

COMMITTEE :
Licensing Sub-Committee
3 July 2017

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda – Part1	Item
SUBJECT : Application for a new premises licence	
PREMISES : Trent Park, Cockfosters Road, EN4 0PS	
WARD : Cockfosters	

1. LICENSING HISTORY:

- 1.1 On 26 June 2015, an application by **Found Series Limited** for a new Premises Licence, was granted which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.2 This premises licence was time restricted, namely for an event on 8 August 2015 only, and it permitted:
 - 1.2.1 **Hours the premises are open to the public:** 11:00 to 22:00.
 - 1.2.2 **Supply of alcohol (on supply):** 11:00 to 21:30.
 - 1.2.3 **Live music:** 11:00 to 22:00.
 - 1.2.4 **Recorded music:** 11:00 to 22:00
 - 1.2.5 **Performance of Dance:** 11:00 to 22:00.
- 1.3 On 16 March 2016, an application by **Found Series Limited** for a new Premises Licence was granted by the Licensing Sub-Committee subject to additional conditions, following representations against the application from local residents, resident groups and park groups.
- 1.4 This premises licence was time restricted, namely for an event on 6 and 7 August 2016 only, and it permitted:
 - 1.4.1 Capacity 12,500.
 - 1.4.2 **Hours the premises are open to the public:** Saturday 11:00 to 22:30 and Sunday from 11:00 to 21:30.

- 1.4.3 **Supply of alcohol (on supplies only):** Saturday 11:00 to 21:45 and Sunday from 11:00 to 20:45.
 - 1.4.4 **Live music (indoor and outdoor):** Saturday 11:00 to 22:00 and Sunday from 11:00 to 21:00.
 - 1.4.5 **Recorded music (indoor and outdoor):** Saturday 11:00 to 22:00 and Sunday from 11:00 to 21:00.
 - 1.4.6 **Performance of Dance (indoor and outdoor):** Saturday 11:00 to 22:00 and Sunday from 11:00 to 21:00.
 - 1.4.7 **Late Night Refreshment (indoors):** Sunday to Thursday from 23:00 to 00:00, Friday and Saturday from 23:00 to 01:00 the following day.
- 1.5 A copy of a location map of the premises is attached as Annex 1.

2 THIS APPLICATION:

- 2.1 On 11 May 2017 an application was made by **Mad Husky Events Limited** for a **new Premises Licence** for Trent Park, Cockfosters Road, EN4 0PS.
- 2.2 The application seeks:
 - 2.2.1 The premises licence to be valid between Saturday 5 and Sunday 6 August 2017.
 - 2.2.2 The maximum capacity at any one time is 14,999 on Saturday and 10,000 on Sunday.
 - 2.2.3 **Hours the premises are open to the public:** Saturday 11:00 to 22:30 and Sunday from 11:00 to 21:30.
 - 2.2.4 **Supply of alcohol (on supplies only):** Saturday 11:00 to 21:45 and Sunday from 11:00 to 20:45.
 - 2.2.5 **Live music (indoor and outdoor):** Saturday 11:00 to 22:00 and Sunday from 11:00 to 21:00.
 - 2.2.6 **Recorded music (indoor and outdoor):** Saturday 11:00 to 22:00 and Sunday from 11:00 to 21:00.
 - 2.2.7 **Performance of Dance (indoor and outdoor):** Saturday 11:00 to 22:00 and Sunday from 11:00 to 21:00.
 - 2.2.8 **Anything else of a similar description (indoor and outdoor):** Saturday 11:00 to 22:00 and Sunday from 11:00 to 21:00.
- 2.3 Each of the Responsible Authorities were consulted in respect of the application.
- 2.4 A copy of the application is attached as Annex 2.

- 2.5 On 22 June 2017, the applicant provided additional information to the Licensing Authority and Interested Parties. A copy of this information is provided as Annex 3.

3 RELEVANT REPRESENTATIONS:

- 3.1 **Other Persons:** Representations have been made, against the application, by four local residents, resident groups and park groups. The grounds of representation include the prevention of crime & disorder; the prevention of public nuisance: public safety and the prevention of children from harm.
- 3.2 Copies of these representations are attached as Annex 4.
- 3.3 The Metropolitan Police did not make representations in respect of this application.
- 3.4 The Licensing Authority made representations in respect of this application, namely seeking modification of conditions. The applicant has agreed those conditions, and subsequently the representation has been withdrawn.

4 PROPOSED LICENCE CONDITIONS:

- 4.1 The conditions arising from this application are attached as Annex 5.

5 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)].

Time Limited Licence:

- 5.5 Licensing authorities should note that a premises licence may be sought for a short, discrete period. [Guid 5.25]
- 5.6 The procedures for applying for and granting such a licence are identical to those for an unlimited duration premises licence [Guid 5.26].

Significant Events:

- 5.7 The Council recommends that for significant events, a comprehensive risk assessment is undertaken by premises licence holders to ensure that matters related to the licensing objectives are identified and addressed. [Pol 14.1]
- 5.8 Licence holders are advised to contact the Metropolitan Police Service and enquire if the Police require that the Event Risk Assessment Form 696 and the After Promotion/Event Debrief Risk Assessment Form 696A be completed and submitted to them.[Pol 14.2]

Hours:

- 5.9 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].
- 5.10 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].

Advertising applications

- 6.1 The Licensing Authority is satisfied that the application was advertised in accordance with the requirements of the Licensing Act 2003. However, it is noted within a representation that this is a point of disagreement.
- 6.2 The requirements governing the advertisement of applications for the grant of premises licences are contained in the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, made under the 2003 Act:

25. In the case of an application for a premises licence under section 17, the person making the application shall advertise the application, in both cases containing the appropriate information set out in regulation 26—

(a) for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority, by displaying a notice,

(i) which is—

(aa) of a size equal or larger than A4,

(bb) of a pale blue colour,

(cc) printed legibly in black ink or typed in black in a font of a size equal to or larger than 16;

(ii) in all cases, prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises and in the case of a premises covering an area of more than 50 metres square, a further notice in the same form and subject to the same requirements every fifty metres along the external perimeter of the premises abutting any highway; and

(b) by publishing a notice—

(i) in a local newspaper or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises;

(ii) on at least one occasion during the period of 10 working days starting on the day after the day on which the application was given to the relevant licensing authority.

26.—(1) In the case of an application for a premises licence the notices referred to in regulation 25 shall contain a statement of the relevant licensable activities which it is proposed will be carried on or from the premises.

(4) In all cases, the notices referred to in regulation 25 shall state—

(a) the name of the applicant;

(b) the postal address of the premises, if any, or if there is no postal address for the premises a description of those premises sufficient to enable the location and extent of the premises to be identified;

(c) the postal address and, where applicable, the worldwide web address where the register of the relevant licensing authority is kept and where and when the record of the application may be inspected;

(d) the date by which an interested party or responsible authority may make representations to the relevant licensing authority;

(e) that representations shall be made in writing; and

(f)that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence.

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.

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