

LICENSING SUB-COMMITTEE - 3.7.2017

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON MONDAY, 3 JULY 2017**

COUNCILLORS

PRESENT (Chair) Derek Levy, Dogan Delman and Toby Simon

ABSENT

OFFICERS: Ellie Green (Principal Licensing Officer), Esther Hughes (Team Leader, Consumer Protection), Antonia Makanjuola (Legal Services Representative), Jane Creer (Democratic Services)

Also Attending: Matthew Watts, Parks Business Strategy & Partnerships Manager
On behalf of Mad Husky Events Ltd:
Ms Liza-Marie O’Sullivan, Director of Mad Husky Events Ltd and proposed Designated Premises Supervisor
Mr Roly Oliver, Noise Consultant, Vanguardia
Mr Roger Ajogbe, Saber Security
Mr Nodd McDonagh, Events Consultant
Ms Bo-Eun Jung, Poppleston Allen instructed Counsel, Three Raymond Buildings
Ms Kerry McGowan, Poppleston Allen Solicitors
On behalf of the Interested Parties:
Mr Peter Gibbs, Chairman, Friends of Trent Country Park (IP1)
Mr Alan White and Mr Colin Bull, Chalk Lane Area Residents Association (IP3)
Mr Tony Hillman, Trent Park Conservation Committee (IP4)

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WELCOME AND APOLOGIES FOR ABSENCE

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

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DECLARATION OF INTERESTS

NOTED that there were no declarations of interest.

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TRENT PARK, COCKFOSTERS ROAD, EN4 0PS (REPORT NO. 27)

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

NOTED

1. The Introductory statement of Ellie Green, Principal Licensing Officer, including:
 - a. The application was made by Mad Husky Events Ltd for a time limited new premises licence for Trent Park between Saturday 5 and Sunday 6 August 2017.
 - b. The application sought hours of 11:00 to 22:30 on Saturday and 11:00 to 21:30 on Sunday, with entertainment to cease 30 minutes before the close, and sale of alcohol to cease 45 minutes before the close.
 - c. Similar applications had been made by Found Series Limited in 2015 and 2016.
 - d. Four representations had been made by local residents and groups, all against the grant of the application. Written representations were shown in Annex 4 and Annex 7 of the officers' report. The representations were based on all four of the licensing objectives.
 - e. A full event management plan had been circulated to Members. The agenda pack included extracted documents which were particularly relevant, in Annex 3.
 - f. The Licensing Authority initially submitted a representation seeking modification of the conditions in the operating schedule as a whole. Those conditions were agreed by the applicant and were set out in Annex 5.
 - g. The Police had not made any representations.
 - h. Within representations there were references to dealings with the Parks Team and to the advertisement of the application. The Licensing Authority was satisfied that requirements were met. Interested parties were advised to seek legal advice outside of the hearing, and these matters should not form part of the discussion today.
 - i. Introductions were made of the attendees at the meeting on behalf of Mad Husky Events Ltd and of the interested parties.

2. The statements from the interested parties, including:
 - a. On behalf of the Chalk Lane Area Residents Association (CLARA), attention was drawn to the representation included in the agenda pack.
 - b. This application should be refused as there had been no proof of ability to successfully organise a one day festival with a capacity of 9,999 people. There had been failures in the organisation of the festival in the previous two years. If the sub-committee was minded to grant this application, the maximum audience should be kept below 10,000 and the festival should be one day only.

