIC, WHICH DOES NOT REQUIRE A LICENCE, TO RECORDED MUSIC PROVIDED BY DJs, WHICH DOES. ALL RECORDED MUSIC WILL BE ROUTED THROUGH THE PREMISES' MUSIC SYSTEM WHICH INCLUDES A NOISE LIMITER.					
	23:00							
Tue		06:00						
	23:00							
Wed		06:00				State any seasonal variations for the playing of recorded music (please read guidance note 5) NONE		
	23:00							
Thur		06:00						
	23:00							
Fri		06:00	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 6) FROM THE END OF PERMITTED HOURS ON NEW YEAR'S EVE TO THE START OF PERMITTED HOURS ON NEW YEAR'S DAY					
	23:00							
Sat		06:00						
	23:00							
Sun		06:00						
	23:00							

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) THE SUPPLY OF TEA & COFFEE TO CUSTOMERS FROM 11PM UNTIL THE PREMISES CLOSES TO THE PUBLIC		
Mon		05:00			
	23:00				
Tue		02:00			
	23:00		<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) NONE		
Wed		02:00			
	23:00				
Thur		02:00			
	23:00		<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) FROM THE END OF PERMITTED HOURS ON NEW YEAR'S EVE TO THE START OF PERMITTED HOURS ON NEW YEAR'S DAY		
Fri		04:00			
	23:00				
Sat		06:00			
	23:00				
Sun		06:00			
	23:00				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) NONE		
Mon		05:00			
	11:00				
Tue		02:00			
	11:00				
Wed		02:00			
	11:00				
Thur		02:00			
	11:00				
Fri		04:00			
	11:00				
Sat		06:00			
	11:00				
Sun		06:00			
	11:00				

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name KUDAKWASHE MARSHALL ZINHU	
Date of birth	■■■■■■■■■■
Address ■■■■■■■■■■ ■■■■■■■■■■ ■■■■■■■■■■	
Postcode	■■■■■■■■■■
Personal licence number (if known) ■■■■■■■■■■	
Issuing licensing authority (if known) THE LONDON BOROUGH OF ENFIELD	

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 9).

NONE

THE PREMISES WILL OPERATE A CHALLENGE 25 POLICY (SEE THE APPLICANT'S SCHEDULE OF SUGGESTED OF CONDITION)

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) NONE
Day	Start	Finish	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 6) FROM THE END OF PERMITTED HOURS ON NEW YEAR'S EVE TO THE START OF PERMITTED HOURS ON NEW YEAR'S DAY
Mon		05:00	
	09:00		
Tue		02:00	
	09:00		
Wed		02:00	
	09:00		
Thur		02:00	
	09:00		
Fri		04:00	
	09:00		
Sat		06:00	
	09:00		
Sun		06:00	
	09:00		

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

PLEASE REFER TO THE APPLICANT'S SCHEDULE OF SUGGESTED CONDITIONS TO PROMOTE THE LICENSING OBJECTIVES SUBMITTED WITH THIS APPLICATION.

b) The prevention of crime and disorder

PLEASE REFER TO THE APPLICANT'S SCHEDULE OF SUGGESTED CONDITIONS TO PROMOTE THE LICENSING OBJECTIVES SUBMITTED WITH THIS APPLICATION.

c) Public safety

PLEASE REFER TO THE APPLICANT'S SCHEDULE OF SUGGESTED CONDITIONS TO PROMOTE THE LICENSING OBJECTIVES SUBMITTED WITH THIS APPLICATION.

d) The prevention of public nuisance

PLEASE REFER TO THE APPLICANT'S SCHEDULE OF SUGGESTED CONDITIONS TO PROMOTE THE LICENSING OBJECTIVES SUBMITTED WITH THIS APPLICATION.

e) The protection of children from harm

PLEASE REFER TO THE APPLICANT'S SCHEDULE OF SUGGESTED CONDITIONS TO PROMOTE THE LICENSING OBJECTIVES SUBMITTED WITH THIS APPLICATION.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). ☐

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her
--------------------	--

	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	20 /05/2019
Capacity	Company's Director

