

**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 Mankanjuola (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 9<sup>th</sup> 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 1<sup>st</sup> 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.**