

Licensing Sub-Committee

Meeting held on Tuesday, 21 May 2024 at 10.30 am. This meeting was held remotely.

MINUTES

Present: Councillor Patsy Cummings (Chair);
Councillors Margaret Bird and Danielle Denton

PART A

12/24 Appointment of Chair

It was **MOVED** by Councillor Bird and **SECONDED** by Councillor Denton and **RESOLVED** to appoint Councillor Patsy Cummings as Chair of the meeting.

13/24 Disclosure of Interests

Councillor Patsy Cummings informed the Sub Committee that she received an email from an objector prior to the meeting, she shared the email with licensing team straight away. The licensing team had reached out to the objector but had not received a response. Councillor Cummings did check with legal officers whether it was appropriate for her to Chair the meeting and she had been informed that there was not an issue.

14/24 Urgent Business (if any)

There were no items of urgent business.

15/24 Licensing Act 2003 - Application For a Premises Licence at Norbury Park, Norbury, SW16 3LY

The Chair outlined the procedures for the Licensing Hearing in line with the Licensing Act 2003 and the Council's protocol.

The applicant, Josephine Williams-Brown was present.

Parties who had submitted representations Lisa Patient and Jenni Rodgers were also present.

The Head of Environmental Health, Trading Standards and Licensing introduced the application to the Sub Committee and explained that the application sought the sale by retail of alcohol for consumption on the premises, from 12pm-9pm and the provision of regulated entertainment including recorded and live music from 12pm-9pm on Saturday 3 and Sunday 4 August 2024 and this was a time limited premises licence. The applicant had also attached a copy of their event management plan to their application, this was an evolving document and it was the latest version of the document at the time of the Licensing Sub Committee hearing. Following discussions with the police licensing officer the applicant had agreed to make amendments to their application.

The first objecting party was given the opportunity to speak. Lisa Patient and Jenni Rodgers advised:

- The event was a nuisance for residents.
- They were unsure on whether any checks had been conducted on the plans that the organiser had planned to implement. They wanted assurance that there would be somebody monitoring whether the organiser delivered on their plans for the event, specifically plans regarding the health and safety of attendees of the event and residents.
- There had been inadequate supervision in previous years, particularly in the setting up phase of the event.
- Last year there had been huge lorries carrying equipment which arrived at 2am to set up the event and disturbed residents.
- There was no signage to direct people who were setting up the event and it was down to volunteers from the Friends of Norbury Park to help manage the situation.
- The clearing up after last year's event was inadequate.
- Many people could not afford the entrance fee so people would sit around the barriers and so the number of people sitting and drinking in the park was significantly larger than the capacity of the event.
- The sound level was not monitored, and the decibel level creeps up during the evening which was a nuisance to residents.
- There would often be people in the park after the event playing music and disturbing residents.
- The large vehicles carrying equipment to set up the event damaged the cricket pitch which cost a lot of money to be installed and maintained, and residents believed they should receive some compensation for the huge amount of work needed to be done afterwards.
- There was a lot of aggression from drivers who were trying to park at the event and they may need some cones from the Council to show drivers where they could and couldn't park.
- There would need to be an officer from the Council present throughout the event to keep the music at the agreed decibel level.

The applicant Josephine Williams-Brown was given the opportunity to speak and advised:

- The organisers of the event would set up on a Friday rather than Thursday as the objector suggested, and they would leave on Monday morning.
- The park was left in the same condition as it had been found.
- In previous years there had been someone from the Council present for the majority of the day to monitor the event.
- The organisers tried their best to stick to the agreed decibel levels.
- In previous years they had blocked off Heathersett and Hayfield road.
- The entry for the park had been moved for last years event to reduce the disturbance experienced by the residents.
- There had never been any complaints regarding the condition of the cricket pitch after previous events.
- Organisers were happy to abide by any rules that the Council and police had issued and they would ensure that people that they had employed worked within the agreed rules and regulations.

In response to questions from the Sub-Committee the applicant advised that there would be volunteers and SIA people placed outside of the park to monitor the movements of vehicles.

The Sub-Committee queried whether the applicant could work with residents and consult them once the park had been cleared so that they could verify, the applicant agreed and stated that they could take videos to show residents the condition of the park following the event.