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

**VICTOR BEN-OKOH
VICKBENOK LIMITED**

**2 DONCASTER ROAD
EDMONTON LONDON**

Post town	LONDON	Postcode	N9 7RB
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

VICKBENOK LTD

APPLICATION FOR A PREMISES LICENCE AT:

VBO LOUNGE & BAR RESTAURANT

1 – 3 NORTHAMPTON ROAD, ENFIELD, LONDON EN3 7UL

APPLICANT'S SCHEDULE OF SUGGESTED CONDITIONS

GENERAL – ALL FOUR LICENSING OBJECTIVES

There shall be a personal licence holder on duty at the premises from 20:00 hours until the premises closes to the public.

A direct telephone number for the manager at the premises shall be available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity

Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises

The premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available

THE PREVENTION OF CRIME AND DISORDER

The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open for licensable activities. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

A minimum of 4 SIA licensed door supervisors shall be on duty at the premises from 20:00 hours until 30 minutes after the premises closes to the public.

At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises from 20:00 hours daily.

The premises licence holder shall risk assess the need for additional SIA licensed door supervisors and additional SIA licensed door supervisors shall be engaged based on that risk assessment.

No patrons shall be admitted or re-admitted to the premises after 23:00 unless they have passed through a metal detecting search arch and, if the search arch is activated or at the discretion of staff, then physically searched, which will include a 'pat down search' and a full bag search.

All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.

An attendant shall be on duty in the cloakroom during the whole time that it is in use.

THE PREVENTION OF PUBLIC NUISANCE

A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Team, so as to ensure that no noise nuisance is caused

to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Team and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Team. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Team. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

Loudspeakers shall not be located in the entrance lobby or outside the premises building.

All windows and external doors shall be kept closed after 20:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

There shall be no admittance or re-admittance to the premises as set out below except for patrons permitted to temporarily leave the premises to smoke

Monday – between 04:00 and 05:00 and between 05:00 and 09:00

Tuesday – between 01:00 and 02:00 and between 02:00 and 09:00

Wednesday – between 01:00 and 02:00 and between 02:00 and 09:00

Thursday – between 02:00 and 04:00 and between 04:00 and 09:00

Friday – between 03:30 and 06:00 and between 06:00 and 09:00

Saturday – between 03:30 and 06:00 and between 06:00 and 09:00

Sunday – between 03:30 and 06:00 and between 06:00 and 09:00

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly

The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway

No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 09:00 hours on the following day

No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 09:00 on the following day

No deliveries to the premises shall take place between 23:00 and 09:00 on the following day

During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them

The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services

PUBLIC SAFETY

The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order

The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided

The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

THE PROTECTION OF CHILDREN FROM HARM

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram

KUDAKWASHE MARSHALL ZINHU

LIST OF SUGGESTED UNDERTAKINGS FOR TEMPORARY EVENTS ON:

21 – 24 JUNE 2019

28 —1 JULY 2019

5 – 8 JULY 2019

12—15 JULY 2019

19 – 22 JULY 2019

26—29 JULY 2019

2--- 5 AUGUST 2019

9—12 AUGUST 2019

GENERAL – ALL FOUR LICENSING OBJECTIVES

There shall be a personal licence holder on duty at the premises from 20:00 hours until the premises closes to the public.

A direct telephone number for the manager at the premises shall be available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity

Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises

THE PREVENTION OF CRIME AND DISORDER

The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open for licensable activities. This staff member must be able to provide a Police or

authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

A minimum of 4 SIA licensed door supervisors shall be on duty at the premises from 20:00 hours until 30 minutes after the premises closes to the public.

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The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

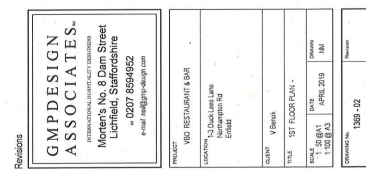
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Local Resident Objections

IP1 Representation

I am writing to object to the application for this licence to be approved ,this venue is on top of duck lees lane and gilda ave. when are the residents expected to sleep?

