

MINUTES OF THE LICENSING SUB COMMITTEE HELD ON THURSDAY, 14 JULY, 2022, 7:45PM TO 8:45PM

PRESENT: Councillors Reg Rice, Emily Arkell and Ajda Ovat (Chair)

1. FILMING AT MEETINGS

The Chair referred to the filming of meetings and this information was noted.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. URGENT BUSINESS

There was no urgent business.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. SUMMARY OF PROCEDURE

The Chair provided a summary of the procedure for the meeting.

6. APPLICATION FOR A NEW PREMISES LICENCE AT LATINOLIFE, FINSBURY PARK, LONDON N4 (HARRINGAY)

Presentation by the Licensing Officer

Ms Daliah Barrett, Licensing Team Leader informed the Sub-Committee that:

- This was a time limited premises licence for 20 and 21 August 2022.
- The applicant was seeking to hold a free on ticketed non-fenced event for up to 9999 people. This figure would need to include staff working at the event and not just patrons.
- The event was a Latin community event which was to be open to all.
- The event would be held on a Saturday and Sunday from 12:00 to 22:00. It was important to note that sunset timings were earlier than the close of the event on both days. Due to the capacity of the event, it was important to consider additional factors such as safe lighting and egress for the patrons.

- Responsible authorities had been consulted during the consultation period and objections had been submitted by the Licensing Authority and two residents.
- Although it was the applicant's duty to produce an event management plan, changes could be made to the final documents in the lead up to the event.
- The representation that had been submitted from residents raised concerns which included issues relating to crime and disorder, public nuisance and the protection of children from harm.
- Some of the representations had raised concerns with the lack of fencing and how the increased capacity would be managed. As the event would be unfenced, it would mean that the park would be open to members of the public in general. Therefore, members of public who were using the park to enjoy the green space could also attend the event.
- The applicant had proposed additional conditions at appendix 5 and the Licensing Authority had proposed additional conditions which could be found on appendix 6.
- In order to obtain permission to use the park, the applicant would need to go through a two-stage process and this consisted of obtaining permission to use the Park which was subject to a Cabinet Member Signing. The second stage was the licence application.
- Proposals had been outlined to put up adequate lighting during the designated sunset times, egress routes through the park and the use of a PA system for emergency announcements.
- Other queries had been raised regarding how stewards would communicate with each other, how the Challenge 25 policy would be used, the availability of drinking water for patrons, the use of a dedicated complaints telephone line and training to be provided to staff partly regarding the Ask For Angela scheme.

In response to questions, Ms Barrett, informed the Sub-Committee that:

- All businesses had a duty under the law to be vigilant around the need to consider counterterrorism measures including within crowded places and there was training that was delivered by the Police to organisers and businesses in order to raise awareness regarding issues of counterterrorism. This would include things like putting adequate obstruction in certain areas to ensure that an individual would not be able to drive through a particular area.
- The Licensing Authority representation had mentioned the potentiality of delivering leaflets to residents in certain areas such as Seven Sisters, Green Lanes and Endymion Road. A request had also been made to form a dedicated complaints line.
- The park had a limit on levels of noise that it could reach and the applicant had a duty to abide by those levels. The event was not a large commercial event that was likely to reach noise levels one would find at a major concert or festival.
- One of the benefits of having a complaints line was that Council noise officers would be present and if complaints were received, then Council officers could do their own

noise monitoring and if changes need to be made to the noise levels then the acoustic engineer would be asked to reduce or tweak the most levels if required.

- The specific application was for 9,999 people but the park could hold 9,999 people on any given day and also had the capacity to cater for larger events for greater numbers of patrons. The event would be held in a way so that the park could be used in general by the public. The only difference was that the event would be unfenced.

Presentation by interested parties

Mr Konrad Borowvksi, resident, informed the Sub-Committee that:

