NOTICE OF MEETING

SPECIAL LICENSING SUB COMMITTEE

Friday, 12th May, 2017, 10.00 am - Civic Centre, High Road, Wood Green, N22 8LE

Members: Councillors Clive Carter, Jennifer Mann and Ann Waters

Quorum: 3

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. APOLOGIES FOR ABSENCE

3. URGENT BUSINESS

It being a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17, of the Council's Constitution, no other business shall be considered at the meeting.

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and



(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

5. SUMMARY OF PROCEDURE (PAGES 1 - 2)

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003. A copy of the procedure is attached.

6. RUSSELL ROAD, N15 (TOTTENHAM GREEN WARD) (PAGES 3 - 20)

To consider the application for a temporary event notice as a result of objection notices received from the Metropolitan Police.

Felicity Foley, Principal Committee Co-ordinator Tel – 020 8489 2919 Fax – 020 8881 5218 Email: felicity.foley@haringey.gov.uk

Bernie Ryan Assistant Director – Corporate Governance and Monitoring Officer River Park House, 225 High Road, Wood Green, N22 8HQ

Monday, 08 May 2017

LICENSING SUB-COMMITTEE HEARINGS PROCEDURE SUMMARY

INTRODUCTION

- 1. The Chair introduces him/herself and invites other Members, Council officers, Police, Applicant and Objectors to do the same.
- 2. The Chair invites Members to disclose
 - i) any prior contacts (before the hearing) with the parties or representations received by them; and separately
 - ii) any declarations of interest.
- 3. The Chair explains the procedure to be followed by reference to this summary which will be distributed in advance.

NON-ATTENDANCE BY PARTY OR PARTIES

- 4. If one or both of the parties fails to attend, the Chair decides whether to:
 - (i) grant an adjournment to another date, or
 - (ii) proceed in the absence of the non-attending party.
 - Normally, an absent party will be given one further opportunity to attend.

TOPIC HEADINGS

5. The Chair suggests the "topic headings" for the hearing. In the case of the majority of applications for variation of hours, or other terms and conditions, the main topic is:

Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.

- (i) the prevention of crime and disorder,
- (ii) public safety,
- (iii) the prevention of public nuisance, and
 - (iv) the protection of children from harm.

6. The Chair invites comments from the parties on any other topic headings to be discussed. **WITNESSES**

- 7. The Chair asks whether there are any requests by a party to call a witness and decides any such request.
- 8. Only 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.

DOCUMENTARY EVIDENCE

- 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 do object to the admission of documents which have only been produced by the first party at the hearing, then the documents shall not generally be admitted.

		Page 2	
12.	If the c	ther party object to documents produced late but before the	
		g, the following criteria shall be taken into account when the	
	Chair c	lecides 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?	
	(•)		
THE	LICEN	SING OFFICER'S INTRODUCTION	
13.	The I	Licensing Officer introduces the report explaining, for	
		nple, the existing hours, the hours applied for and the	
		ments of the other Council Services or outside official bodies.	
		should be as "neutral" as possible between the parties.	
14.	The I	Licensing Officer can be questioned by Members and then by	
		parties.	
	HEAR		
15.		kes the form of a discussion led by the Chair. The Chair can	
	vary t	he order as appropriate but it should include:	
	(i)	an introduction by the Objectors' main representative	
	(ii)	an introduction by the Applicant or representative	
	(")	an introduction by the Applicant of representative	
	(iii)	questions put by Members to the Objectors	
	(iv)	questions put by Members to the Applicant	
	()		
	(v)	questions put by the Objectors to the Applicant	
	(1)		
	(vi)	questions put by the Applicant to the Objectors	
		ADRESSES	
16.		Chair asks each party how much time is needed for their	
	CIOS	ng address, if they need to make one.	
17.	Gene	erally, the Objectors make their closing address before the	
		icant who has the right to the final closing address.	
	Дрр	icant who has the right to the final closing address.	
THE	DECIS	ION	
18.	Memb	pers retire with the Committee Clerk and legal representative	
		nsider their decision including the imposition of conditions.	
19.	The de	ecision is put in writing and read out in public by the	
	Comr	nittee Clerk once Members have returned to the meeting.	
			1