IP2 Representation

To The Licencing Team

Re : VBO LOUNGE & BAR RESTAURANT 1-3 Northampton Road EN3 7UL

We are writing regarding our concerns for the licencing application for the above premises. We live at xxxxx xxxxx , which is only approx 100m (as the crow flies) from the said premise, and have not received any notification or written correspondence from Enfield Council. We only become aware of the application when a small notice was seen on the premise in question by a neighbour.

Our Concerns Are:

- Noise pollution - with live and recorded music being played between the hours of 23:00 - 06:00 everyday and cannot believe Enfield Council will allow this so close to residential homes.. As well as the noise of people arriving and leaving the premises will have an impact on the quality of our lives and a knock on affect on our health with having to go work after a disruptive sleep pattern. Although the premise was previously a public house, it was only open between the hours of 11:00 to 23:00.
- Parking - with the close proximity of venue, parking in the nearby residential streets (Duck Leas Lane and Gilda Avenue) could become problematic.
- Other - worried that other social issues usually associated with this type of venue will be a major concern to our local community.

We are also amazed that the Enfield Council Planning Department has allowed a building to be erected around a street lamp column.

Looking forwarding to your comments regarding this application

Regards

IP3 Representation

Hi my dear councillors,

I am writing you with all my love and respect to stop the above from receiving a license to operate in our area. I live with my family and my children goes to school and study late at night. We are already disturb by the noise of the traffic and HGV vehicle pass at night and we don't want to add more noise to disturb the children from their study.

I don't want to take to much of your time in simple words we are really against the above from receiving such license.

Thanks.

IP4 Representation

Dear Sir,

I am writing in regarding to the licencing of the Music from 2300hrs until 6am application. we have objection in this as we are a family of 4 with two little children . This will be an negative effect on their wellbeing as well ours. Me and my husband work full time and we look forward to come back home to our peaceful areas but with this club with live music would be a disturbance.

we don't mind the restaurant but we do have objection for the late music.

This will be disturbance especially to our family as well as the residence of my street. We live in a quite and peaceful areas which we really like.

We have elderly people living on the same street which also would not be good.

We would really appreciate if you could accept our objection for the live music licence. This licence would also trigger drugs, prostitutions and many more which will make our street not safer for us, our family and our elderly neighbours.

Please take into consideration our wellbeing and also our peaceful community.

Please do not hesitate to contact me.

Kind Regards

IP5 Representation

To whom it may concern,

I wish to make you aware that I would like to make an complaint about the VBO nightspot being erected adjacent to our home. The noise from a after hours club venue will disturb myself and family routine and tranquillity of our home. Enfield is going through a beautiful regeneration so in this view I would be grateful if you could take myself and other residents of xxxxx xxxxx view on this complaint very serious

and do not issue a licence to a nightclub so near to our residential homes, Friday's could be more tolerable but hearing the application for 7 days a week is totally unacceptable

IP6 Representation

To whom it may concern,
I wish to make you aware that I would like to make a complaint about a nightclub being erected opposite my house. The noise from a club will disturb our family routine and enjoyment of our home. Enfield is going through a beautiful regeneration. So in this view I would be grateful if you could take myself and other residents of xxxxx xxxxx view on this complaint very serious and do not issue a licence to a nightclub so near to our residential homes.

IP7 Representation

I wish to object to the request for live music from 23:00 to 6:00 Monday to Sunday. At VBO Lounge Bar Restaurant. My xxxxx year old mother lives directly opposite and will be disturbed by the loud music.

IP8 Representation

Dear who may concern,

I am a resident of xxxxx xxxxx. I would like to make a formal complaint that I will not be approving of the new licence for the new club that has opened across the road called (VBO). I work 6 days a week and have to be up early hours in the morning and this will disrupt my nights of sleeping due to the noise and also my room being in the back where the club is opposite to.

Please take this into deep consideration. Thank you and I look forward from hearing from you soon.

IP9 Representation

Dear Sir/Madam,

RE: Complaint - VBO Club, Duck Lee's Lane EN3

My name is xxxxx I am a resident of xxxxx xxxxx for 20 plus years. I am writing regarding the application for the above bar to play live music and be open until 6am.