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- c. In 2016 a licence was issued for an audience of 12,500 with numerous conditions and the second day of the event was subsequently cancelled, for commercial reasons. Conditions were not met as there was no robust written policy for noise provided to residents before the festival date, and there were no meetings with CLARA in advance. There had been review meetings with the Council on 22/8/16 and with the organisers on 6/9/16 and the notes of both of those meetings had been submitted. Representations included observations from CLARA on the 2016 event, and Facebook feedback from those who had attended (the majority of whom were extremely dissatisfied and angry) mentioning overcrowding, queueing, lack of water and general level of organisation being below what was expected. It was clear there had been major issues including attendees being without water for more than two hours, and the site being too small for the amount of people, leading to large numbers of unhappy concert goers.
- d. At the meeting with CLARA on 6/9/16, Will Paterson of Found Series Limited had accepted that the organisers had got things wrong and they were glad that the second day was cancelled. A bad event meant a bad tempered audience and increased the likelihood of intimidation of local residents. A timetable was agreed in respect of the next year's festival.
- e. A commitment from the Council and the organisers in respect of consistent dialogue with CLARA had not been kept and discussions with residents before submission of an application to the Licensing Authority had not happened, and completed plans had not been made available. Liza-Marie O'Sullivan had attended meetings where the agreements were made.
- f. Trent Park stakeholders group were not notified until 20 days after the application was received, though they should be advised in advance, and for new major events should be given six months' notice.
- g. It was considered that there had been lack of compliance with licensing processes. For example, the majority of the blue notices in the surrounding area had been positioned in places where they were not easily readable for the public.
- h. A full and final noise management policy had been promised, with an opportunity to contribute, but the new organisation had not accepted these previous agreements. Documents were still in draft form and were not adequate. Residents had only met with representatives of Vanguardia last year at noon on the day of the festival, and had ongoing concerns about permitted noise levels and about complaint procedures and noise monitoring.
- i. Trent Park was a large site, but was unsuited to this proposed event due to transport limitations and the tight ingress and egress. Traffic orders could be put in place, but there were always some who would not cooperate. Other events in Trent Park were supported, but this one was not wholesome with its large crowd and extended sale of alcohol.
- j. The plan for up to 14,999 people on site and alcohol being sold for eleven hours, and that attendees may have pre-loaded with alcohol and more, was worrying to local residents. During last year's festival, significant

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numbers of attendees were observed drinking alcohol and loitering around Cockfosters Station and Parade, as well as urinating in public. This was out of keeping with the area and intimidating to young and old residents in particular. Traffic instructions were ignored and marshals were unable to do their job. Significant numbers of people gathered in Fairgreen East and residents were verbally abused in the street.

k. The sub-committee was urged to refuse the application, but failing that to grant a lower capacity and no second day.

l. On behalf of Trent Park Conservation Committee, concerns were expressed about the lack of an emergency route map, and potential problems if a large number of vehicles were using Snakes Lane and emergency services needed to have access or there was a major issue. It had been agreed that documents would be made available via the applicant's 'drop box' website, but a number were not available.

m. There was also a lack of information about any agreement with Transport for London and any extra buses or trains to be provided. Removal of people after the event was a major issue, with the potential for public disorder.

n. On behalf of Friends of Trent Country Park, concerns were expressed about the failings in event organisation in 2015 and 2016 and that Found Series Ltd had now been dissolved as a company. There was no evidence of the experience of the applicant in this case, which was a newly created company. The sub-committee should also seek assurance with regard to the sub contractors for this event of unprecedented size in the borough.

o. Capacity increases from 10,000 to 12,500 and now 15,000 set a worrying precedent, and the proposed precautions felt inadequate. Large numbers of people moving in the dark along narrow roads was unsatisfactory.

p. It was requested that events at Trent Park should be limited to a maximum of 10,000 people and should avoid school holiday periods as they affected use of the park for many days including setting up and taking down.

q. Sale of tickets on the door had been excluded previously, but that was no longer part of the plan. It was questioned what would happen if people turned up and the tickets had all gone, as they may linger in the park.

r. Concerns remained about the control over noise nuisance. It was questioned whether Vanguardia had authority to insist the volume was turned down.

