

NOTICE OF MEETING

LICENSING COMMITTEE

TUESDAY, 21ST MARCH, 2006 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillors Haley (Chair), Basu, Beacham, Bloch, Dobbie, E Prescott, Floyd, Herbert Brown, Knight, Newton, Patel (Deputy Chair), Reynolds and Rice

AGENDA

1. APOLOGIES FOR ABSENCE

2. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be dealt with at item 8 below).

3. DECLARATIONS OF INTEREST

A member with a personal interest in a matter who attends a meeting of the Authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.

4. DEPUTATIONS/PETITIONS

To consider receiving deputations and/or petitions in accordance with Standing Order 37, part E8

5. MINUTES

To approve the minutes of the previous meeting of the Licensing Committee held on 14 March 2006 (to follow).

6. SUMMARY OF PROCEDURE (PAGES 1 - 4)

The Chair will explain the procedure that the Committee will follow for each of the hearings considered. A copy of the procedure is attached.

7. KURDISH COMMUNITY EVENT (PAGES 5 - 10)

Finsbury Park, N4 (Stroud Green ward): To consider an application for a Premises License to provide a licensable activity in the form of Regulated Entertainment for in excess of 500 people.

8. ITEMS OF URGENT BUSINESS

To consider any new items admitted under item 2 above.

YUNIEA SEMAMBO
Head of Member Services
5th Floor
River Park House
225 High Road
Wood Green
London N22 8HQ

NICOLAS MATTIS
Principal Support Officer (Council)
Tel: 020 8489 2916
Fax: 020 8489 2660
e-mail: nicolas.mattis@haringey.gov.uk

6 March 2006

ITEM 5

<p><u>LICENSING SUB-COMMITTEE HEARINGS</u> <u>PROCEDURE SUMMARY</u></p>	<p>Tick box to record action / decision</p>
<p><u>INTRODUCTION</u></p>	
<p>1. The Chair introduces himself and invites other Members, Council officers, Police, Applicant and Objectors to do the same.</p>	
<p>2. The Chair invites Members to disclose any prior contacts (before the hearing) with the parties or representations received by them</p>	
<p>3. The Chair explains the procedure to be followed by reference to this summary which will be distributed.</p>	
<p><u>NON-ATTENDANCE BY PARTY OR PARTIES</u></p>	
<p>4. If one or both of the parties fails to attend, the Chair decides whether to:</p>	
<p>(i) grant an adjournment to another date, or</p>	
<p>(ii) proceed in the absence of the non-attending party.</p> <p>Normally, an absent party will be given one further chance to attend.</p>	
<p><u>TOPIC HEADINGS</u></p>	
<p>5. The Chair suggests the "topic headings" for the hearing.</p> <p>In the case of the majority of applications for variation of hours, or other terms and conditions, the main topic is:</p> <p>Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.</p>	
<p>(i) the prevention of crime and disorder,</p>	
<p>(ii) public safety,</p>	

(iii) the prevention of public nuisance, and	
(iv) the protection of children from harm.	
6. The Chair invites comments from the parties on the suggested topic headings and decides whether to confirm or vary them.	
<u>WITNESSES</u>	
7. The Chair asks whether there are any requests by a party to call a witness and decides any such request.	
8. <u>Only</u> if a witness is to be called, the Chair then asks if there is a request by an opposing party to “cross-examine” the witness. The Chair then decides any such request.	
<u>DOCUMENTARY EVIDENCE</u>	
9. The Chair asks whether there are any requests by any party to introduce late documentary evidence.	
10. If so, the Chair will ask the other party if they object to the admission of the late documents.	
11. If the other party <u>do object</u> to late admission, the following criteria shall be taken into account when the Chair decides whether or not to admit the late documents:	
(i) What is the reason for the documents being late?	
(ii) Will the other party be unfairly taken by surprise by the late documents?	
(iii) Will the party seeking to admit late documents be put at a major disadvantage if admission of the documents is refused?	
(iv) Is the late evidence really important?	
(v) Would it be better and fairer to adjourn to a later date?	
<u>THE LICENSING OFFICER'S INTRODUCTION</u>	
12. The Licensing Officer introduces the report explaining, for example, the existing hours, the hours applied for and	

<p>the comments of the other Council Services or outside official bodies. This should be as “neutral” as possible between the parties.</p>	
<p>13. The Licensing Officer can be questioned by Members and then by the parties.</p>	
<p><u>THE HEARING</u></p>	
<p>14. This takes the form of a discussion led by the Chair. The Chair can vary the order as appropriate but it should include:</p>	
<p>(i) an introduction by the Objectors' main representative</p>	
<p>(ii) an introduction by the Applicant or representative</p>	
<p>(iii) questions put by Members to the Objectors</p>	
<p>(iv) questions put by Members to the Applicant</p>	
<p>(v) questions put by the Objectors to the Applicant</p>	
<p>(vi) questions put by the Applicant to the Objectors</p>	
<p><u>CLOSING ADRESSES</u></p>	
<p>15. The Chair asks each party how much time is needed for their closing address, if they need to make one.</p>	
<p>16. Generally, the Objectors make their closing address before the Applicant who has the right to the final closing address.</p>	
<p><u>THE DECISION</u></p>	
<p>17. Members retire with the Committee Clerk and legal representative</p>	

<p>to consider their decision including the imposition of conditions.</p> <p>The decision is put in writing and Members return to the meeting.</p>	
<p>18. The Chair should read out the following statement before asking the Committee Clerk to read out in public a summary of the Committee's Decision:</p> <p><i>“The Committee Clerk will read out a summary of the Committee’s Decision. The Parties will receive a written Decision Notice in which the Decision will be formally set out. Please note that the written Decision will be substantially the same although the wording might vary slightly from the summary read out.”</i></p>	