The back of my property where three of my bedrooms are located is opposite the new club and brewery. We can hear the noise of general traffic 24/7 and even car stereos. It would be a complete nightmare for a nightclub to now add to the noise pollution.

My household of 4 object to any permission to be granted to the VBO Club to trade for the entire night during its operational hours.

The local authority seems to forget that there are two residential streets directly on the doorstep of these new developments.

I hope that this proposal for such an extended trading time is rejected by your department.

IP11 Representation

We are writing to lodge our objection to the license application for the above premises.

Although the property is classed as being on an industrial area, it is actually only 200m from a residential area. As working people we do not think it is fair to have music playing until 6am, 7 days a week.

At no point has there been any consultation from the council and the license application form was displayed on the building, where it was unlikely to be seen by local residents. We already have parking problems in Gilda Avenue and Duck Lees Lane along with traffic noise from Mollison Avenue.

People visiting the club are likely to park near our properties and be coming and going all night. We are not trying to stop any license being issued at all, but we find it unfair to residents and unacceptable for the venue to be open all night.

IP12 Representation

To whom it may concern

We are writing to express our strong concerns for the VBO LOUNGE AND BAR RESTAURANT license application to provide range of recorded music (Live / DJ) and alcohol from 23.00 hrs to 06.00 hrs Monday to Sunday weekly.

We reside just across the road from the location of VBO. Our street is a residential area where many people from all walks of life and all ages including children live.

My family and I moved in to our home 20 years ago because we found it peaceful and quite. It is an ideal place for a working class family like us.

Now If VDO will operate under the license application, we strongly believe there is a high risk of public nuisance, including the noise, that could be caused by the unreasonable hours (23.00 hrs to 06.00 hrs) operating all week Monday to Sunday. For us, it is not acceptable. The possibility of the nuisance escalating into something that endangers public safety is highly worrying. The peacefulness of our residential area would be disturbed.

We hope that your office will greatly consider the welfare of all the residence near the VBO establishment.

Thank you for your kind understanding and consideration.

IP13 Representation

To whom it may concern,

I am writing to you regarding:

VBO Lounge & Bar Restaurant

1-3 Northampton Road

Enfield

EN3 7UL

It has been brought to our attention that the above venue has applied for a license which permits them to operate with music and a live DJ from 11PM until 6AM everyday, that me and my family would like to dispute.

