

**COMMITTEE:**  
Licensing Sub-Committee  
4 March 2020

**REPORT OF:**  
Principal Licensing Officer

**LEGISLATION:**  
Licensing Act 2003

Agenda – Part1	Item
<b>SUBJECT:</b> Application for a New Premises Licence – Broadwick Venues Ltd	
<b>PREMISES:</b> The Drumsheds, Meridian Water, Unit 4-6B Orbital Business Park, 5 Argon Road, Edmonton, N18 3BW and Land to the south of Units 4-6B, Orbital Business Park, 5 Argon Road, Edmonton, N18 3BW	
<b>WARD:</b> Upper Edmonton	

## 1. LICENSING HISTORY:

- 1.1 The premises are situated in the area known as Meridian Water and consists of warehouses in the Orbital Business Park, referred to as The Drumsheds.
- 1.2 The Drumsheds and land to the south of The Drumsheds (referred to as the IKEA clear site) were granted a premises licence (reference number LN/201900086&LN/201900088) on 17 May 2019, following a new premises licence application. The applicant was Broadwick Venues Limited, and the application was known as the “Festival Application” and the hearing took place on 8 May 2019, as the application was subject to representations from Responsible Authorities and Other Persons. The main purpose of this licence is to provide the ‘Field Day’ Festival.
- 1.3 The full licensing agenda, report, decision notice and minutes for the Festival Application are available online: [8 May 2019](https://governance.enfield.gov.uk/ieListDocuments.aspx?CId=217&MId=12883&Ver=4) (or <https://governance.enfield.gov.uk/ieListDocuments.aspx?CId=217&MId=12883&Ver=4>)
- 1.4 The Drumsheds (warehouse units only) were granted a premises licence (LN/201900307) on 23 July 2019, following a new premises licence application. The applicant was again, Broadwick Venues Limited, and the application was known as the “Events Application” and the hearing took place on 9 July 2019, as the application was subject to representations from Responsible Authorities and Other Persons. The purpose of this licence is to provide a range of day and night time events.
- 1.5 The full licensing agenda, report, decision notice and minutes for the Events Application are available online: [9 July 2019](https://governance.enfield.gov.uk/ieListDocuments.aspx?CId=217&MId=13137&Ver=4) (or <https://governance.enfield.gov.uk/ieListDocuments.aspx?CId=217&MId=13137&Ver=4>)
- 1.6 Tottenham Hotspur Football & Athletic Co Ltd, known as THFC, appealed the decision for the Events application, which is yet to be concluded.

1.7 Part A of the premises licence for the Events Application (LN/201900307) is produced in Annex 1.

1.8 Local area maps are produced in Annex 2. The entrance to the land backs on to Leaside Road, the north side of the road is in Enfield, the south side is Haringey.

## **2. THIS APPLICATION:**

2.1 On 13 January 2020, an application was made by Broadwick Venues Limited, for a new Premises Licence.

2.2 According to Companies House (check carried out on 25/02/2020), the Company Directors of Broadwick Venues Limited are listed as: Simon Tracey, Bradley Thompson and Rowan Hajaj.

2.3 The proposed Designated Premises Supervisor (DPS) is Mr Simeon Aldred.

2.4 The application seeks:

2.4.1 The premises to provide a multi-function event space for a mixture of corporate events, product launches, formal dinners, food and beer festivals, live music and DJ led music events.

2.4.2 The premises licence to be unlimited.

2.4.3 The maximum capacity will not exceed 9,999 (excluding staff).

2.4.4 The original application seeks the following licensable activities:

<b>Licensable Activity</b>	<b>Timings (daily)</b>	<b>Indoors</b>	<b>Outdoors</b>	<b>Both</b>
Plays	08:00 to 03:00			x
Films	08:00 to 03:00			x
Indoor Sporting Events	08:00 to 03:00	x		
Boxing or wrestling entertainments	08:00 to 03:00			x
Live music	08:00 to 03:00			x
Recorded music	08:00 to 03:00			x
Performance of dance	08:00 to 03:00			x
Anything else of a similar description	08:00 to 03:00			x
Late night refreshment	23:00 to 03:00			x
Supply of Alcohol	08:00 to 02:30			x
Hours premises are open to the public	08:00 to 03:00			