Report for: Item number:	Licensing Sub Committee 12th May 2017
Title:	To consider the application for a temporary event notice as a result of objection notices received from the Metropolitan Officer.
Report authorised by :	Daliah Barrett-Licensing Team Leader
Lead Officer:	Daliah Barrett – Licensing Team Leader -Regulatory Services. 0208489 8232. Daliah.barrett@haringey.gov.uk
Ward(s) affected:	''TG'
Report for Key/ Non Key Decision:	Non Key

- 1. Describe the issue under consideration
- 1.1 On 25th April 2017the Licensing Authority received from Mr J Adams. The notification was in respect of proposed temporary licensable activities he wished to take place at Russell Road as a street party on 17th and 18th June 2017. The Government has encouraged the UK to mark the weekend doing community events in memory of the late Joe Cox MP. The application is attached at Appendix 1.
- 1.2 Summary of the matter

The Licensing Act 2003 requires a licensing sub committee to consider such applications when an appropriate notice has been served by either the police or environmental health. The decision reached at the sub committee can be subject to the appeal process at the Magistrates Court.

- 1.3 The temporary event notices are requesting the ability to offer regulated entertainment and supply of alcohol. The Licensing authority served the Police rejection on Mr Adams on 27th May 2017. Appendix 2.
- 2 Background

The applicant held the street party in 2016 and it is the observations carried out at last years event that has lead the police to object to the 2017 notification of the event. The Enforcement Response Officer also served a noise abatement notice on the organiser in 2016 due to the noise complaints received and nuisance witnessed.

The idea of a street party is that local people living on that street sign the survey form to agree to the road closure application. There is some concern that once again this year the signatures are not representation of residents of Russell Road. Whilst attending the event last year the Police observed that attendees were not residents of Russell Road.



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3 Licensing Policy

The committee will also wish to be aware of the guidance issued under section 182 of the Licensing Act 2003. Licensing is about regulating the provision of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Licensing Act 2003. The terms and conditions attached to various permissions are focused on matters which are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.

The objective of the licensing process is to allow for the carrying on of retail sales of alcohol and the prevention of public nuisance, prevention of crime and disorder, public safety and protection of children from harm. It is the Licensing Authority's wish to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.

In considering licence applications, where relevant representations are made, this Licensing Authority will consider the adequacy of measures proposed to deal with the potential for public nuisance and/or public disorder having regard to all the circumstances of the case.

Where relevant representations are made, this authority will demand stricter conditions with regard to noise control in areas that have denser residential accommodation. This authority will consider each application and work with the parties concerned to ensure that adequate noise control measures are in place.

This Licensing Authority in determining what action to take will seek to establish the cause of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be appropriate and proportionate.

3.1 Licensing hours

Where relevant representations are made, the Council will consider the proposed hours on their individual merits. Notwithstanding this, the Council may require stricter conditions in areas that have denser residential accommodation to prevent public nuisance. The Council will endeavour to work with all parties concerned in such instances to ensure that adequate conditions are in place. The Council may restrict the hours that certain premises can offer alcohol for sale for consumption off the premises for preventing crime, disorder and nuisance. It may be the case that in order to uphold and promote the licensing objective the Council feels is appropriate to refuse an application in order to achieve that requirement.

3.2 Recommendations: Powers of a Licensing Authority

- o Grant the temporary events as requested
- o Refuse the temporary events



- Grant with conditions in a Counter Notice to include conditions that are already on the licence.
- 3.3 Members are asked to give detailed reasons for their decision.
- 4. Other considerations

Section 17 of the Crime and Disorder Act 1998 states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can to prevent crime and disorder in its area".