In response to questions from the Sub-Committee the applicant advised that they would fence off the cricket pitch to prevent it from being damaged during the event and there was a parking plan in place, SIA and volunteers would direct traffic and signage would be implemented to show people where to park. The applicant explained that the only bottled drinks they possessed were spirits and these would be served in cups, there were bottles found in the park following the event as attendees would sneak them into the event. The Sub-Committee suggested that the security at the event could conduct bag searches to ensure that attendees did not manage to get glass bottles into the event, applicant agreed and stated that they had increased the amount of security at this years event.

In response to questions from the Sub-Committee the applicant explained that the Council had informed them Hatfield Road was in bad condition and was unsuitable for heavy vehicles, so they offered the organiser another entrance to the park. The applicant stated that during last years event they used cones to block off Heathersett road to prevent attendees from driving and parking along the road.

The Sub-Committee suggested that the security at the event could check to see whether the cones used to block off roads around the park were in place throughout the day.

The objectors informed the Sub-Committee that the event was right in the middle of the cricket pitch, so if the event ringfenced the cricket pitch and field then the event would not be able to go ahead. The objector explained that Heathersett Road had never been blocked off and the only reason that Harefield Road had not been used was because it was a private road which the residents had not given permission for people to use.

The applicant explained that that the Council had instructed the organiser that they should fence off the wicket on the cricket pitch to prevent it from being damaged but were content for the rest of the field to be used for the event. In response to questions from the Sub-Committee the applicant stated that they would have between 40 and 50 SIA officers in attendance to help manage the event and they confirmed that they expected between 4000-5000 attendees for the event.

The Sub-Committee queried the number of toilets which would be available to the attendees and the applicant confirmed that there would have been 30 toilets at the event.

The applicant informed the Sub Committee that many of the concerns that had been raised by the residents had been discussed at the Safety Advisory Group (SAG) meeting and the event management plan had been amended accordingly.

The applicant confirmed that they had agreed to a condition imposed by the police regarding a dispersal plan once the event had finished.

In response to questions from the Sub Committee the applicant stated that they would begin setting up the event at 8am rather than 7am and would amend the event management plan to reflect this change. The applicant also agreed to implement signage which would direct attendees to the public car park and other suitable parking locations.

After the hearing the Sub-Committee withdrew to the virtual deliberation room and RESOLVED to GRANT the application to the premises licence. The reasons for this decision are set out in the Statement of Licensing Sub Committee decision as follows:

The Licensing Sub-Committee considered the Application for a time limited Premises Licence at **Norbury Park, Norbury, SW16 3LY** on Saturday 3 August and Sunday 4 August 2024 and the representations received as contained in the report of the Corporate Director, Sustainable Communities, Regeneration & Economic Recovery.

The Sub-Committee also considered the representations made by the Applicant and Other Person during the hearing.

The Sub-Committee, having reference to the licensing objectives under the Licensing Act 2003 ("the 2003 Act"), the Statutory Guidance issued under Section 182 of the 2003 Act and the Council Statement of Licensing Policy

2023-2028, **RESOLVED to GRANT** the application on the basis that the Sub-Committee were satisfied that it would be appropriate to promote the licensing objectives to do so. The application as granted is subject to the conditions offered by the applicant in their operating schedule and amended application following discussions and agreement with the Police (Appendix A3), the mandatory conditions which are imposed under the Licensing Act 2003 and the additional condition outlined in paragraph 11 below which was agreed by the Applicant at the hearing.

The reasons of the Sub-Committee were as follows:

1. The Sub-Committee appreciated that there had been concerns raised by objectors about the management of previous events in Norbury Park which had been delivered but noted that the current Applicant had sought to engage with and address resident concerns in advance. It was encouraging to see a willingness by the Applicant to work with the residents' association (objector) to undertake a successful event and address the concerns that had been raised.
2. Whilst it was noted that prior to and during the hearing, the Applicant sought to engage with and address the issues which were raised by those making representations and addressed the questions of the Sub-Committee members, the Sub-Committee were clear that the successful delivery of the event would require ongoing engagement with impacted parties, to ensure that matters of concern would be addressed, including as part of the Safety Advisory Group (SAG) process for events. The remit of the SAG is to advise on whether an event should proceed on safety grounds. The core members of the SAG are Croydon Council (Food Safety Team, Events Team, Noise, Parking/Traffic Management and Licensing), Metropolitan Police, British Transport Police, London Fire Service, London Ambulance Service and transport providers such as TfL.
3. The Sub-Committee had regard to the fact that there were no objections to the application from the Police on crime and disorder grounds nor from the Noise Nuisance team in respect of public nuisance. The Sub-Committee noted that, as per the Statutory Guidance, Licensing authorities should look to the police as the main source of advice on crime and disorder and the police had agreed an extensive set of conditions with the applicant (as set out in Appendix A3), which the applicant had amended their application to include, in the event that the Sub-Committee was minded to grant the application.
4. The Sub-Committee were mindful that all licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. The determination should be evidence-based, justified as being appropriate for the promotion of the licensing