3. The interested parties responded to questions, including:
 - a. The Chair asked for clarification of the reference to notional Metropolitan Police presence in the written submission. It was advised that there had been no written confirmation of exactly what was proposed.
 - b. The Chair queried use of the phrase 'intrusions into our park'. It was advised that Trent Park was looked on as a community asset. There was a sense of community connection with the park, established with the Council and it was right for this to be a consideration. As customary usage, since the park opened it had been used very much for the local community and

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events that were compatible. Whenever there was a Friends of Parks meeting, people came in high numbers and around 300 people took an active interest, and they did speak of it as their park as they had a sense of attachment to it.

c. In response to the Chair's further queries that LB Enfield residents were likely to make up attendees of the festival, it was advised that as children were not permitted entry, that families who were the principal park users would be deterred from using Trent Park for up to 9 or 10 days. The set up was a major undertaking, including steel perimeter, toilets and staging.

4. The statement on behalf of Mad Husky Events Ltd, the applicant, including:
 - a. For the past two years, Trent Country Park had hosted the 51st State – a sell-out music festival, and subject to licence it hoped to return this year bigger and better. There were two separate day festivals: 51st State on Saturday 5 August and Moondance on Sunday 6 August, and they would be separately ticketed. The typical age of the audience would be 25 to 40 on Saturday and 20 to 40 on Sunday.
 - b. Mad Husky Events Ltd was solely owned by Director Liza-Marie O'Sullivan, who was the operations manager and designated premises supervisor and was involved in the two previous events. She had also been in charge of Moondance last year at Queen Elizabeth Park. Liza-Marie was very experienced in managing licensed premises and festivals, and had held a personal licence for nine years, having been general manager at Scala nightclub in Kings Cross and organising big festivals in Finsbury Park and Brockwell Park. Liza-Marie was a consultant to Found Series Ltd and after liquidation had taken up the reins, including paying off Found's debts. Any suggestion that the company was not appropriately resourced was unfounded. This year's event would be fully insured and would have a much improved management plan.
 - c. This year the applicant was working with Mr Nodd McDonagh, events consultant, who had been in senior positions at Ministry of Sound, at O2 events and at Glastonbury.
 - d. Representations had made reference to statements by Will Paterson of Found Series, but Liza-Marie O'Sullivan could not be held accountable as she was not in control of that company. She had done everything she could to make sure everyone had appropriate information, with apologies for delays while she wanted to make sure everything was set up first.
 - e. The application was sought on similar terms to previous festivals, with the hours set the same as last year, and the site to close 30 minutes after the last licensable activity. Times remained modest, and took consideration of the views of local residents. All proposed conditions had been agreed.
 - f. Last year's event had sold out six weeks in advance. From the perspective of the Police and Council it was considered a success, with no crime or disorder on site. Parks Department confirmed there were no complaints on the day on the dedicated phone line. The FaceBook comments quoted were not representative. The second day was cancelled

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purely for financial reasons, not operational. It was accepted that there were some shortcomings, in particular the egress and the management of crowds. It was considered these were dealt with in the management plan.

g. The responsible authorities had seen the application and the agreed conditions and had made no representations.

h. The management plans were working documents. Improvements to them could be made prior to the event. It was understood that residents now had an online link so documents will be accessible and will be updated.

i. The noise management plan was included in the agenda pack from page 31, and Mr Roly Oliver, Noise Consultant, Vanguardia was present to answer questions. He was very experienced; and Vanguardia was used by Found Series Ltd as a last minute replacement in 2016. Planning was much improved from the previous year. There would again be a dedicated phone line. During 51st State festival in 2016 there were no calls. A total of around 20 calls on the day of such an event would be considered acceptable. The layout would be appropriately designed and the decibel level would be in accordance with agreed codes, with checks before to set limits and monitoring throughout with measurements taken outside and in. There would be direct communication with the Council and with the people managing the sound who would have to comply with instructions from the Council. Residents could be visited to check the noise and confirm that levels were compliant.