4.1 Human Rights

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- o Article 8 Right to respect for private and family life.
- o Article 1 of the First Protocol Protection of Property
- o Article 6(1) Right to a fair hearing.
- o Article 10 Freedom of Expression
- 5 Use of Appendices

Appendix 1- Copy of Temporary Event Notice. Appendix 2 - Copy of the Refusal Notice



Appendix 1- Copy of Temporary Event Notice

HANDER Y SHOULDE £21.00 2 5 APR 2017 Temperary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

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	Jermaine			
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Forenames				
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Mobile (optional)		
Fax number (optional)		
E-Mail address		
(it available)		

2. The premises Please give the name and address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
TO BE HELD ON RUSSELL ROAD NIS.	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below. Premises licence number	
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If you intend to use only part of the premises at this address or intend to restrict the are to which this notice applies, please give a description and details below. (Please read note 3)	8
Please describe the nature of the premises below. (Please read note 4)	
LOCAL COMMUNITY STREET PARTY EVENT HELD IN REMEMBERANCE OF THE LATE BATEISH LABOUR PART POLITICIAN HELEN JOANNE COX. TO BE HELD ON RUSSEL Flease describe the nature of the event below. (Please read note 5)	
Please read note 5)	-

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provision of late hight refreshment			m
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lease state the dates on which you intend to use these premises for censable activities. (Please read note 8)	AL .		1
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It so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12)

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4. Personal licence holders (Please read note 13)	Star Varia		-
Do you currently hold a valid personal licence? (Please tick)	IV	es N	No
If "Yes" please provide the data"	11	DO IN	10
If "Yes" please provide the details of your personal licence below.	1	- 14	2
Issuing licensing authority			
	-		
Date of issue			1
Date of expiry			
Any further relevant details			
5. Previous temporary event notices you have given (Please read note to boxes that apply to you)	A and A	inte the	
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7. Checklist (Please read note 16)	
I have: (Please tick the appropriate house)	120/27
which the premises are situated	11
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	E
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the oremises are situated	I
one copy of this notice to each additional licensing authority areas, sent at least	Ø
notice to each additional chief officer of police	W.
f the premises are situated in one or more local authority areas, sent a copy of his notice to each additional local authority everyising environmental health unctions	Ø
fade or enclosed payment of the fee for the application	
igned the declaration in Section 9 below	

8. Condition (Please read note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 18)

The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in or in connection with this temperary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and
 (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for such as person is liable on summary conviction.

person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Signature			
Date	11/4/17		
Name of Person signing	JERMAINE	ADAMS .	
			i

For completion by the licensing authority

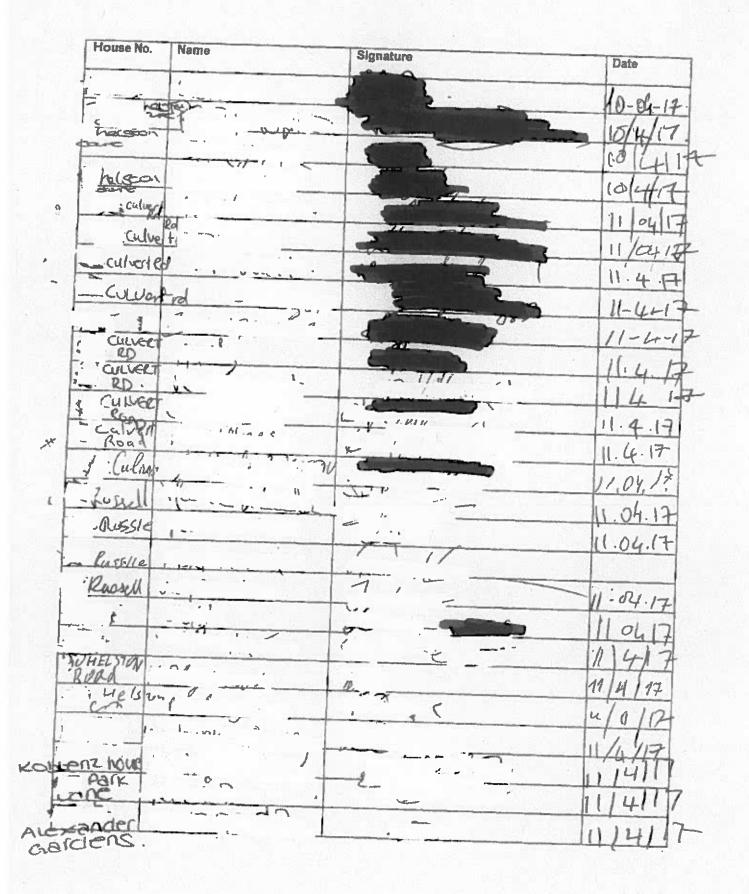
I acknowledge	gement (Please read note 19) receipt of this temporary event notice.	
Signature Date	On behalf of the licensing authority	
Name of Officer signing		