objectives and proportionate to what it is intended to achieve. The Sub-committee took into account the provisions within the Statutory Guidance at paragraph 9.44 which provides that determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that any condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters.

5. In respect of prevention of public nuisance, the Sub-Committee noted the importance of focussing on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The Statutory guidance also makes clear that any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities – in other words it is a matter which ought to be considered on a case-by-case basis. The Guidance goes on to indicate that Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, including live music.
6. The Sub-Committee noted that one of the concerns raised by the objectors related to noise and disturbance being caused to nearby residents by large heavy vehicles arising from access to and egress from the premises particularly when setting up before the start of the event. The Applicant advised that with regard to setting up, this would normally start from 0700 hours on the day prior to the event, however the Applicant offered a later start for this to take place from 0800 hours.
7. As part of the conditions to be imposed on the licence, if granted, the Sub-Committee noted that the Applicant had offered conditions as set out in Appendix A3 pertaining to noise management as follows:
 - a direct telephone number (mobile to be held by duty manager) will be provided to neighbouring premises to be used in the event of a complaint of noise nuisance.
 - a Noise Management Plan is to be produced and agreed with the relevant Council Officers from the Noise Pollution Team, in advance of the event taking place.
 - Information will be produced for nearby residents giving them advanced notification about the event and who to contact with any

noise concerns. The dedicated telephone and/or email address shall be monitored throughout the period for which the license is applicable and shall be in operation until 3 days after the event. This dedicated contact is also to facilitate and assist with any other related nuisance issues arising from the event taking place.

8. With regard to concerns regarding people loitering in the park after the event, the Applicant confirmed that there would be a dispersal policy in place and the licensable activities would cease at 2100 hours, and patrons attending the event would vacate by 2200 hours followed by event organisers vacating the premises by 2230 hours.
9. As part of the conditions to be imposed on the licence, if granted, the Sub-Committee noted that the Applicant had offered a condition pertaining to public safety which indicated that there would be a minimum ratio of SIA trained security staff to patrons of 1:100 and Body Worn Video would be worn by all SIA door staff deployed at entry points and those dealing with the eviction of patrons from the event.
10. The Sub-Committee were clear that there were a number of matters in respect of which issues had been raised but which were not within the authority of the Sub-Committee under the Licensing Act 2003 but were instead governed by other regimes – these included issues in relation to the cricket pitch within the proposed licensed premises, traffic management and parking in neighbouring streets. Despite this, the Sub-Committee noted that the Applicant had engaged in detailed discussions with the residents' association and was making careful plans about how to prevent and deal with illegal parking. This included having a traffic management plan, increased presence of SIA security staff and support stewards both inside and outside the event and ensuring that residents would be notified about parking restrictions and how they would be provided with access. These discussions were ongoing and would be addressed further as part of the overarching Event Management Plan which would be considered, and if appropriate, approved under the SAG process.
11. In addition to this, the Sub-Committee had regard to the additional condition that was agreed by Applicant at the hearing namely:

'The Applicant shall ensure that appropriate signage is erected directing patrons travelling to the event via private motor vehicles to the nearby public carpark',

which the Sub-Committee considered would be appropriate to support the licensing objectives, particularly in relation to prevention of public nuisance and public safety.

12. In response to issues pertaining to litter, rubbish and metal objects left in the park after the event, the Applicant confirmed that the site is cleared in

accordance with the measures and polices set out in the Event Management Plan which includes contracting Veolia to undertake waste management, additional bin provision and litter picks of the site throughout the event, to ensure that the park is handed back in the same condition that it was given. The Sub-Committee noted the Applicant's willingness to continue to work with the residents' association in supporting this process.

