

MUNICIPAL YEAR 2018/19 REPORT NO.

COMMITTEE:
Licensing Sub-Committee
24 April 2019

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
SUBJECT: Application for a new premises licence – Fancy Fair Markets Limited	
PREMISES: Land, Bramley Sports Ground, Chase Side, London, N14 4AB	
WARD: Cockfosters	

1. LICENSING HISTORY:

- 1.1 The land at Bramley Road Sports Ground has not previously benefitted from a premises licence or Temporary Event Notice (TEN).
- 1.2 In and around Bramley Road Sports Ground, three premises have been identified as holding a premises licence or club premises certificate. For information purposes, the licensing details for each premises are as follows:

	Chicken Shed Theatre	Saracens Amateur Rugby Football Club	The Minchenden Association
Address	290 Chase Side, LONDON, N14 4PE	Bramley Sports Ground, Chase Side, Southgate, N14 4AB.	Cricket Pavilion, Bramley Sports Ground, Chase Side, LONDON, N14 4AB.
Licence Type	Premises Licence	Club Premises Certificate	Club Premises Certificate
Opening Hours (latest)	24 hours	11:00 – 00:30	08:00 – 00:30
Alcohol Hours (latest)	On sales: 10:00 - 01:00	On and off sales: 11:00 – 00:00	On sales: 12:00 – 00:00
Live Music (latest)	Indoor: 09:00 – 01:00	Indoor: 19:00 – 00:00	Indoor: 12:00 - 00:00
Recorded Music (latest)	Indoor: 24 hours	Indoor: 11:00 – 00:30	n/a
Plays (latest)	Indoor & Outdoor: 09:00 – 00:00	n/a	n/a

NB. All premises above will be subject to the provisions introduced on 6 April 2015: deregulatory changes relating to regulated entertainment.

1.3 The three premises mentioned above are not connected with this application or relevant events.

1.4 A copy of a location map of the premises is attached as Annex 1.

2 THIS APPLICATION:

2.1 On 7 March 2019 an application was made by Fancy Fair Markets Limited for a new Premises Licence for Land, Bramley Sports Ground, Chase Side, London, N14 4AB.

2.2 The proposed Designated Premises Supervisor (DPS) is Mr Adrian Webb.

2.3 The premises licence does NOT seek to be time limited.

2.4 The application seeks:

2.4.1 To operate annually with no more than four event days.

2.4.2 This year, the proposed event is to take place Saturday 25 to Monday 27 May 2019 – the second May Bank Holiday weekend.

2.4.3 The maximum capacity at any one time is 9,999.

2.4.4 The times and licensable activities sought by this application, as amended following mediation to Responsible Authority representations:

Licensable Activities	Friday to Monday
Opening Hours	10:00 to 22:00
Alcohol Sales (On Sales only)	10:00 to 21:30
Live music (indoor and outdoor)	10:00 to 22:00
Recorded music (indoor and outdoor)	10:00 to 22:00
Performance of dance (indoor and outdoor)	10:00 to 22:00
Indoor sporting events	10:00 to 22:00
Films (indoor and outdoor)	10:00 to 22:00
Plays (indoor and outdoor)	10:00 to 22:00
Anything of a similar description, e.g. funfair, amusements, circus (indoor and outdoor)	10:00 to 22:00

- 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 2.
- 2.7 A copy of the Plan is attached as Annex 3.
- 2.8 The applicant submitted a document containing supportive comments for the proposed event and are attached in Annex 4.
- 2.9 Enfield's Safety Advisory Group (SAG) has produced a report for the Licensing Sub-Committee, with an overview of all the documents relating to the applicant's Event Management Plan, and is attached as Annex 5.

3 RELEVANT REPRESENTATIONS:

- 3.1 **Other Persons:** Representations have been made, against the application, by 151 local residents, sports associations and ward councillors, and are referred to as IP1 to IP151. 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 IP representations are attached in Annex 6.
- 3.3 You will note that 37 residents sent in their representation on a standard template, therefore only an example has been shown.
- 3.4 The residents who have objected have confirmed their addresses to the Licensing Team and all live in N14 or EN4 postcode areas in one of the following roads:
- Bramley Road
 - Bramley Close
 - De Bohun Avenue
 - Masefield Crescent
 - Homestead Paddock
 - Chase Side
 - Cornel Gardens
 - Trent Gardens
 - Gloucester Gardens
 - The Close
 - Green Road
 - The Fairway
 - Ebony Crescent
 - Westpole Avenue
 - Linden Way
 - Addison Avenue
 - Belgrave Gardens
 - Cat Hill

- 3.5 The Metropolitan Police and Licensing Authority made representations in respect of this application, namely seeking modification of conditions. The applicant has agreed those conditions, and subsequently the representations have been withdrawn.
- 3.6 In response to the Other Persons representations in respect of this application, the applicant has provided documents to further support the application and are attached as Annex 7. Further documents are also expected and will be circulated in a Supplementary Report.

4 PROPOSED LICENCE CONDITIONS:

- 4.1 The conditions arising from this application are attached as Annex 8.

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]

Hours:

- 5.8 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].
- 5.9 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.

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