- 2.5 Each of the Responsible Authorities were consulted in respect of the application.
- 2.6 A copy of the application is produced in Annex 3.
  - 2.6.1 Representation was originally made, against the application, by THFC. Mediation took place between the applicant and THFC and the set of bespoke conditions, now produced in Annex 4, were agreed. Therefore, THFC have withdrawn their representation. The email trail to confirm this agreement is produced in Annex 5.
  - 2.6.2 Much of the discussion between THFC and the applicant mirrors the concerns raised in the appeal, and the same conditions in Annex 4 are sought via a consent order as a means to resolve the appeal for the Events licence (LN/201900307).
- 2.7 The London Borough of Waltham Forest (LBWF) also originally made representation to the application, seeking to be one of the consultees for the larger capacity events. The applicant agreed to include LBWF and has incorporated this onto the final list of conditions, produced in Annex 6. LBWF have subsequently withdrawn their representation.
- 2.8 The Applicant has also provided two statements to support their application: the witness statement of Ben Jones, CPA Events, is produced in Annex 7, and the witness statement of Jon Draper, Managing Director of Engine No 4 Limited and Director of Broadwick Entertainment Limited, is produced in Annex 8.

### **3. RELEVANT REPRESENTATIONS:**

#### **3.1 Responsible Authorities:**

- 3.1.1 **The Metropolitan Police** made representation against the application on the grounds of prevention of crime and disorder; prevention of public nuisance protection of children from harm and public safety. This representation is produced in Annex 9.
- 3.2 Additional information is expected from the applicant and Police as their mediation continues. A Supplementary Report will be circulated and published once received.

### **4. RELEVANT LAW, GUIDANCE & POLICIES:**

- 4.1 The paragraphs below are extracted from either:
  - 4.1.1 the Licensing Act 2003 ('Act'); or
  - 4.1.2 the Guidance issued by the Secretary of State to the Home Office of April 2017 ('Guid'); or
  - 4.1.3 the London Borough of Enfield's Licensing Policy Statement of January 2015 ('Pol').

**General Principles:**

- 4.2 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].
- 4.3 The licensing objectives are:
  - 4.3.1 the prevention of crime and disorder;
  - 4.3.2 public safety;
  - 4.3.3 the prevention of public nuisance; &
  - 4.3.4 the protection of children from harm [Act s.4(2)].
- 4.4 In carrying out its functions, the Sub-Committee must also have regard to:
  - 4.4.1 the Council's licensing policy statement; &
  - 4.4.2 guidance issued by the Secretary of State [Act s.4(3)].

### **Significant Events:**

- 4.5 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:**

- 4.6 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].
- 4.7 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].

### **Cumulative Impact Policy**

- 4.8 The premises is not situated in any of Enfield's Cumulative Impact Policy areas [Pol 9.20].

### **Capacity**

- 4.9 "Safe capacities" should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.[Guid 2.12]

- 4.10 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act<sup>1</sup>, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be. [Guid 2.13]

<sup>1</sup>S 177 of the 2003 Act now only applies to performances of dance.

- 4.11 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment. [Guid 2.14]

**Large capacity venues used exclusively or primarily for the “vertical” consumption of alcohol (HVVDs)**

- 4.12 Large capacity “vertical drinking” premises, sometimes called High Volume Vertical Drinking establishments (HVVDs), are premises with exceptionally high capacities, which are used primarily or exclusively for the sale and consumption of alcohol, and have little or no seating for patrons. Previous research has demonstrated that the environment within such establishments can have a significant bearing on the likelihood of crime and disorder. [Guid 10.23]
- 4.13 Where appropriate, conditions can be attached to premises licences for the promotion of the prevention of crime and disorder at such premises that require the premises to observe:
- 4.14 a prescribed capacity;
  - 4.15 an appropriate ratio of tables and chairs to customers based on the capacity; and
  - 4.16 a requirement that security staff holding the appropriate SIA licence or exemption are present to control entry for the purpose of compliance with the capacity limit and to deny entry to individuals who appear drunk or disorderly or both. [Guid 10.24]

**Decision:**

- 5.1 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].

- 5.2 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:
  - 5.2.1 the steps that are appropriate to promote the licensing objectives;
  - 5.2.2 the representations (including supporting information) presented by all the parties;
  - 5.2.3 the guidance; and
  - 5.2.4 its own statement of licensing policy [Guid 9.38].
- 5.3 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:
  - 5.3.1 to grant the application subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
  - 5.3.2 to exclude from the scope of the licence any of the licensable activities to which the application relates;
  - 5.3.3 to refuse to specify a person in the licence as the premises supervisor;
  - 5.3.4 to reject the application [Act s.18].

**Background Papers:**  
**None other than any identified within the report.**

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