

**MINUTES OF THE LICENSING SUB COMMITTEE B
TUESDAY, 18 OCTOBER 2011**

Councillors Brabazon, Demirci (Chair) and Reid

Apologies Councillor Beacham

MINUTE	SUBJECT/DECISION	ACTION BY
PRCE06.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received from Cllr Beacham, for whom Cllr Reid was substituting.</p>	
PRCE07.	<p>URGENT BUSINESS</p> <p>There were no new items of urgent business.</p>	
PRCE08.	<p>DECLARATIONS OF INTEREST</p> <p>Cllr Reid declared a personal interest as a member of the Alexandra Palace and Park Advisory Committee, and that he had excluded himself from any discussions in relation to the premises licence at Alexandra Palace held by the Advisory Committee.</p> <p>Cllr Demirci declared a personal interest as a member of the Alexandra Palace and Park Advisory Committee, and that he had excluded himself from any discussions in relation to the premises licence at Alexandra Palace held by the Advisory Committee.</p>	
PRCE09.	<p>MINUTES</p> <p>RESOLVED</p> <p>That the minutes of the meeting held on 26 May 2011 be approved and signed by the Chair.</p>	
PRCE10.	<p>SUMMARY OF PROCEDURE</p> <p>NOTED</p>	
PRCE11.	<p>ALEXANDRA PALACE, ALEXANDRA PALACE WAY, LONDON,</p> <p>The Licensing Officer, Dale Barrett, presented the report on an application by Buckingham Lodge 2004 Ltd for a review of the premises licence at Alexandra Palace on the grounds that the premises has failed to uphold the licensing</p>	

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conditions and the objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance. A letter of representation had been received from Environmental Health in respect of this application, four letters had been received from interested parties in support of the application and one letter had been received in support of the existing premises licence. Mr Winnington, representing the applicant, Buckingham Lodge 2004 Ltd, asked to submit a late email received in support of the application. With the agreement of Alexandra Palace, this was received by the Committee.

Mr Winnington addressed the Committee on behalf of Buckingham Lodge 2004 Ltd, which represented the residents of Buckingham Lodge. On the nights of 27th and 28th May 2011, many residents had been disturbed by the antisocial behaviour of people leaving an event held at Alexandra Palace, who had trespassed on their property, causing a disturbance to residents as well as damage.

In response to questions from the Committee, Mr Winnington advised that there had been some disturbances from Alexandra Palace in the past, but nothing of this scale, and they had not had cause to complain previously. Mr Winnington clarified that the copies of leaflets supplied in the paperwork were a sample of those that had been littered around Buckingham Lodge after the event. In response to a further question from the Committee, it was confirmed that correspondence between residents and the Palace had been in written form only, and that there had been no face to face discussions.

Mr Simon Taylor, representing Alexandra Palace, asked Mr Winnington whether stationing two SIA-registered stewards at the car park entrance by Buckingham Lodge would address the problems reported. Mr Winnington stated that this would help, but that it was not possible to predict whether it would prevent the same issues occurring in future.

Derek Pearce, Enforcement Response, addressed the Committee and advised that the service had received complaints, particularly during the weekend of 27th and 28th May 2011, when 10 complaints had been made. It was noted that there was a greater potential for noise complaints where events continued after midnight, and also for large events, where there could be up to 10,000 people leaving the venue at one time. Mr Pearce reported that, when the Palace had been approached regarding complaints, they had been responsive, and noted the noise management plan and

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crowd dispersal review documents produced by the Palace in response to the issues raised, which were felt to be valuable. Mr Pearce suggested that a condition be added to the licence to the effect that the noise management plan and crowd dispersal review be disclosed to the licensing authority and interested parties on request and reviewed by the licence holder every 12 months and updated as necessary.

In response to a question from the Committee regarding whether the proposed condition would be adequate to address the issues raised, Mr Pearce stated that the key issue was to have security staff outside Buckingham Lodge and that the number required would depend on the nature of each event. In response to a request for information on complaints made regarding events at the Palace in the past, Mr Pearce did not have a definitive list but was able to give an indication of some of the complaints made; it was noted that given the large number of people potentially affected by events at the Palace, the number of complaints was low. It was confirmed that most complaints received related to noise rather than antisocial behaviour or littering issues.

Mr Taylor, representing Alexandra Palace, addressed the Committee in response to the application for a review, Mr Taylor noted that the premises licence had been in place since January 2009, and that a large number of events were held at the venue, many of which continued on after 11pm. Against this background, the number of complaints made regarding the premises was very small. On the weekend in question, a management error on the second day of the two-day event had led to the roof-vents being opened and permitted the escape of noise from the premises. Management accepted responsibility for this error and had put procedures in place to ensure that it could not happen in future. As a result of the noise review that had been carried out, it was reported that there would be acoustic experts on duty, with a roving monitoring role.

With regard to issues relating to fly-posting in relation to events, although this was not in the direct control of the Palace, there was a contractual penalty of £1k for any promoters responsible. It was also reported that the Local Authority had the power to prosecute those responsible and that Alexandra Palace would co-operate with any such action. A further way of addressing this issue was for the litter clear-up after events to be extended to the roads in the immediate vicinity of the park and, with the permission of the land-owner, this would include the car park and garden at Buckingham Lodge.