13. The Sub-Committee had regard to the Statement of Licensing Policy which provides that "Croydon has a diverse residential community and needs to be able to offer that community venues that meet its needs, offering as wide a range of entertainment, food and leisure as is possible. This includes pubs, clubs, restaurants and entertainment venues of varying types, which would include the use of open spaces.....However, encouraging and permitting licensable activities needs to be balanced against the needs and rights of residents and other businesses...Licensing is a balance and requires consideration of all these various needs".
14. In respect of the licensing objectives of prevention of crime and disorder, protection of children from harm, promotion of public safety and prevention of public nuisance, the Sub-Committee noted the following conditions in Appendix A3 which had been agreed by the Applicant:
 - All children under the age of 16 years will be accompanied by parent/guardian.
 - Operate an anti-drugs policy in conjunction with a search and seizure policy. This will also include storage and disposal procedures. Signage will be displayed throughout the premises. Any amendments to the policy must be agreed in writing with the Croydon Police Licensing team 30 days prior to any event.
 - Operate an anti-weapons policy in conjunction with the search and seizure policy. This will also include storage and disposal procedures. Any amendments to the policy must be agreed in writing with the Croydon Police Licensing team 30 days prior to any event.
 - Operate an anti-theft policy, which will include the reporting of theft, safe storage of found items, storage and disposal procedures for all items of property found or discarded at the premises. Signage will be on display in prominent places advising customers to safeguard their property. Any amendments to the policy must be agreed in writing with the Croydon Police Licensing team 30 days prior to any event.
 - Operate a search policy which includes searching everyone who enters the event including all staff and artists. All bags will be searched and all those entering will pass through a metal detector and/or wands search area.
 - A clear visible notice shall be placed at the entrance to the premises advising those attending that it is a condition of entry that customers agree to being searched and that police will be informed if anyone is found in possession of controlled substance or weapons.

- There shall be a documented dispersal policy, as agreed with the relevant responsible authorities, implemented at the premises and a copy lodge with the Police Licensing team. Any amendments to the policy must be agreed in writing with the Croydon Police Licensing team 30 days prior to any event.
- A challenge 25 scheme will be operated to ensure that any person attempting to purchase alcohol who appears to be under 25 shall provide documented proof that they are over 18 years of age. Proof of age shall only comprise a valid and in date passport, photo card driving license, military card or a card bearing the PASS hologram.
- Ensure that polycarbonate drinking vessels are used for all alcoholic and soft drinks and all drinks supplied in glass bottles will be decanted into polycarbonate serving or drinking vessels.
- No alcohol will be brought into the event by customers and any alcohol found will be seized and disposed of by security.
- Ensure that customers are prevented from leaving the event site with bottles or open containers.
- The premises shall run each event with the latest Event Management Plan (EMP) that has been agreed in writing at the latest SAG meeting.
- The EMP for the event shall include the following information as a minimum; site plans, steward/security plans to include regular weapon sweeps before, during and post egress, crowd management plans, medical plan, fire plan, specific safety policies, risk assessments, traffic management plans, possible noise nuisance plans and ingress/egress plan.
- The event will operate a vulnerable person policy, this must include Welfare And Vulnerability Engagement (WAVE) training for all members of staff.

15. The Sub-Committee were aware and had reference to the Statutory Guidance which provides that, “beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right”. However, despite this the Sub-Committee noted the arrangements which the applicant proposed to address concerns which had been raised by residents around anti-social behaviour on site and in the surrounding area, including appropriate numbers of SIA trained security staff.

The Sub-Committee wished to thank all participants for the manner in which they engaged with and supported the hearing in providing information to allow the Sub-Committee’s consideration.

Licensing Act 2003 - Application For a Premises Licence at Addington Park, Croydon, CR0 5AR

The Chair outlined the procedures for the Licensing Hearing in line with the Licensing Act 2003 and the Council's protocol.

The Head of Environmental Health, Trading Standards and Licensing explained the time limited nature of the licensing application for Addington Park on Saturday 27 and Sunday 28 July. The application sought the provision of regulated entertainment and live music from 6pm – 9pm, recorded music from 1pm – 10pm, the sale by retail of alcohol for consumption on the premises on Saturday 27 and Sunday 28 July from 1pm – 9.30pm. The Head of Environmental Health, Trading Standards and Licensing informed the Sub Committee that following discussions with the police, the applicant had amended their application to have the conditions at appendix A2 placed on the licence if it was granted.