- It was not clear if the event was a community event or a major music festival as the website appeared to advertise the event as a large music festival with large crowds and very few children or families.
- It was possible that the way the event was being purported by the applicant, the Licensing Authority may consider taking a lenient view of the application whereas for major music festivals, more strict consideration would be given to the application.
- The applicant's website described it as being the U.K.'s largest Latin festival and one of Europe's most inclusive festival and this did not appear to support the view that it was a local community event. Many patrons to the event would be from outside borough of Haringey. Therefore, was not clear what benefit it would be to bring patrons who lived outside of the local area.
- Events such as Wireless and Krankbrothers required the licensed areas to be fenced which help to control entry to the premises. Bag searches for alcohol, drugs and weapons in addition to checking age restriction limits would be mandatory for events such as those.
- Other community events such as the one that held for the Kurdish community had fencing. It was not clear how numbers of patrons would be controlled if there was a huge influx of people at the event. Simply closing the gates would just exclude people from using the park and it was not clear as to why the applicant would have the right to close the gates.
- People walking into the area would be walking into a licenced premises, which meant that licensing rules and practices should apply.
- Based on their responses, the applicant appeared to have a relaxed attitude towards drinking and drug use. They did not seem to have any problem allowing people under the influence of alcohol or drugs into the event. Regular licensed premises would not allow such people to enter the premises.
- Other events would not allow those under the age of 18 to enter the premises.
- There was nothing in place to stop unaccompanied children from entering the event.
- The Licensing Authority had a duty to ensure that the measures were in place to ensure that unaccompanied children were not allowed on licensed premises.
- The applicant had only proposed the implementation of the Challenge of 25 policy so it appeared to be the case that unaccompanied children could attend the event provided that they did not buy an alcoholic drink.

In response to questions, Mr Borowvksi informed the Sub-Committee that:

- As it would be a licenced premises, the whole area should be fenced off and there should be control points. There should perhaps be a ticket entry system and a small charge for the ticket. It would then be possible to control who was entering the event such as underaged children. Measures such as bag searches could not be completed without adequate fencing.

At this point in the proceedings, Ms Barrett stated that the part of the aim of the Licensing Act 2003 was to eliminate previous measures that had been used such as restrictions of alcohol and restrictions of young people on licensed premises. There were no issues regarding children being on licensed premises as other safeguards would be put in place. An individual would have to be 18 to purchase alcohol and the applicant would need to put in a policy such as Challenge 21 or Challenge 25 or an individual would need to produce identification. The applicant was not proposing to have children on site at the front by themselves but young people would still be allowed to attend the event and if young people tried to buy alcohol they would be challenged for identification. The event would host football and other games at the event and there was nothing wrong with children being accompanied to the event by adults.

Ms Diane Burrridge, resident, informed the Sub-Committee that:

- It was a concern to have 9,999 individuals attending event which did not have perimeter fencing.
- It was unclear who would be counting the numbers of people attending in the areas that were proposed to be licensed would not be sufficiently controlled.
- It was not clear who would have control of the arrangement of people buying drinks in the area and moving outside it. Also, the applicant had stated if there was overcrowding, then there would be a plan to deal with it, but overcrowding meant that the issue of overcrowding had already occurred.
- A total of four gates would be closed stopping people entering the park. If disabled people wanted to enter the park, they would have to travel further up in order to get to an open entrance and this was unfair. It was not clear why the gates were allowed to be controlled by the applicant, a private company.
- Other community events held in areas such as Clissold Park had fencing and they would check bags and the numbers of patrons entering the events.
- If it was sunny day and patrons decided to stay at the event for a particular long time, then it was possible that the licensed area could have patrons larger than 9999 then there should be conditions to mitigate this issue.
- The play area would 150 meters away from the licensed area. Children could be affected by patrons being able to walk around both areas and potentially interacting with drunken people or encountering disorderly behaviour.
- The children would also be affected by noise and pollution for food stalls.

In response to questions, Ms Burrridge informed the Sub-Committee that:

- She generally supported community events but objected to the proposed event as the publicity for the event appeared to demonstrate that the applicant would have no control of the number of patrons entering or checking the patrons.
- The event would have six bars which would be open until 22:00.
- She would usually only object to large events proposed to be held at Finsbury Park.

Presentation by the applicant

Ms Amaranta Wright and Mr Robert Guterman representing the applicant informed the Sub-Committee that:

- It was a different type of festival in comparison to Wireless and Krankbrothers.
- It was a local community festival and it was founded by Ms Wright and her husband who were regular users of Finsbury Park. She had children that used the park and she herself had to used the park for many years.
- The event had started six years ago as a small community events in Crouch End and was borne out of the passion they had for Latin American culture.
- They wanted to bring diversity to the wider public and expose cultural elements to the public that they would not normally have access to.
- Part of the festival involved doing outreach work to schools. The applicant sometimes took Latin artists into schools to allow for greater exposure of Latin American culture. The schools had provided good feedback and they had recently taken artists into areas such as Islington and Tottenham. Schools valued the contribution that was made and the children were able to have cultural experiences that they had not been exposed to previously and it inspired them.
- A platform was also given to local-based Latin artists. The event did not bring international artists and for many of the artist performing at the event, it was usually the biggest performance of their careers.
- They like to work with young people from the Latin American community and their work would be showcased on each of the festivals. This was how they had drawn the attention of the Arts Council.
- Worked and had a large impact on the Latin American community as young people would be able to see their creativity. The benefits were not just being seen in schools, but in communities of young people and this was why the festival had become so popular.
- There was never any publicity for the event and its popularity was organic. The mainstream media did not pay any attention to the event.
- The event was a point of focus for the work that was being done in the community.
- In relation to crowd management, the festival was free for all individuals and was meant to operate as a counterbalance to festivals such as Wireless which shut people out of the park for two to three weeks and put up barriers that shut people out.