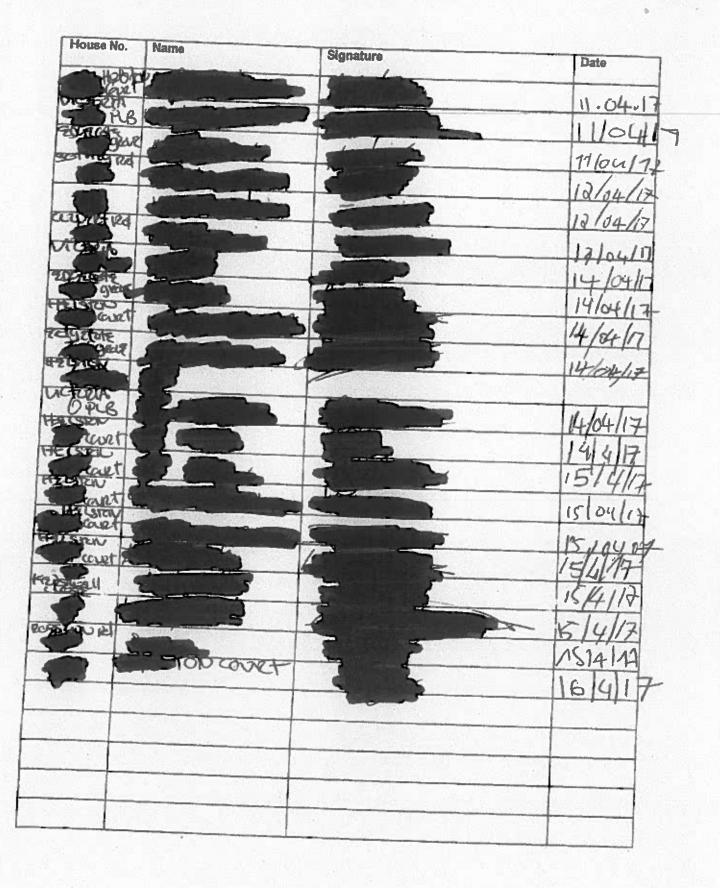
Page	13
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Street Party Resident Survey Fo	rm	
Road: Russell Road	Organisers Name: Jarmaine	A .
Date: Evert Date 17+ 18th June	2017- Time: 12 - 9pm	<u>Adams</u>

To Whom it May Concern: With reference to the above, the organisers have proposed to hold a street party within your road. In order for the street party to go ahead, Haringey Council has asked the organisers to obtain the views of the local residents. If you are in support of the event please sign and give your details below:-

House No.	Name	Signature	Date
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Details for application - Haringey - Licensing - GOV.UK

Page 1 of 1

 Application ref:
 havingey-455400

 Licence:
 Temporary Event Notice

 Applicant ensel:
 jamaineadansa33@gmail.com

 Subsatted on:
 24/04/2017 21:16

 Total fee:
 621.00

 Payment status:
 Paid

 Civice sel:
 8ELMS00003865

 Amount paid:
 £21.00

 Pee outstanding:
 £0.00

 Application
 50.00

application form

Supporting documents (0)