The Head of Environmental Health, Trading Standards and Licensing informed the Sub Committee that the representations received on the application could be found at appendix A3 and the applicant had been provided with a written copy on the representations made. The Head of Environmental Health, Trading Standards and Licensing also noted that appendix A4 was an ordinance survey extract which showed the location of the venue.

The objecting party Charles Marriott was given the opportunity to speak. They thanked the Sub-Committee for the opportunity to object to the proposals and advised:

- Residents were very familiar with the applicant and have had in person discussions with them regarding their events.
- As the applicant had applied for a licence for an event which would host considerably more attendees than in previous years, the police presence and the safety and security on and off site was of deep concern to the residents.
- Charles Marriott and Councillor Robert Ward had submitted concerns over the instance on individuals trying to park, despite the applicant trying to encourage visitors not to drive to the event.
- Attendees who attempted to park on residential roads close to Addington Park in the past had exhibited aggressive and threatening behaviour towards residents. This issue would be exacerbated further at this year's event as there would be more people attending the event.
- There were no proportions on the ordinance survey map at appendix A4.
- There was greater concern for the potential issues which may occur off site than on site.

The objecting party Councillor Robert Ward was given the opportunity to speak. They thanked the Sub-Committee for the opportunity to object to the proposals and advised:

- Councillor Ward had submitted a lessons learned document from previous events which had been submitted as part of his representations.
- The applicant had previously ran events in the park and had conducted themselves professionally.
- Whilst the event proposed in the application would be larger than previous events, it would be ran in a similar manner.
- The issue which would have the largest impact on residents would be the aggression from attendees trying to park close to the park. However, appropriate security arrangements had been put in place recently to help manage the situation.
- Some attendees may attempt to arrive early to secure a parking space so restrictions needed to be implemented in advance of the event.
- A Traffic Management Orders (TMO) should be in place ahead of the event and Councillor Ward had attached a list of the streets that would be affected in his representation.
- A parking officer and a towaway truck needed to be available and appropriately active.
- As the application was for a greater number than previous events, attention needed to be paid to long queues forming and managing egress after the event to prevent loitering.
- There were two dangerous bends outside of Addington Village Church and poor parking could cause a problem for drivers, properly managed TMO's and security staff could help to mitigate this risk.

In response to questions from the Sub Committee, Councillor Ward explained that the towaway truck did not belong to the Council and the applicant stated that they used a company recommended by the Council to obtain a towaway truck for the event, and they would be doing so again for this event. Councillor Ward confirmed there would be another event in Addington Park on the 6 July.

In response to questions from the Sub Committee, Councillor Ward stated that there may also be other events scheduled to be held in Addington Park which did not require a license.

The Head of Environmental Health, Trading Standards and Licensing explained that an officer from the Council would be present at events to take noise readings to ensure that the music was kept at the agreed decibel level; members the police and the Safer Neighbourhood Team may also be present at the event.

The Head of Environmental Health, Trading Standards and Licensing stated that the use of a towaway truck was a private arrangement which the Council had no involvement with.

Councillor Ward stated that the council officer present, monitoring noise. He was also present.

The Head of Environmental Health, Trading Standards and Licensing confirmed that a noise officer would go out to the event and take readings to ensure that the sound levels were within the agreed levels.

The security manager Delroy Edwards was given the opportunity to and advised:

- The event would have up to 5000 attendees.
- There were 13 security officers outside and 65 security officers inside the event.

The applicant Junior Akinsame was given the opportunity to speak and advised:

- This was the applicants 3rd year holding their event at Addington Park, they had always worked with Charles Marriott to ensure that the residents' concerns were noted.
- The applicant had not experienced many issues at their events in the previous two years.
- The increase in the number of attendees had been taken into account in the applicants event management plan.
- There was a need to increase the visibility of the event management staff inside and outside of the event.
- Members of the event management team would be easy to contact should any problems occur before or during the event.

