

MINUTES OF THE MEETING OF THE SPECIAL LICENSING SUB COMMITTEE HELD ON FRIDAY, 12TH MAY, 2017, 10:00

PRESENT:

Councillors: Clive Carter, Jennifer Mann and Ann Waters

8. **FILMING AT MEETINGS**

The Chair referred Members present to agenda item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein'.

9. **APOLOGIES FOR ABSENCE**

None

10. **URGENT BUSINESS**

None

11. **DECLARATIONS OF INTEREST**

None

12. **SUMMARY OF PROCEDURE**

NOTED the procedure summary for Licensing Sub-Committee hearings, pages 1-2 of the agenda pack), which the Chair introduced drawing attention to the four licensing objectives.

13. **JERMAINE ADAMS, RUSSELL ROAD, N15 (TOTTENHAM GREEN WARD)**

RECEIVED the application for the premises licence as detailed on pages 8 to 16 of the agenda pack.

a. Licensing Officer's Introduction

The Licensing Officer, Daliah Barrett, introduced the application for a temporary event notice (TEN) for a two day street party on Russell Road N15 on 17th & 18th June 2017, referring to the documents in the agenda pack. The temporary event notice requested the ability to offer regulated entertainment and supply of alcohol.

NOTED that the applicant had submitted notification of the event to Police, Environmental Health and the Noise team, within the required ten day notice period. Under the legislation, only these three agencies were able to make representations

and that these must be submitted within 3 days of the notification being received. The Police submitted an objection to the notice on 27th April 2017. The Committee was advised that the government was encouraging people to mark the weekend doing community events in memory of the late Jo Cox MP.

NOTED that the applicant applied for a TEN and held a street party in 2016 and the observations made at the last event had lead to the police objecting to the notification of the event in June. A noise abatement notice was served on the organiser in 2016 due to the noise complaints received and nuisance witnessed. The Committee was also advised that a street party was supposed to involve local people who lived in a particular street submitting an application for a temporary road closure. There was some concern that the signatures on the survey were not representative of Russell Road and that at the last event police observed a lot of people from attending from outside of the area.

NOTED that as a TEN, the Committee had the authority to either grant or refuse the application and that a counter-notice would have to be issued to refuse. Ms Barrett advised the Committee that there were no human rights implications of equalities issues that the Committee needed to be made aware of.

In response to a question from the Committee regarding whether an applicant was expected to be aware of their responsibilities and any restrictions when applying, Ms Barrett advised that there was a general assumption that the applicant knew their responsibilities and that they should be aware of the law pertaining to holding such an event. If the applicant was a personal licence holder, responsible authorities could apply the same conditions that were on the licence to the TEN. However, as the applicant was not a personal licence holder the Committee were unable to apply conditions to the notice.

In response to concerns raised, the applicant advised the Committee that the event was being held for the residents of Russell Road and Helston Court and that the addresses on the resident survey form reflected this.

b. Police Representation

NOTED the representation by Mark Greaves on behalf of the Metropolitan Police, including that:

Police were satisfied that the grant of the temporary event notice for this event would undermine the Prevention of Crime and Disorder and Public Nuisance objectives.

Following the street party held in 2016 for the Queen's Jubilee, police attended several times throughout the day and it was advised that although the event had barriers and SIA security, there was a large crowd confined within the barrier, some of whom were intoxicated, and that the SIA appeared overwhelmed and remained on the outskirts. In addition the police advised that they were concerned with people bringing their own alcohol to the event, the fact that the previous event attracted gang members and the additional capacity for disorder that this presented.

Mr Greaves advised the Committee that at the last event he witnessed a number of attendees from Russell Road and the surrounding streets but also saw a lot coming from Seven Sisters Road. A large proportion of attendees left the venue in cars and motorbikes at its conclusion, which was clearly indicative of the event being attended by those from outside the area. Throughout the event, music was witnessed being played at very loud levels and Haringey Council noise officers attended and served a noise abatement notice following complaints from residents and repeated requests to turn the volume down being ignored. It was felt by the police that this type of event was more of a music event attended by people from outside the area, rather than a local community event.

