

MUNICIPAL YEAR 2019/20 REPORT NO.26

COMMITTEE:
Licensing Sub-Committee
19 June 2019

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda – Part1	Item
SUBJECT: Application for a new premises licence – Mad Husky Events Limited (51 st State Festival)	
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 On 3 July 2017, an application by **Mad Husky Events 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.
- 1.6 This premises licence was time restricted, namely for an event on 5 and 6 August 2017 only, and it permitted:
 - 1.6.1 Capacity 14,999.
 - 1.6.2 **Hours the premises are open to the public:** Saturday 11:00 to 22:30 and Sunday from 11:00 to 21:30.
 - 1.6.3 **Supply of alcohol (on supplies only):** Saturday 11:00 to 21:45 and Sunday from 11:00 to 20:45.
 - 1.6.4 **Live music (indoor and outdoor):** Saturday 11:00 to 22:00 and Sunday from 11:00 to 21:00.
 - 1.6.5 **Recorded music (indoor and outdoor):** Saturday 11:00 to 22:00 and Sunday from 11:00 to 21:00.
 - 1.6.6 **Performance of Dance (indoor and outdoor):** Saturday 11:00 to 22:00 and Sunday from 11:00 to 21:00.
 - 1.6.7 **Anything else of a similar description (indoor and outdoor):** Saturday 11:00 to 22:00 and Sunday from 11:00 to 21:00.
- 1.7 On 30 May 2018, an application by **Mad Husky Events 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.
- 1.8 The licence permitted:
 - 1.8.1 The premises licence to be time limited for Saturday 4 August 2018.

- 1.8.2 The maximum capacity at any one time: 14,999.
- 1.8.3 **Hours the premises are open to the public:** Saturday 11:00 to 22:30.
- 1.8.4 **Supply of alcohol (on supplies only):** Saturday 11:00 to 21:45.
- 1.8.5 **Live music (indoor and outdoor):** Saturday 11:00 to 22:00.
- 1.8.6 **Recorded music (indoor and outdoor):** Saturday 11:00 to 22:00.
- 1.8.7 **Performance of Dance (indoor and outdoor):** Saturday 11:00 to 22:00.
- 1.8.8 **Anything else of a similar description (indoor and outdoor):** Saturday 11:00 to 22:00.
- 1.9 Trent Park has held a full premises licence (LN/200600566) since November 2006, by the Council's Park Department. It authorises regulated entertainment (but no alcohol) between 7am and 11pm daily, both indoor and outdoor. A copy of that premises licence can be found in Annex 1.
- 1.10 Trent Park has additional premises licences for large scale events, for example:
- 1.10.1 Elrow Town Festival – first event to take place on 17 August 2019. This application was subject to representations. The Licensing Sub-Committee granted the licence.
- 1.10.2 Ghana Festival & Mauritian Festival – a long standing event but came to Trent Park for the first time in the summer of 2018, previously both time limited premises licences. This year, these event organisers were granted unlimited premises licences, without any representations.
- 1.11 These premises licence applications were subject to representations, namely local residents rather than Responsible Authorities.
- 1.12 The most like for like premises licence is the Elrow Town Festival, and premises licence (LN/201801058) permitted:
- 1.13 The maximum capacity at any one time is 24,999.

Activity	Saturday	Sunday
Hours the premises are open to the public	12:00 – 23:00	12:00 – 22:30
Supply of alcohol (on supplies only)	12:00 – 22:15	12:00 – 21:45
Live music (indoor and outdoor)	12:00 – 22:30	12:00 – 22:00
Recorded music (indoor and outdoor)	12:00 – 22:30	12:00 – 22:00
Performance of Dance (indoor and outdoor)	12:00 – 22:30	12:00 – 22:00
Plays (indoor and outdoor)	12:00 – 22:30	12:00 – 22:00
Films (indoor and outdoor)	12:00 – 22:30	12:00 – 22:00
Anything else of a	12:00 – 22:30	12:00 – 22:00

similar description (indoor and outdoor)		
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1.14 A plan of the area of Trent Park is attached as Annex 1.

2 THIS APPLICATION:

2.1 This application has been submitted by Mad Husky Events Limited, the Directors of which are Lizamarie O'Sullivan and Michael Hughes. Lizamarie O'Sullivan is also the proposed Designated Premises Supervisor (DPS) on this application.

2.2 The application seeks the following:

2.3 The maximum capacity at any one time is 17,500.

2.4 For a two-day event to take place on a consecutive Saturday and Sunday annually. This year, however, the event will take place on one day only: Saturday 3 August 2019.

2.5 The following licensable activities, days and times:

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

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

2.7 A copy of the application is attached as Annex 2.

2.8 To further support the application, the applicant has submitted a Summary of the Event Management Plan which is attached in Annex 3, and also the Noise Management Plan which is attached in Annex 4.

3 RELEVANT REPRESENTATIONS:

- 3.1 **Other Persons:** Representations have been made, against the application, by 17 local residents, resident groups and park groups, and are referred to as IP1 to IP17 respectively. 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 Representations were also made in support of the application, by five residents and businesses, and are referred to as SUP01 to SUP05 respectively.
- 3.3 The residents objecting live around Trent Park in the following streets: Ashurst Road, Belmont Avenue, Cockfosters Road, Fairgreen East, Gloucester Gardens, Osborne Close and Sovereign Mews.
- 3.4 The supporters live/are based in the following streets: Cat Hill, Cockfosters Parade, Heddon Court Avenue and Sussex Way.
- 3.5 Copies of these IP representations against the application are attached as Annex 5.
- 3.6 Copies of the SUP representations supporting the application are attached as Annex 6.
- 3.7 The Metropolitan Police did not make representations in respect of this application.
- 3.8 The Licensing Authority made representations in respect of this application, namely seeking modification of conditions. The applicant has agreed the conditions, and subsequently the representation has been withdrawn.
- 3.9 As with all large-scale events, the applicant has been in consultation with Enfield's Safety Advisory Group (SAG). A third-party review is being undertaken, therefore the Chair's SAG report is not available at the time this report is published. The Chair of the SAG will attend the hearing.

4 PROPOSED LICENCE CONDITIONS:

- 4.1 The conditions arising from this application are attached as Annex 7.

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 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:

- 5.6 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:

- 5.7 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].
- 5.8 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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