Chantelle Mensa was given the opportunity to speak and advised:

- The event organisers had taken the residents' concerns onboard.
- The event organisers would work with the police to ensure the safety of the community.
- The TMO would be made available.
- The event organisers would ensure that any vehicles that were incorrectly parked would be removed.
- The event organisers would assess the timings that the restrictions would be implemented to prevent individuals arriving early to park before the event.

The Head of security was given the opportunity to speak and advised:

- Aggressive parking had been discussed in detail amongst staff members and there would be a manager deployed outside of the park to ensure that people parked correctly.
- Some of the internal security would come outside the event to ensure that there was no loitering after the event.

In response to a question from an objector, the applicant stated that guests were not expected to drive to the event and there would be notices sent out prior to the event on social media pages and emails reminding guests of this. The applicant explained that if any guests did not adhere to this advice and drove to the event then they would have the ability to tow away cars where necessary.

In response to questions the applicant advised there was a reporting system where people could report an issue and a security response team would be available to provide assistance. The applicant believed that the security outside the event helped to take away the angst of the residents.

After the hearing the Sub-Committee withdrew to the virtual deliberation room and **RESOLVED** to **GRANT** the application to the premises licence. The reasons for this decision are set out in the Statement of Licensing Sub Committee decision as follows:

The Licensing Sub-Committee considered the Application for a time limited Premises Licence at **Addington Park Croydon CR0 5AR** on Saturday 27 July and Sunday 28 July 2024 and the representations received as contained in the report of the Corporate Director, Sustainable Communities, Regeneration & Economic Recovery.

The Sub-Committee also considered the representations made by the Applicant, and objectors during the hearing. The Sub-Committee noted that although one of the objectors was not present at the hearing, they had the benefit of the written representations as part of the report and had regard to them in their decision making.

The Sub-Committee, having reference to the licensing objectives under the Licensing Act 2003 ("the 2003 Act"), the Statutory Guidance issued under Section 182 of the 2003 Act and the Council Statement of Licensing Policy 2023-2028, **RESOLVED to GRANT** the application on the basis that the Sub-Committee were satisfied that it would be appropriate to promote the licensing objectives to do so. The application as granted is subject to the conditions offered by the applicant in their operating schedule and amended application following discussions and agreement with the Police (Appendix A2), and to the mandatory conditions which are imposed under the Licensing Act 2003.

The reasons of the Sub-Committee were as follows:

1. The Sub-Committee appreciated that there had been concerns about prior events in Addington Park which had been delivered by other applicants but noted that the current Applicant had better liaison with residents than some other event organisers and had sought to engage with and address resident concerns in advance. It was encouraging to see a willingness by the Applicant to work with the residents' association and Ward Councillor to undertake a successful event and address the concerns that had been raised.

2. Whilst it was noted that prior to and during the hearing, the Applicants sought to engage with and address the issues which were raised by those making representations and addressed the questions of the Sub-Committee members, the Sub-Committee were clear that the successful delivery of the event would require ongoing engagement with impacted parties, to ensure that matters of concern would be addressed, including as part of the Safety Advisory Group (SAG) process for events. The remit of the SAG is to advise on whether an event should proceed on safety grounds. The core members of the SAG are Croydon Council (Food Safety Team, Events Team, Noise, Parking/Traffic Management and Licensing), Metropolitan Police, British Transport Police, London Fire Service, London Ambulance Service and transport providers such as TfL.
3. The Sub-Committee had regard to the fact that there were no objections to the application from the Police on crime and disorder grounds nor from the Noise Nuisance Team in respect of public nuisance. The Sub-Committee noted that, as per the Statutory Guidance, Licensing authorities should look to the police as the main source of advice on crime and disorder and the police had agreed an extensive set of conditions with the Applicant (as set out in Appendix A2), which the Applicant had amended their application to include, in the event that the Sub-Committee was minded to grant the application.
4. As part of the conditions to be imposed on the licence, if granted, the Sub-Committee noted that the Applicant had offered a condition pertaining to public safety which indicated that there would be a minimum ratio of SIA trained security staff to patrons of 1:65 deployed inside the perimeter of the venue and 13 SIA staff deployed outside the perimeter to provide enhanced security.
5. With regard to the issues raised in relation to traffic management and parking in neighbouring streets, although these matters were not directly within the authority of the Sub-Committee under the Licensing Act 2003, the Sub-Committee noted that the Applicant had engaged in detailed discussions with the residents' association and was making careful plans about how to prevent and deal with illegal and "aggressive parking". This included, having access to a private tow truck company and providing a direct mobile contact number of the security team to alert them of any issues so that they can be dealt with quickly. The Applicant also advised that all advertising published prior to the event would clearly state that there is no parking available in the area and attendees would be advised to use public transport to travel to the event. These discussions were acknowledged to have been constructive on both sides and were ongoing and would be addressed further as part of the overarching Event Management Plan which would be considered, and if appropriate, approved under the SAG process.
6. The Sub-Committee were aware and had reference to the Statutory Guidance which provides that, "beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law.