The Committee received a written representation from Barbara Blake, Ward Councillor for St Ann's. Cllr Blake had been contacted by numerous local residents who were opposed to the granting of a TEN. Concerns were raised that the previous event was more akin to a rave than a street party, with very loud music disturbing residents. Concerns were also noted that the event was advertised, and attended by, people outside of the local vicinity.

In response to a suggestion that the Licensing team remind applicants that the conduct of events would be taken in to account in future TEN applications, Ms Barrett advised that the application had to be determined on the basis of the four licensing objectives.

c. Applicant's response to the representations

NOTED the representation by Mr Adams, including that:

The event was very much a community event, it was being funded by the applicant and that the event was not being held for any commercial gain. The applicant advised that last year's event included children performing and that food was given away to the local community at the end. Mr Adams denied that there were any gang members present to his knowledge and reiterated the police's observation that there was no trouble at the previous event.

The applicant acknowledged that the music had been turned up at last year's event but stated that the DJs been responsible and that Mr Adams had turned the music down on several occasions following discussion with the police and noise officers. Mr Adams also advised that he had received overwhelmingly positive feedback from local residents and that the event had brought the local community together. The Committee was advised that the applicant and his team had learned lessons from last year's event and that extra security would be employed and would also undertake bag searches. The Committee was advised that no one would be allowed into the cordoned off area with alcohol.

The Committee enquired how the event was publicised. In response, the applicant advised that it was done locally when gathering signatures and that he did not use social media.

In response to a question from the Committee, the applicant acknowledged that noise nuisance was a significant concern. The applicant stated that he was prepared to use

a noise metre to ensure noise was kept to an acceptable level. The applicant also offered to reduce the length of the event down to one day instead of two. Ms. Barrett advised the Committee that there would be no objective level for Mr Adams to compare noise levels to and therefore determine whether it was causing a nuisance.

The Committee enquired whether the applicant could hold the event without regulated entertainment and therefore without the need for a TEN. The applicant advised that he could but that it would be detrimental to the event as having music was a key element.

Mark Greaves raised concerns around having 480 people confined in relatively small area and sought assurances on how crowd control would operate. Concerns were also raised that there was nothing to stop people just standing outside of the barrier and listening to the music. It would therefore be very difficult to control the numbers of people in the immediate vicinity of the event.

The Committee suggested that the event would be better suited to an open space such as a park. The applicant responded that he was trying to bring the local community together and considered doing it in the local street to be the best venue on that basis.

10:50 the Committee retired to make decision. Returned at 11:25hrs.

DECISION

The committee carefully considered the application for a Temporary Event Notice, the representations of the Police, and Licensing Authority as responsible authorities, the representations made by the applicant, the Council's Statement of Licensing Policy and the Licensing Act 2003 s182 guidance.

Having heard the parties' evidence, and having had regard to the Licensing Objectives namely; Prevention of Crime & Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from Harm, the Committee resolved to refuse to grant the application for a Temporary Event Notice. The Committee was satisfied that the event as presently proposed presented a real risk of disorder because the event organiser would not be able to prevent people from outside the immediate area from attending.

The committee felt that that organisers ability to control the number of people attending, many of whom were likely to have consumed alcohol, would present a risk of disorder which would be difficult to control in a confined area. Ingress to and egress from the area could not be easily monitored, and having had regard to the evidence the committee felt that the character of the event was more in keeping with a music event than a street party. The Committee also had concerns about public safety given the large number of people who it is anticipated would attend

The Committee had further concerns about noise levels during the event and the potential nuisance this would cause to local residents.

The Committee was keen to endorse Community events being held in commemoration of the late Jo Cox MP and wished to encourage the applicant to engage with the Licensing Authority regarding arranging an event that would allow for the licensing objectives to be upheld more readily. The Committee wished to advise the applicant that the authority offered material assistance in support of street parties on the weekend in question.

The Committee only made its decision after hearing all of the parties' evidence and considered the decision to be appropriate and proportionate in the circumstances.

CHAIR:

Signed by Chair

Date