Licensing Act 2003 Sub-Committee on 21st March 2006

Report title: Application for a Premises Licence KURDISH COMMUNITY EVENT, FINSBURY PARK, LONDON	
Report of: The Lead Officer Licensing	
Ward(s) affected STROUD GREEN	
1. Purpose To consider an application by KURDISH COMMUNITY EVENT to provide a licensable activity in the form Of Regulated Entertainment.	
2. Recommendations 2.1 (a) Grant the application as asked (b) Modify the conditions of the licence, by altering or omitting or adding to them (c) Reject the whole or part of the application The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application unless it is necessary to promote the licensing objectives.	
Report authorised by: Robin Payne..... <p style="text-align: right;">Assistant Director Enforcement Services</p>	
Contact Officer: Ms Daliah Barrett	Telephone: 020 8489 5103
3. Executive summary For consideration by Sub Committee under Licensing Act 2003 for a New Premises licence	
4. Access to information: Local Government (Access to Information) Act 1985 Background Papers The following Background Papers are used in the preparation of this Report: File: KURDISH COMMUNITY EVENT: FINSBURY PARK The Background Papers are located at Enforcement Service, Civic Centre, High Road Wood Green N22	

5. REPORT

Background

5.1 Application by **MURAT SONMEZ**, for a New Premises Licence in respect of **FINSBURY PARK**, Basketball pitch under the Licensing Act 2003. To celebrate Kurdish New Year on 26th March 2006 with an expected crowd of 3500.

5.2 Details of Premises Licence application

Opening Hours for Public

Regulated Entertainment: Live Music, Recorded Music, and Performance of Dance.

Sunday 26th March 06: 18.00 to 22.30

5.2 Crime and Disorder

Newroz- The Kurdish New Year is a peaceful family and community entertainment event. Our experience has shown that there has been no disorderly act or crime made whilst people enjoy themselves.

5.4 Public Safety

We will employ 100 men and women stewards who are well trained to handle this kind of activity. Public safety is of the utmost importance for our communities and others that will attend this event. The area will be well lit and we will work closely with the police and the Fire department.

5.5 Public Nuisance

We are aware that at the back of this proposed area there are housing estates and will liaise with the stage manager and the sound control engineer to keep the sound down. The music will cease by 22.30

5.6 Child Protection

As we mentioned above this is a family event. Children are accompanied by their parent or older brothers or sisters. We don't anticipate any harm to the children, and all stewards will be on the lookout for children without adults.

6. RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible authorities:

6.1 Comments of Metropolitan Police

The Police have made representations under public safety grounds. **App 2**

6.2 Comments of Enforcement Services:

Noise Team are concerned that the organisers should take steps to ensure none of the people attending the event bring fireworks into the Park, which they may then wish to let off late in the evening thereby causing a nuisance to nearby residents.

Food Team

Have no objections to this application

Health and Safety – App 3

Have made representation due to the organisers not being able to show clear plans in relation to planning and delivering such an event.

Trading Standards

Have no objections to this application

6.3 Fire Officer – App 4

The Fire Officer has made representation against this application.

6.4 Planning Officer

Planning has no objection to this application.

6.5. Comments of Child Protection Agency or Nominee

No comments to make on this application.

7.0 Interested Parties

1 letter of representation has been received against this application. Which raises concerns regarding the use of fireworks. **App 5**

8.0 Financial Comments

The fee which would be applicable for this application was **£190.00**

9.0 Comments of Licensing Officer

A Stat meeting was held on 25th February and attended by all the Responsible Authorities and the Organisers, as well as the Parks Manager.

The Fire Officer had already made representation on the matter as the application form and associated paperwork did not cover the fire risk assessment and the plan deposited with the application did not show any layout or structure for the event.

It also became apparent that the area hired by the Kurdish Group was not sufficient to hold their expected audience of 3500. They were advised by the Fire officer that the capacity for the given area would limit them to 150 capacity due to the exit widths of the 2 gates that serviced the basketball pitch.

The Police also questioned the organisers as to how the event would be advertised and if tickets were to be sold. There was no clarity in the response given which initially stated no tickets were to be sold. On further questioning the organisers said that a 1 off ticket was being sold for the whole months event for the Kurdish Festival all over the country and anyone holding such a ticket could then turn up to the Finsbury Park event. The organisers were asked how they would control the numbers in attendance. This was not clarified.

The 1st stat meeting was halted as the organisers did not come prepared with a clear plan of how the event was to be organised and delivered. It was agreed that they all the parties would reconvene a week later by which time the venue/space to be used in the park would be clarified, all plans showing a layout of the area to be drawn up and submitted showing clearly where the stage, lighting, stalls, toilets and ingress and egress points would be. The fire risk assessment and emergency evacuation plan.

The 2nd stat meeting was held a week later. The organisers had hired a Fire Safety Group called Firequest to draw up their Health and Safety risk assessment. **App 6** This document arrived while the organisers were at the Civic Centre and was given to all parties concerned. The most striking matter in the document was that the company who had carried out this audit done so on their request and with the information provided by the organisers. The document shows all the different aspects that are required to be addressed by organisers when putting on such events and shows UNSATISFACTORY throughout.

For the Responsible Authorities this document reinforces the fact that the event organisers have not met the criteria and have not been able to submit plans and evidence to support their application.

Members attention is also drawn to the matters raised in Lewis Taylors (Parks Manager) memo – **App 7** to The Kurdish Community Group stating concerns as the Parks manager to the stage the organisation is intending to use. The load bearing weight of the stage exceeds the limit that the hard standing area can take, as does the vehicle and trailer,

There is no reference as to what steps the organisers will take to secure the infrastructure of basketball court.