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Mr Taylor reported that Alexandra Palace had taken into account the review application and letters of representation received in respect of this and the issues raised. A crowd management expert had been consulted with regard to transport arrangements, and a range of improvements had been made for moving event-goers away from the venue, including the systems for queuing and loading of buses, encouraging pre-booking of taxis and the proposal for a taxi-booking office on site. Stewards from the venue would now be positioned at each of the park exits, with a further two stewards stationed by Buckingham Lodge, all of whom would be SIA-registered. It was felt that this would be an effective and proportionate means of addressing the issues raised. Signs would also be placed along the routes out of the park, requesting people to respect the area and local residents and to be quiet.

With regards to noise from the premises, Mr Taylor advised that a management plan had been produced and that sound levels would be monitored by acoustic experts to ensure that noise from the venue would be inaudible within nearby properties. A thorough review of noise management arrangement had been undertaken, and a range of sound control procedures had been implemented to ensure that the existing conditions on the licence were fully adhered to.

Dennis Heathcote, representative of the Muswell Hill and Fortis Green association on the Advisory Committee, addressed the Committee in a personal capacity in support of the application. Mr Heathcote reported that the Advisory Committee had thoroughly discussed the issues arising from the event in May, and that there had been a review and feedback from the Palace on the steps taken to address the issues identified. Mr Heathcote stated that music events were essential to Alexandra Palace in terms of their financial contribution and that the event in May had been the first where it had been necessary to take action. Where issues had arisen, these had been taken seriously by the Palace and steps taken to address them.

In response to questions from the Committee, Mr Taylor agreed that a more sensitive letter to residents regarding the damage to their property would have been appropriate, although the primary message that an insurance claim was not possible would have remained the same. Mr Taylor confirmed that the measures put in place did not guarantee that all instances of anti-social behaviour would be prevented, but that the Palace would do its best to be a good neighbour.

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The Committee asked whether problems might have been anticipated in relation to the event in May, in response to which Mr Taylor reported that no issues had been anticipated, as the booking would not have been accepted if this were the case. The Committee suggested that, had representatives of the Palace met in person with residents when they first wrote in to complain, the need for a formal hearing might have been avoided, in response to which Mr Taylor reported that they had looked at mediation as an option, but the time-scale did not allow this to happen. It was confirmed that there was already a good neighbour agreement in the conditions of the existing licence and that anyone with concerns could raise these via the statutory consultative committee or any of the residents' associations.

With regard to litter, Mr Taylor confirmed that the Palace was happy to provide large bins on site and to encourage their use. In response to a question regarding the bus service, it was confirmed that the Palace arranged special bus provision for events, and that the loading for these buses would now take place directly outside the building to prevent people from wandering out of the park and into residential areas in error. In addition to the proposed taxi booking office on site, Mr Taylor confirmed that the Palace did notify black cabs of events taking place in order to attract taxis to the venue at appropriate times. It was confirmed that the Palace already published a telephone number for complaints and investigated any received. In response to a question from the Committee regarding whether there was felt to be any escalation of nuisance, it was reported that there had been 16 events which had gone on very late in the past 18 months, of which 5 had been large events. It was not felt that there was any general trend of increasing nuisance caused to residents.

In conclusion, Mr Winnington expressed concern that, in light of the errors that had been made in May, there was a risk that there would be more disturbance in future and that there were no guarantees that the same issues would not recur. Mr Taylor spoke about the new noise management plan and crowd dispersal review documents that had been produced and implemented and that, while no guarantees were possible, the measures taken were felt to be necessary and proper in response to the issues raised. Mr Taylor reported that there were already robust conditions on the existing licence in order to promote the Licensing Objectives and requested that the Committee allow the licence to remain in place as existing.

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	<p>The Committee adjourned to deliberate and it was:</p> <p>RESOLVED</p> <p>The Committee carefully considered the application for a review by Buckingham Lodge 2004 Ltd and heard from the legal representative for the licensee and the representative of the noise team and carefully considered the Licensing Policy and Section 182 of the guidance. It was the Committee's decision to allow the licence to continue, but only on the following terms - that the conditions of the licence be modified as follows:</p> <ol style="list-style-type: none"> 1) That the crowd dispersal review dated October 2011 and the noise management plan dated October 2011 be implemented; and 2) That the documents referred to at 1) be produced to the Licensing Authority and other interested parties upon request. The documents must be reviewed every 12 months by the premises licence holder and updated as necessary. <p>Please note that this decision is stayed from coming into effect for 21 days after the date of the decision, pending any appeal that might be made and the determination of that appeal.</p> <p>The Committee was satisfied that the above conditions would help to mitigate the impact of noise and nuisance emanating from the premises and in the surrounding area.</p>	
<p>PRCE12.</p>	<p>BANANA AFRICAN RESTAURANT AND BAR, 594B HIGH ROAD, HAM, LONDON, N17 9TA</p> <p>This item was withdrawn from the agenda as outstanding issues had been mediated and did not require a hearing.</p>	
<p>PRCE13.</p>	<p>NEW ITEMS OF URGENT BUSINESS</p> <p>There were no new items of urgent business.</p> <p>The meeting concluded at 21:10hrs.</p>	

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CLLR ALI DEMIRCI

Chair