- They wanted the event to be inclusive and for that reason there would be no perimeter fencing. The park management had refused the offer to install perimeter fencing and had advised that permission would not likely be given to use the park if the event was fenced.
- The gates would be left open but would be made exit only for a brief period of time if there was an issue.
- The event did not draw a big crowd and was more akin to a food festival. The event did have a huge turnover of crowd but there was never a high frequency of crowds at any one point in time.
- The area would be monitored throughout the day as the site was divided into areas of 25 square meters consisting of high, medium and low density areas. These would be counted to get the average number of people attending the event at any one time. If the capacity levels were too high, the music would be turned down, if the issue still persisted then the music would stop and if the issue still persisted, then further patrons would not be allowed into the park.
- The event would have a dedicated switchboard and this has been put up on the website and in the previous year the event had only received three calls, none of which were noise related. One call had been received by the Council who investigated the noise issue and found the event to be operating under the permitted terms.
- The bar operator was reputable and would ensure the implementation of the Challenge 25 policy.
- The playground area was 150 metres away from the licensed area but all the noise would be facing away from the play area and will not affect casual attendees of the park.
- The event had a considerable amount of space and more people than the number applied for could fit at the event people would be able to sit and lounge at the events and would not need to crowd into one area.
- They were not expecting more patrons than last year. The Police had observed the event and had considered it to be low risk and were complimentary towards the organisation of the event itself.

In response to questions, Ms Wright and Mr Guterman representing the applicant informed the Sub-Committee that:

- Around 5000 people attended last year.
- A total of 60 SIA security guards would attend the event and would be on site the day before and they would patroll through the site, the stages and the designated gated areas such as Seven Sisters, Stroud Green, Finsbury Park Station and Manor House.
- There would also be a response team that would deal with any issues that would occur.
- Compliments had also been received on Twitter regarding how clean the park was.
- The organisation was not officially a not-for-profit organisation. The event was looking to break even financially.

- There had been an improvement over the way the event operated over the previous years. More professionals were being brought in and there were more health and safety officers and staff that had considerable experience in running large events who had been employed to manage the event including one who was responsible for managing the Kaleidoscope festival in Alexandra Palace.
- There had never been a Police related incident in the six years the event had been held. They had only ever been one incident where one person had fainted and that was an early event which had been attended by a few hundred people.
- Ms Wright's children and her friends' children attended the event.
- The event time would start at 12:00 and was not the same time as the build time.
- The use of the video to promote the event was to present a pleasant experience to the audience and to make the event appear attractive to them. Although it was a large community festival, it was important to note that it was still a family type of festival.
- The Arts Council had provided more funding every year and they wanted event to have a positive impact on communities.
- They wanted to reach as many members of the community as possible.
- They received the support of Friends of Finsbury Park and a documentary had been made about them as the event was so inclusive.
- It was important that the music played at the event represented all sections of the community and was well balanced. Therefore different types of music would be played at different stages and parents had reported being able to leave their children at one of the stages whilst they attended another stage.
- Young people had also reported that they would not have gone to the park if it was not for the festival.

Ms Barrett clarified to the Sub-Committee that it was only unlawful to allow under 16s on authorised premises which were exclusively or primarily used for the consumption of alcohol.

To summarise, Ms BurrIDGE stated that it was positive that the event was a community event, but she could not understand why it would operate differently to other community events. It was important to note that the fencing she was referring to was fencing that was specifically used for community events, not overbearing fencing for large musical events. There was also concern regarding overcrowding and the consumption of alcohol.

To summarise, Mr Wright and Mr Guterman stated that the events did not attract huge numbers of people. Latin American music was reasonably niche and was not likely to attract a mass crowd. The event did not have a marketing budget. The reason why there had been increased security was to ensure that the event would have substantive robust security arrangements. It was safer to have high-quality infrastructure and to ensure that the event worked well on the days that it was held. The event staff did everything it could to run safely and to make sure that there were no issues.

At 8:20pm, the Sub-Committee retired to deliberate.