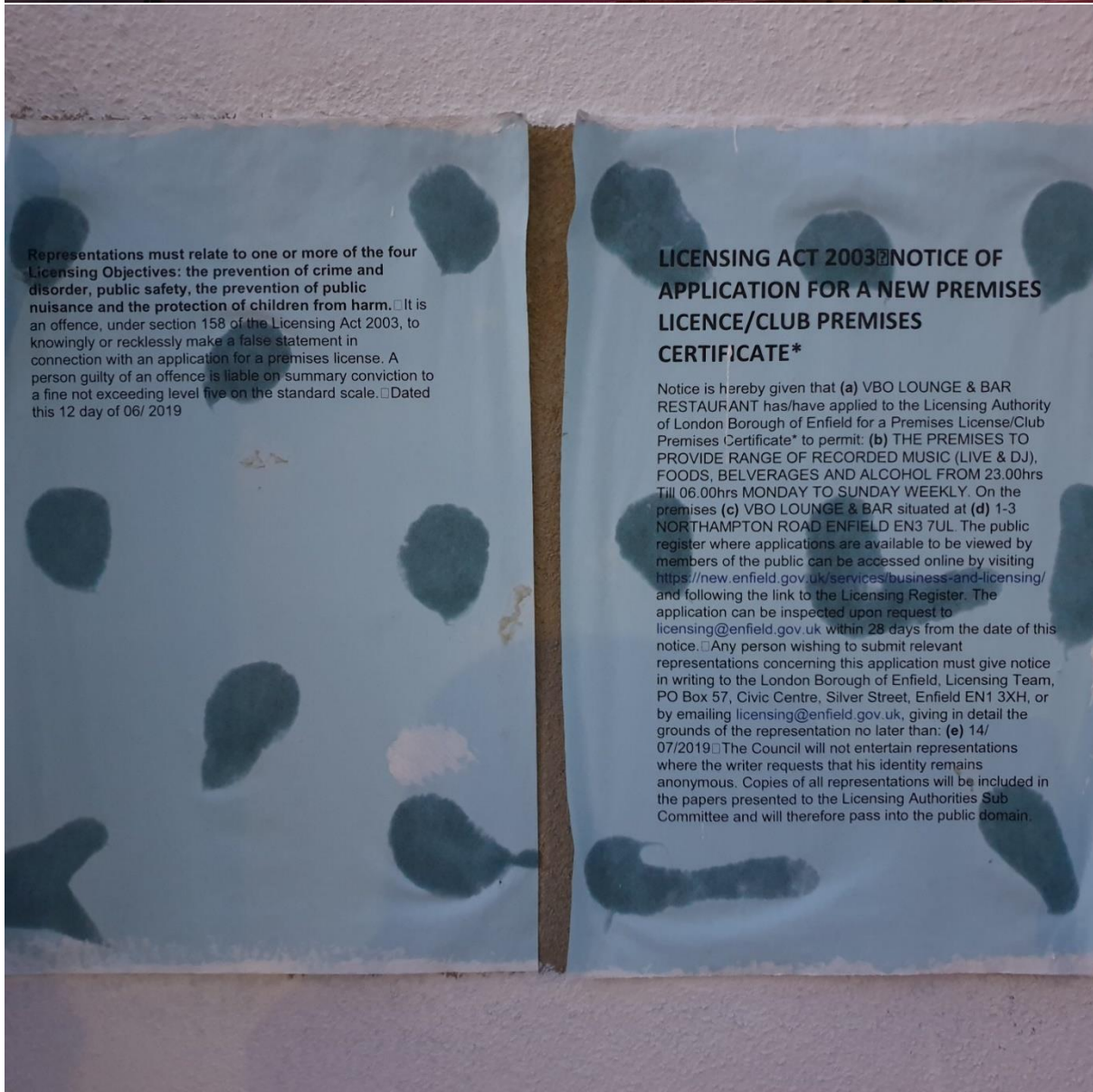
We reside from xxxxx xxxxx which is directly across the dual carriageway from the venue. In the past, there have been unlicensed rave's that have kept us up until the early hours due to loud music in surrounding abandoned warehouses. We made the police and local council aware of this on multiple occasions, however they failed to intervene on every instance as the crowd was too large for them to do so.

Further to this, there is a council lamp post that the venue has been built around. I am not sure of the legality of this but I thought it would be worth bringing this to your attention. Please see the attached for an image of this.

Also, it was brought to my attention that the venue has been declared as having living accommodation on the top floor. However, it seems to me that there is a dancefloor being built in this area. Perhaps the balcony area is indicative of a smoking area? I'm not sure but I hope this is looked into. Please also see the attached image of this.

As a final point, we object to having this license approved as we do not want drunk and disorderly individuals filtering through onto our road as it is a residential street with families and the elderly. I'm sure all of my neighbours would agree that our safety and well-being should be considered before approval. We have to be up early to get to work and do not want to be kept up by what is in fact, noise pollution. The application of this license wasn't even brought to our attention besides the small out-of-sight poster placed next to the street sign. I wouldn't have known without my neighbour making me aware, which is appalling.

I hope this email is taken into consideration and I look forward to a response.





IP14 Representation

To whom it may concern

Im writing to object to the use and times of the licencing for VBO LOUNGE AND BAR RESTURANT

We are in a quite residential street/area, and I moved to this area specifically because its away from these types of places, I work from 7am till 7pm, and have a child, the idea of having a club with loud music and alcohol and most likely drugs is unacceptable. When I wake up to go to work in the morning theirs more then likely going to be drunk people around, drugs on the floor and so on,

The crime rate on my road is literally Zero, their has not been a problem on my road for as long as I have been here, not even a car accident let alone a fight. If you give this licence, their will be drunked people fights all the time.

My car insurance is low because I live in a low crime street/area. Having a bar/club brings crime with it, and this will automactily increase my insurance, when I bought this house, i chose it for the area, now this change from my point of view is not acceptable and will drop the value of my property, raise my outgoing(insurance for home and car).