Authority Reference

Reference:

Tacit consent applies

Plocets by 05/05/2017

Status Not collected

Recent History

Notification to licensingnotifications-production@digital.cebin office.gov.uk: Sent on 24/04/2017 21.38

Notification to jermainestiensit3@gmail.com: Sent on 24/04/2017 21:38

Notification to licensingnotifications+production@stigital.cabin office.gov.uk; Sent on 24/04/2017 21:35

Notification to licensing@haringey.gov.uk: Sent on 24/04/2017 21:38

Payment Successful : at 24/04/2017 21-27

https://licensify-admin.publishing.service.gov.uk/haringey/application/58fe6b26eb507... 25/04/2017

Appendix 2- Copy of the Refusal Notice



TERRITORIAL POLICING

TOTAL POLICING

Mrs D Barrett

Haringey Council Licensing Alexandra House Station Road London N22 7TR YR - Haringey Borough

Quicksilver Patrol Base Unit 1 Quicksilver Place Western Road London N22 6UH

Telephone: 020 32760150

Email: Mark.Greaves@met.police.uk www.met.police.uk

Your ref: Our ref: 951 27th April 2017

Dear Mrs Barrett

POLICE OBJECTION NOTICE to a Temporary Event Notice (TEN) Section 104 Licensing Act 2003

Applicant: Mr Jermaine Adams

Address of Premises: Russell Road N15 - Street Party

Date(s) requested for TEN: 17th & 18th June 2016 1200 - 2100

Police are satisfied that the grant of this Temporary Event Notice (TEN) would undermine the Prevention of Crime & Disorder and Public Nuisance objectives.

This application relates to a 2 day street party to bring the community together in remembrance of MP Jo Cox. Such events over this weekend will take place across the UK and Police will facilitate them wherever possible. No application is made for alcohol sales but attendees would be able to bring their own alcoholic beverages. Applicant will DJ along with DJ Cham who DJ'd at the previous event on 11th June 2016.

The applicant is known to Police after we liaised with him regarding a TEN for a street party on 11th June 2016 at the same location to celebrate the Queens Jubilee. Police had concerns about this event and monitored it wherever possible, particularly towards the end. I was in attendance a few times throughout the day and the last hour or so. The event had barriers and SIA security and at the end litter was picked up by applicant's staff which was good. Gang members were attracted but did not cause any concerns.

The Police concerns were the large crowd confined within barrier, some people were intoxicated, and SIA appeared overwhelmed and stayed on the outskirts. There was no disorder but the potential was there should Police have made arrests or tried to stop the event. The attendees may have had some residents from Russell Road and surrounding streets but I saw a lot coming from Seven Sisters Road some with alcohol. As it finished just after 2100 a large proportion of the attendees drove off in cars and a cascade of motorbikes. Many others walked into Seven Sisters Road. Throughout the event music was played by DJ's on a sound system and was very loud with DJ's shouting over the top of it. Haringey Council noise officers attended and when repeated requests to turn the volume down after complaints from residents were ineffective a noise abatement notice was served.

The applicant now wants to repeat this event over 2 days. Whilst he is co-operative and appeared to do his best to control the previous event, apart from music volume, with SIA and barriers and does look on this as a community event Police saw the first one as a music event and whilst the 'community' were there most appeared to be from elsewhere.

Police believe such an event where people bring their own alcohol, so no control over intoxication over the 9 hour period, playing loud music from a sound system could lead to crime / disorder, particularly if

Police / Council Enforcement need to take action and will cause public nuisance. I have discussed this with applicant who suggested a 1700 finish on the second day but Police still have the same concerns.

Yours sincerely,

Mark Greaves Licensing Officer Haringey Police This page is intentionally left blank