An individual who engages in anti-social behaviour is accountable in their own right". However, despite this the Sub-Committee noted the arrangements which the applicant proposed to address concerns which had been raised by residents around anti-social behaviour on site and in the surrounding area, including appropriate numbers of SIA trained security staff.

7. The Sub-Committee noted that whilst there were no representations before the Sub-Committee from the Noise nuisance team objecting to the current application which they would have been entitled to do as a responsible authority, the Applicants had advised that a Noise Pollution officer from the Council would be involved in pre-event sound testing and setting of the noise limits and that once sound levels were agreed and set, these would be adhered to.
8. In respect of prevention of crime and disorder, protection of children from harm, promotion of public safety and prevention of public nuisance objectives, the Sub-Committee noted the following conditions in Appendix A2 which had been agreed by the Applicant:
 - No persons under the age of 18 years will be permitted to attend the event;
 - Body Worn Video (BWV) will be worn by a number of SIA door staff.
 - CCTV will be operated on site to cover the entrance and exit points, bars, stage and other areas identified through a risk assessment.
 - CCTV must be retained for up to 31 days after the event and made available to the Police or council upon request.
 - During the event, CCTV recordings requested by the Police must be provided in a usable digital format within 2 hours.
 - There shall be a documented dispersal policy, as agreed with the relevant responsible authorities, implemented at the premises and a copy lodged with the Police Licensing team. Any amendments to the policy must be agreed in writing with the Croydon Police Licensing team 30 days prior to any event.
 - A challenge 25 scheme will be operated to ensure that any person attempting to purchase alcohol who appears to be under 25 shall provide documented proof that they are over 18 years of age. Proof of age shall only comprise a valid and in date passport, photo card driving license, military card or a card bearing the PASS hologram. Refusals shall be recorded by bar staff and these records shall be viewable to the public.
 - All drink will be served to members of the public in plastic or polycarbonate containers without screw cap lids.
 - Ensure that customers are prevented from leaving the event site with bottles or open containers.
 - The premises shall run the event in line with the latest Event Management Plan (EMP) that has been agreed in writing at the latest SAG meeting.

- The EMP for the event shall include the following information as a minimum; site plans, stewarding/security plans to include regular weapon sweeps before, during and post egress, crowd management plans, medical plan, fire plan, specific safety policies, risk assessments, traffic management plans, noise nuisance plans and ingress/egress plan.
9. The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences. The Statutory Guidance indicates that it is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The Statutory guidance also makes clear that any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities – in other words it is a matter which ought to be considered on a case-by-case basis. The Guidance goes on to indicate that Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, including live music.
 10. The Sub-Committee were mindful that all licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. The determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. The Sub-committee took into account the provisions within the Statutory Guidance at paragraph 9.44 which provides that determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that any condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters.
 11. The Sub-Committee had regard to the Statement of Licensing Policy which provides that “Croydon has a diverse residential community and needs to be able to offer that community venues that meet its needs, offering as wide a range of entertainment, food and leisure as is possible. This includes pubs,

clubs, restaurants and entertainment venues of varying types, which would include the use of open spaces.....However, encouraging and permitting licensable activities needs to be balanced against the needs and rights of residents and other businesses...Licensing is a balance and requires consideration of all these various needs”.

12. The Sub-Committee were satisfied of the measures and policies that were being put in place by the Applicant to address the concerns to mitigate the impact on residents and the continued engagement of the parties in working together in promoting the licensing objectives.

The Sub-Committee wished to thank all participants for the manner in which they engaged with and supported the hearing in providing information to allow the Sub-Committee’s consideration.

17/24 **Exclusion of the Press and Public**

This was not required.

The meeting ended at 12.57 pm

Signed:

Date:

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