j. Further information was provided in a statement directly by Roly Oliver, Noise Consultant, Vanguardia. He advised that he had worked a lot with Nodd McDonagh and the events were very well run. The noise management plan was considered draft because it was a 'live' document as improvements would continue to be made. Vanguardia worked on making events work in their environment. All complaints would be sent direct to him via WhatsApp. If required he would go to a residential house or a reported area to monitor the noise levels and to take a view. If there was a spike in complaints from one area, even if the licensing requirements were being complied with, it was possible there may be an anomaly. There would be consultants on the perimeter who could make visits. Vanguardia worked with licensees but would protect the interests of everyone. They took their role very seriously and there had been clear discussions around how the sound would be controlled. It was understood that noise upsets people, but he was able to take real readings; and noted that general road traffic noise readings were mostly higher than for music, and that the festival would not be the only noise source. It was confirmed there would be two members of staff off site and two on site. All the stages were networked so the sound could be seen and understood. If levels were monitored as excessive an instruction would be given to turn the sound down. Noise needed to be monitored rather than simply limited and visits were necessary to gain the full context as it was affected by music frequencies, wind, cloud cover and more. A gust of wind could increase noise by more than 5 decibels. Also, if the music was too quiet, there could

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be crowd management issues. If residents were willing, it would be helpful to monitor noise from a property using their wifi.

k. The reasons for seeking an increase in attendance numbers were commercial, noting that the last event had sold out. Potential numbers had been agreed with health and safety experts who believed it would be safe with an expanded site and facilities.

l. The management plan dealt with the safety of people leaving the site. The majority of people would travel via Cockfosters Station. Taxis this year would pick up at Oakwood Station, including Ubers and local taxis. All those attending would be given a cut out and keep guide and there would be staff with bibs and foam hands as well as signs to direct people. There would also be 500 parking spaces, which was double the number provided last year.

m. In 2016, Cockfosters Station had been clear by 23:15. An advantage this year was that the Tube was running 24 hours. Transport for London (TfL) advised that 80% of people attending used public transport. One of the problems last year had been overcrowding at the station and lack of TfL communication. This year there would be operatives on the platform in radio contact with the foyer and information would be given via loudspeaker. Cockfosters was the preferred station at TfL's suggestion. Crowd management this year would be done by Saber security personnel.

n. In response to Members' queries, it was advised that there would be a walking route to Oakwood via Snakes Lane and that this would also be the vehicle exit route from the parking area. There would be traffic management and security staff along the route. From Limes Avenue to the car park there would be no vehicles, with a process in relation to access to the wildlife rescue centre.

o. Last year there were 200 SIA registered security staff, but this year there would be 250, plus marshals, including 194 general security staff and 56 specifically at the bars. Security would also include dog handlers, undercover members, and two rapid response teams. All Police at the site would be in uniform, with 22 officers on Saturday and 14 on Sunday, including an Inspector, Sergeant and PCs.

p. Extra portaloos would be provided on the route to Cockfosters Station with clear signs at the last toilet before the station.

q. Search procedures would be the same as in 2016. Organisers were commended by the Police and there were no crime and disorder incidents inside the site.

r. An issue arose in 2016 when testing mains water revealed contamination, and the need for bottled water led to long queues. It had been agreed to test water in advance this year and, if contaminated, water bowsers would be brought in. There would also be water available at all the bars. Other complaints about queueing would be resolved this year by taking cash, card and contactless payments at the bars.

s. A detailed medical plan was in place, including 21 staff and two ambulances. Emergency services had not indicated any concerns about the route.