Vehicles will get damaged, police will be called, roads will be a mess, this is a joke to even consider a licence for this, in this area.

This is 1 of the few remaining areas that is not broken, its does not have crime that I have ever heard or come across, their are no accidents, and more importantly this is no drugs or KNIFE CRIME.

On our local street we have no crime related issues. No knife crime, this will surely brings these issues down to this area as well, if you give this place a licence for this use and 1 person gets hurt, after this warning, then you will knowingly be putting people at risk and your department will be responsible for this.

Monday to Sunday 11pm-6am.

Load banging music, drunk people, fights drugs, people coming and going (these all happen with these places)

What if this was on your door step would you accept it??????

IP15 Representation

Dear Sir/Madam,

My name is xxxxx xxxxx and i leave at the following address: xxxxx xxxxx.

I'm righting in regards to the recent License application for the VBO Lounge & Bar Restaurant, 1-3 Northampton Road, EN3 7UL.

First of all why we have not been informed about this application? We had to be informed by one of our neighbor which it happen to notice the small sign notice placed on the wall next to the applicant building

I'm definitely against this application and i will like to place my objection as we are not happy to have a night club and live music played during night hours.

This will directly affect my job, family... as we are leaving just opposite road and i'm willing to take this further if is not stopped.

Look forward to your replay.

IP16 Representation

Hi,

We would like to express our grave concerns for VBO LOUNGE & BAR RESTAURANT license application for the following reasons.

Just across the road from the Venue is a very highly residential area, housing many people of all ages including children.

With unpredictable behaviours of individuals under the influence of alcohol, we believe there is a high risk of public nuisance that could be caused at unreasonable hours (11pm - 6am) with the business operating all week Monday to Sunday 24 hours a day, as stated on their website.

The thought of such a possible nuisance escalating into something that endangers public safety is especially worrying.

Residents on the street of Duck Lees Lane and Gilda Avenue, only a road separating from the venue VBO, will very likely be the first to experience any such behaviours.

Another concern is that loud music can unexpectedly travel far, especially the level of bass used can cause vibrations in walls and will definitely disrupt sleeping hours. This is especially unacceptable over the working week as well as the school week.

We don't believe any resident would ever want go through any of the experiences that is mentioned above whilst in their own home and sincerely hope that the decision maker shares the same thoughts.

We hope to hear from you of the outcome of the application of this license.

IP17 Representation (Part A)

Dear Sir/ Madam.

I wish to object to the license extension for LBO Lounge on Duck Lees Lane East (North Hampton Road?)

My elderly parents live on xxxxx xxxxx- barely a stones throw away. They often have my young children there over night. I do not wish for them to be subjected to any noise late at night as well as the drugs this type of establishment will bring to the area. If it goes on until the early hours, then it will be an 'after party' venue not suitable to be around any housing. There is no residential parking and there are no good transport links so I imagine parking will be an issue.

I look forward to hearing from you

IP17 Representation (Part B)

Dear Sir/Madam,

As well as my objection, I wish to make a complaint about how Enfield Council have dealt with the License extension application for LBO Longe. Not one person in xxxxx xxxxx received a letter or any information about it. Luckily a neighbour walked round to see what was being built and saw a sign stuck to the wall. This gave us one day to email!

This is utterly unacceptable. Can you not see the houses that have been there for years? I am appalled and so angry that local residents have not been considered at all!

I look forward to hearing from you

IP18 Representation

I wish to object to the extension of opening to 6am due to the noise and disturbance in the early hours the last time the old club was open

IP19 Representation

Dear Sirs,

We would like to express our concerns and object to this application for the following reasons:

- The premises are less than 50m from a residential area so late night/early morning music will affect residents well-being
- There has been no consultation about this application, although there has been consultation for the brewery next to it [Application Number: 18/02514/FUL]
- One of the planning applications shows that flats will be built on the 1st floor, not a bar (has this been cancelled?)

Additionally, could you inform us on:

- The sound levels permitted
- The parking provisions

IP20 Representation

Hi

My name is xxxxx xxxxx and I live at xxxxx xxxxx which is across the road from the new VBO Lounge and Bar Restaurant at 1-3 Northampton road, EN3 7UL.