RESOLVED

The Licensing Sub Committee carefully considered the application for a new premises license for LationLife at Finsbury Park, Endymion Road, London, N4 for an event on the 20th-21st August 2022. In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, section 182 Guidance, the report pack, the additional papers submitted by the Applicant and the applicant's and objectors' written and oral representations.

Having considered the application and heard from all the parties, the Committee decided to grant the application with the following conditions:

Licensable activities authorised by the License:

Regulated Entertainment: Live Music

Saturday and Sunday 12 noon to 10pm

Recorded Music

Saturday and Sunday noon to 10pm

Performance of Dance

Saturday and Sunday noon to 10pm

Anything of a similar description to that falling within Live, Recorded and Performance of Dance

Saturday noon to 6pm

Supply of Alcohol

Saturday and Sunday noon to 10pm

Supply of alcohol **on** the premises.

Hours open to the public

Saturday and Sunday noon to 10.30pm

1. The planned event is proposed for a late finishing time. Sunset times for 20th August is 20:12, therefore additional lighting towers must be in place and must be switched on by 19:12pm.
2. For 21st August the sunset time is 20:10pm and additional lighting must be switched on by 19:10pm.
3. **The Authority will require the following:**
A plan detailing the location of towers lights and the area they are able to illuminate. Sufficient tower lighting **MUST** be put in place to cover for exits to:

Manor House

Finsbury Park Station

Endymion Road

The Stroud Green path towards Stroud Green Road.
4. Each stage must have a stage manager who is able to manage and effect a show stop procedure.

5. A show stop procedure must be written as part of the EMP.
6. music from the multiple stages need to be closed down in stages, the smaller stages should finish at 9.45 and the main stage at 10pm
7. Alcohol sales are to cease at 21:30pm at all bars and concessions.
8. Challenge 25 policy to be in place to ensure no one underage is sold alcohol.
9. A suitable portakabin to be provide for the Local Authority Officers with adequate lighting.
10. Arrangements for crowd monitoring must be demonstrated in the EMP
11. A separate PA system for any emergency announcements must be installed.
12. SIA and stewards will need radios to communicate across the entire period.
13. Free and accessible drinking water MUST also be available.
14. You will need to have a sound engineer who can monitor the sound escape to residents along Seven Sisters Road, Green Lanes and roads by Endymion Road.
15. A dedicated complaints line will need to notified to residents via a leaflet drop 2 weeks prior to the event.
16. Lighting of the footpaths is a must, a map showing the location of all the exit routes must be submitted.
17. All safety certificates for the installations and setting up of structures, electrics etc must be available for inspection.
18. A dedicated Fire Safety Officer must be onsite and shall carry out checks on all the connections for grills, cookers etc.
19. A dedicated first aid/medical plan to be shown in the EMP and a recognised medical team to be deployed for the event days.
20. An egress plan for clearing the park and getting attendees to nearby transport hubs to be incorporated in the EMP.
21. The local Traffic management order to be instigated to ensure local residents are not impacted by attendees parking in local residential areas.

22. Sufficient barriers to be onsite for segregate all heated cooking appliances from the public.

23. A SAG meeting to be held three weeks prior to the event date. Organiser to run through the planning of the event and mitigation being put in place to meet the licensing objectives.

Reasons

The Committee gave serious consideration to the submissions by the applicant and to the concerns raised by the objectors. The Committee was satisfied by the answers provided by the Applicant to the objections raised and decided to grant the application with the above conditions which are appropriate and proportionate to ensure that the licensing objectives are promoted.

The Committee noted that the main objections surrounded the issue of numbers of people and the potential inability to control numbers during the day, and at entrances and exits due to the event being un-ticketed and unfenced. However, the Committee noted that the Applicants answers that the event would be held over two days and that it was unlikely that numbers would be around the 9999 figure but more likely to be in line with previous years which was around half that number even on one day.

It was also noted that the event had always been unfenced in previous 6 years and the Applicant had robust plans in place to monitor and check for numbers of people. The event hasn't previously had any major issues / incidents in the format that has been currently proposed. It is a free community event so fencing will undermine the whole concept of a free community event. There appears to be adequate security and safety measures in place, based on the papers and statements made during the meeting.

The committee also noted the other objections such as potential noise and underage drinking issues, but the Committee was satisfied noted that the Applicant had sufficient plans and safeguards in place to tackle each of those issues and against that there had been no previous substantial complaints about these issues.

Appeal Rights

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of the appeal period or, in the event that an appeal has been lodged, until the appeal is dispensed with.

7. NEW ITEMS OF URGENT BUSINESS

There were none.

CHAIR:

Signed by Chair

Date