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- t. The event was for age 18 and over, and staff would be trained to operate the Challenge 25 policy and accept photo ID only.
 - u. It was a condition last year that there would be no tickets sold on the day. Organisers this year could limit ticket sales on the door to before 14:00. If the events were sold out beforehand that would be made very clear on social media.
5. The representatives of the applicant responded to questions as follows:
- a. In response to queries from Councillor Delman about bar staff, it was confirmed that a proposed condition covered the induction and training in use of Challenge 25; and there would be a personal licence holder overseeing all sales.
 - b. In response to queries from the Chair, it was acknowledged that problems arose around traffic management and enforcement around parking in 2016, and that part of the reason was that an electoral roll list of residents was not given to marshals until later in the day. This year, marshals would be monitored by security staff and the organisers were doing everything they could to make sure that problems did not reoccur.
 - c. In response to queries regarding flexibility on the day, it was confirmed that there was a deployment plan and that security supervisory staff would be in contact with Liza-Marie O'Sullivan to make redeployments where required.
 - d. In response to queries about ongoing dialogue with key stakeholders, attention was drawn to conditions 16 and 17. It had been unfortunate that organisers could not meet residents before this hearing, but Liza-Marie O'Sullivan had been in consultation with residents since last year and planned to keep that line open.
 - e. In response to queries from interested parties, Liza-Marie O'Sullivan confirmed that she took over this event officially early in 2017, but that she had been DPS for the last three years and was now also Director. She had been present at the debriefing meeting with residents, but had not committed herself to a timetable communicated by Will Paterson. In response to guidance by the Chair, an appropriate date was discussed in respect of availability of revised event management documents.
 - f. In response to residents' queries about a robust way of making contact with noise complaints, Roly Oliver clarified that staff were trained to try to head off issues about perceived volume and did not wait for complaints to be made.
 - g. In response to interested parties' queries about safety of users of Snakes Lane at the end of the event, it was advised that there were likely to be a maximum of 250 taxi journeys based on an average 4 people per cab, and around 1500 people leaving by car. This would be a small and containable operation. Uber would be provided with an address to use as the remote meeting point. The traffic management system had been diligently prepared and the plan was dynamic. There was contingency to redeploy resources, and there were very senior managers able to cope.
 - h. In response to further queries, it was confirmed that TfL considered their capacity was adequate and there was no need for extra public

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transport to be laid on. In the event of emergency, the emergency route would take precedence and plans were robust with a secure method prepared, including closure and sealing of the car park.

6. Following a 45 minute adjournment for lunch, the meeting reconvened to receive a summary statement by Ellie Green, Principal Licensing Officer, including:
 - a. Having heard the representations from all parties, it was for the Licensing Sub Committee (LSC) to consider whether this new application was appropriate and in support of licensing objectives.
 - b. The steps which the LSC may make were set out in para 7 of the report.
 - c. Relevant guidance and policy were highlighted, as set out in para 5 of the report.

7. The summary statement of the interested parties, including:
 - a. Interested parties stood by their submission.
 - b. It was not accepted that the FaceBook feedback on the 2016 event was unrepresentative. A different company accepted the feedback and apologies for the failings in 2016.
 - c. This applicant reported two years' experience with the Trent Park event, and therefore she should also be judged on the past record.
 - d. This seemed to be a 'just in time' licence application being considered just before the event. Things should have been ironed out in dialogue prior to a hearing.
 - e. Issues of most concern had been identified as being outside the park.
 - f. The increase in Police attendance was welcomed, but their lack of representation was questioned.
 - g. It would be imprudent to approve an enlarged event until it could be demonstrated that a one day festival could be run safely.
 - h. It was felt that there should be no sales of tickets on the day as that introduced new risks.

8. The summary statement on behalf of the applicant, including:
 - a. This was a new application by a new company and it was asked that everything be considered afresh and based on the evidence. It would be unfair to refuse based on previous failings of a separate company.
 - b. It was noted that responsible authorities made no representations to this hearing.
 - c. Crowd management functions had been taken from CSP and given to Saber Security.
 - d. Additional conditions could be considered. For safety in Snakes Lane, a police-type barrier was suggested to separate pedestrians from vehicles on the road, and monitored by officers.
 - e. It would not be possible to produce an updated noise management plan before 17 July and an extension of time was requested to make it available.

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f. It was requested that ticket sales on the day be permitted to a certain point, with 14:00 being suggested as an appropriate time. It was confirmed that no re-entry would be permitted to the event.