I wish to object to their license request to live music and a DJ from 11pm until 6am.

We would most definitely be able to hear it plus the disturbance from the people leaving at 6 in the morning.

Thank you

Annex 3

Dear Neighbours,

I hope this correspondence finds you all well.

I would like to thank you all for contacting us to express your concerns. We hope to address and allay any fears and concerns you may have.

Please allow me to introduce myself, my name is Victor Ben-Okoh. I am an NHS clinician and commissioner. I have worked within the NHS for 16 years, specialising in Mental Health (Psychiatry). I am also a Violence Reduction Expert with over 10 years of providing management of violence and aggression training to NHS staff. My wife, Carolyn also works with the NHS as a London Ambulance Services (LAS) Paramedic. Carolyn also teaches violence reduction as a clinical skills tutor. Together we are the directors of Vickbenok limited, a family company that provides all mandatory training to Health and social care organisations.

We developed interest in entertainment and events organisation over a period of years, organising Christmas parties, Conferences, Seminars and Award nights for various NHS trusts through our company Vickbenok Limited. We have also helped organising birthday parties, weddings, leaving celebrations for our NHS colleagues.

VBO Lounge and Bar Restaurant aims to be a bespoke hybrid venue designed for multi-purpose use. This venue hope to cater for small weddings, birthday parties, work seminars and conference and meeting venue. We also hope to provide entertainment and a live sports venue for what will be our local community.

Firstly, we would like to use this opportunity to reassure you all that any concerns regarding noise and security have been addressed by the licencing authority and the police as part of meeting their strict licencing criteria. This newly built venue has been fully soundproofed. In addition, a sound limiter has been installed, in accordance with the licencing authorities' regulations. The sound system and speakers which are installed inside the premises are designed to reduce noise pollution and we are have been reassured that there will be no noise/sound travelling from inside the premises across the dual carriageway.

Secondly, the building has been fully fitted with the market leading CCTV cameras (Hikvision) to help manage/monitor any crime or disorderly behaviour. We have also agreed with the police licencing authorities regarding the cameras positioning and data storage. We can also reassure you that there will be adequate numbers of SIA trained staff within the premises and also to help manage parking issues.

Thirdly, we would like to reassure you all that we will join the Enfield crime watch/stoppers, to help promote a safer neighbourhood and I am happy to share my mobile number anyone who requires it should you have concerns or issues in future.

Lastly, we hope to work closely with our neighbours and will endeavour to make ourselves available to you in the shortest possible time frame, to provide support and

work together to make this important project a success. We aim to cater not just for Doctors, Nurses and other health professionals but also for our valued friends and neighbours.

Yours Sincerely,
Victor Ben-Okoh and Carolyn Branson

Annex 4

Proposed 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

1. 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.
2. There shall be a personal licence holder on duty at the premises from 20:00 hours until the premises closes to the public.
3. A direct telephone number for the manager at the premises shall be available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
4. The premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
5. A digital CCTV system must be installed in the premises complying with the following criteria:
 - (a) Cameras must be sited to observe the entrance and exit doors both inside and outside, the alcohol displays, and floor areas.
 - (b) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
 - (c) Cameras overlooking floor areas should be wide angled to give an overview of the premises.
 - (d) Provide a linked record of the date, time, and place of any image.
 - (e) Provide good quality images.
 - (f) Operate under existing light levels within and outside the premises.
 - (g) Have the recording device located in a secure area or locked cabinet.
 - (h) Have a monitor to review images and recorded picture quality.
 - (i) Be regularly maintained to ensure continuous quality of image capture and retention.
 - (j) Have signage displayed in the customer area to advise that CCTV is in operation.
 - (k) Digital images must be kept for 31 days.

- (l) Police or authorised local authority employees will have access to images at any reasonable time.
 - (m) All staff engaged in the sale/supply of alcohol shall be trained to operate the CCTV system and download images/footage upon request by Police or authorised local authority employees.
 - (n) The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Immediate copies must be made available to Police or authorised local authority employees on request.
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
7. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
8. At least 4 SIA licensed door supervisors shall be on duty at the premises from 20:00 hours until 30 minutes after the premises closes to the public on Friday & Saturday Nights.
9. At least 2 SIA licensed door supervisors shall be on duty at the premises from 20:00 hours on the opening days.
10. The premises licence holder shall risk assess the need for additional SIA licensed door supervisors and additional SIA licensed door supervisors shall be engaged based on that risk assessment.

- 11. No patrons shall be admitted or re-admitted to the premises after 23:00 unless they have been searched with a hand-held metal detecting device, if the search is activated or at the discretion of staff, then physically searched, which will include a 'pat down search' and a full bag search.**
- 12. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.**
- 13. An attendant shall be on duty in the cloakroom during the whole time that it is in use.**
- 14. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) and that alcohol should not be taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.**
- 15. 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.**
- 16. The noise limiter shall be recalibrated annually to ensure that the music volume does not exceed the level at which a noise nuisance to neighbours will occur. A copy of the calibration certificate shall be kept on the premises and made available to the Police or Council Officer on request.**
- 17. Prior to the commencement of any live /recorded music staff shall check that all amplified equipment to be used is connected to the noise limiter. Records of these checks shall be documented and records kept for 6 months.**
- 18. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.**
- 19. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.**
- 20. Loudspeakers shall not be located in the entrance lobby or outside the premises building.**
- 21. All windows and external doors shall be kept closed after 20:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.**

22. There shall be no admittance or re-admittance to the premises one hour before the door is closed to the public, except for patrons permitted to temporarily leave the premises to smoke.
23. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
24. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
25. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 09:00 hours on the following day.
26. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 09:00 on the following day.
27. No deliveries to the premises shall take place between 23:00 and 09:00 on the following day.
28. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
29. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
30. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
31. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
32. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

- 33. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.**
- 34. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed in the premises.**
- 35. Children aged under 18 years shall only be permitted on the premises when accompanied by an adult and only until 21:00.**
- 36. All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.**
- 37. 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.**
- 38. 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.**
- 39. The premises shall trade as a lounge bar and restaurant with substantial table meals being available from 19:00 until the end of the licensed hours for late night refreshment every day the premises is open to the public.**
- 40. On Sunday – Thursday from 01:00 and Friday – Saturday from 02:00 the capacity of the roof terrace shall not exceed 25 people.**

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

LICENSING SUB-COMMITTEE - 19.6.2019

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.

LICENSING SUB-COMMITTEE - 19.6.2019

- 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

LICENSING SUB-COMMITTEE - 19.6.2019

- 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

LICENSING SUB-COMMITTEE - 19.6.2019

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

LICENSING SUB-COMMITTEE - 19.6.2019

- 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

LICENSING SUB-COMMITTEE - 19.6.2019

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:

LICENSING SUB-COMMITTEE - 19.6.2019

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.

59

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

LICENSING SUB-COMMITTEE - 19.6.2019

- 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

LICENSING SUB-COMMITTEE - 19.6.2019

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

LICENSING SUB-COMMITTEE - 19.6.2019

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

LICENSING SUB-COMMITTEE - 19.6.2019

	(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 Mekanjuola (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)

104

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.

106

DECLARATION OF INTERESTS

LICENSING SUB-COMMITTEE - 9.7.2019

NOTED there were no declarations of interest.

107

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.

LICENSING SUB-COMMITTEE - 9.7.2019

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.

LICENSING SUB-COMMITTEE - 9.7.2019

- 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:

LICENSING SUB-COMMITTEE - 9.7.2019

- 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

LICENSING SUB-COMMITTEE - 9.7.2019

- 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

LICENSING SUB-COMMITTEE - 9.7.2019

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.

LICENSING SUB-COMMITTEE - 9.7.2019

- 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

LICENSING SUB-COMMITTEE - 9.7.2019

- 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.

LICENSING SUB-COMMITTEE - 9.7.2019

- 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

LICENSING SUB-COMMITTEE - 9.7.2019

- 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.

LICENSING SUB-COMMITTEE - 9.7.2019

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

LICENSING SUB-COMMITTEE - 9.7.2019

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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