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:

“Having considered all of the written and oral submissions of all parties, the Licensing Sub-Committee (LSC) has determined to grant the application as sought in full but with inserted amendments to the tabled as follows:

- Condition 13

All *noise and other* issues reported by London Borough of Enfield's Environmental Health Officers must be immediately addressed by the licence holder.

- Condition 16

The organisers of the event must meet with local residents before the event, *not later than Wednesday 2 August*.

- Condition 19

A personal licence holder is to be present on the premises and supervise the sale of alcohol, throughout the permitted hours for the sale of alcohol. *Each bar shall be individually managed by a personal licence holder.*

... the precise recordings of which are detailed in the decision notice. In addition the LSC has imposed the following additional conditions – which again are detailed in the decision notice:

- Condition 22

Revised versions of the following documents shall be supplied to the Licensing Authority, and uploaded to the 'drop box' by 16:00 hours on Friday 21 July:

- The Noise Management Plan, to include the details given orally at the licensing hearing on 3 July;
- The Site Plan, and emergency vehicle access routes;

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The Traffic Management Plan, to include appropriate segregation between pedestrians and vehicles in Snakes Lane.

- Condition 23

No tickets for entry shall be sold on the door after 14:00 hours on each day.

The LSC listened attentively to the range of objections raised by all of the interested parties, but was sufficiently persuaded that the applicant for this particular time limited licence has to date demonstrated that appropriate steps have been taken to promote the licensing objectives.

The oral contributions from Mr Oliver from Vanguardia were of particular assistance in this regard; providing additional evidence to reinforce the points already articulated and contained in the bundle.

However, giving due regard to the concerns legitimately voiced by the stakeholders; and based also on the answers to questions from the LSC itself, the panel concluded it was important that the various live documents that underpin the management of the event to be delivered under the licence, as now granted, are all developed further in the intervening period between today's hearing and the two-day event. The panel believed this approach provides additional steps for the promotion of the licensing objectives.

These are being dealt with under alterations to the conditions, and respect the flexibility which – we were told – was intrinsic to the smooth and effective on-the-day management of an event of this nature.

The LSC welcomes the commitment made by the applicant to maintain ongoing dialogue with the interested parties to ensure that their concerns and the issues raised are being fully addressed; and to better manage the risks associated with an event of this size and scale.

The LSC has arrived at its decision based on the weight of the evidence it has heard, balancing the detail of what is contained within the event management and associated plans for this event with all other factors submitted for consideration.

We noted that no representations were received from the Metropolitan Police Service or the Licensing Authority – being two of the responsible authorities consulted on this and all applications – and gave some weight to this point. We also noted that a health and safety review raised no objections either to the scale of this year's event or the capacity to manage it.

Noting the shortcomings clearly identified from and evidenced by events of previous years, the LSC also gave weight to the major

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improvements to event planning for 2017. This includes more advanced preparations, appointment of different contractors, an increased police presence with warranted officers only, an increase in SIA security professionals with tighter integrated management of marshals; and more enhanced communications proposed between management of the event on site and third party bodies operating outside the park – such as Transport for London at nearby tube stations, the police service, and Council officers, as well as with those marshals redeployed to the principal exit routes.

In addition, the LSC was reassured that the credentials and extensive relevant experience of all those most directly involved in planning and operating of this event provided sufficient weight to the conclusion that all directly manageable preventative steps have been, and will continue to be taken to ensure that the licensing objectives are promoted appropriately.

3. The Licensing Sub-Committee resolved that the application be granted in full, with amendments to conditions 13, 16 and 19 and two additional conditions 22 and 23.

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MINUTES OF PREVIOUS MEETING

RECEIVED the minutes of the meeting of Licensing Sub-Committee held on Wednesday 10 May 2017.

AGREED that the minutes of the meeting of Licensing Sub-Committee held on Wednesday 10 May 2017 be confirmed and signed as a correct record.