

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Tuesday 7 August 2018 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Lorraine Lauder (in the chair)
Councillor Sunil Chopra
Councillor Sirajul Islam

OTHER MEMBERS PRESENT: Councillor Margie Newens, ward councillor

OFFICER SUPPORT Debra Allday, legal officer
Dorcas Mills, licensing officer
Ian Farrington, health and safety officer
Mark Prickett, environmental protection officer
Jayne Tear, licensing officer as a responsible authority
Andrew Weir, constitutional officer

1. ELECTION OF CHAIR

Councillor Lorraine Lauder MBE was nominated by Councillor Sunil Chopra to chair the meeting. This was seconded by Councillor Sirajul Islam.

2. APOLOGIES

There were none.

3. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members

4. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

There were none.

5. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

6. LICENSING ACT 2003: DEE DEES, 77 HERNE HILL, LONDON SE24 9NE

The licensing officer presented their report. Members had no questions for the licensing officer.

The applicant and their legal representative addressed the sub-committee. Members had questions for the applicant and their legal representative.

The licensing officer as a responsible authority addressed the sub-committee. Members had questions for the licensing officer.

The licensing sub-committee heard from the ward councillor. Members had questions for the ward councillor

The licensing sub-committee heard from two local residents objecting to the application. Members had questions for the local residents.

All parties were given five minutes for summing up.

The meeting adjourned at 11.31am for the members to consider their decision.

The meeting resumed at 11.58am and the legal officer advised all parties of the sub-committee's decision.

RESOLVED:

That this matter be adjourned, part-heard, to 10.00 am on 4 October 2018.

Directions

The licensing sub-committee make the following directions:

- i. That the applicant shall arrange at least one public meeting at the premises to allow local residents to air any grievances they may have and in an attempt to conciliate this variation application. The meeting will be advertised on social media and the licensing authority will be invited to attend this meeting.
- ii. That only parties who have already submitted representations will be permitted to submit additional evidence which must be submitted at least 24 hours in advance of the licensing sub-committee of 4 October 2018.
- iii. That the licensing sub-committee will consider further representations in respect of additional evidence submitted and details of the public meeting(s) referred to in paragraph 2(i) of this notice at the meeting on 4 October 2018.

7. LICENSING ACT 2003: AFRICA CENTRE LIMITED, (EVENT ON GREAT SUFFOLK STREET FROM JUNCTION WITH DOLBEN STREET JUNCTION TO STURGE STREET JUNCTION) LONDON SE1 0BL

The licensing officer presented their report. Members had no questions for the licensing officer.

The applicants addressed the sub-committee. Members had questions for the applicants.

The health and safety officer addressed the sub-committee. Members had questions for the health and safety officer.

The environmental protection officer addressed the sub-committee. Members had questions for the environmental protection officer.

All parties were given five minutes for summing up.

The meeting adjourned at 1.28pm for the members to consider their decision.

The meeting resumed at 2.02pm and the legal officer advised all parties of the sub-committee's decision.

RESOLVED:

That the application made by The Africa Centre Limited for a time limited premises licence for 18 August 2018 be granted under s.17 of the Licensing Act 2003 in respect of the Africa Centre Summer Festival 2018 on Great Suffolk Street from Junction With Dolben Street Junction to Sturge Street Junction) London SE1 0BL premises known as is granted as follows:

Licensable Activity	Hours on 18 August 2018
Live Music (indoors and outdoors)	13:00 to 21:00 hours
Recorded Music (indoors and outdoors)	13:00 to 21:00 hours
Performance of Dance (outdoors)	13:00 to 21:00 hours
Entertainment of a like kind to the above	13:00 to 21:00 hours

Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form, the conditions agreed with the Metropolitan Police Service and licensing as a responsible authorities during the conciliation process and the following additional conditions agreed by the sub-committee namely:

1. That the event shall cease on 18 August 2018 at 21:00
2. That there shall be no set-up/de-rigging between 23:00 on Friday 17 August and 08:00 on Saturday 18 August 2018.
3. That the event will be operated in accordance with the Vanguardia Noise Management Plan (ref: VC-102773-EN-NMP-0001, R01, latest revision dated: 6

August 2018).

4. That there will be a minimum of 36 SIA staff and 10 stewards during the event period.
5. That the health and safety commitments detailed in "The Africa Centre Summer Festival 2018 Event Risk Assessment V1 (12/07/2018) be added as conditions of the licence.
6. That for individuals or companies that the applicant uses, employs and/or contracts to carry out any service and/or hiring for the event, the applicant must ensure the following information is held:
 - List all goods/services the contractors are supplying
 - Contractors' contact details
 - Contractors' method statements
 - Schedules such as start date and time, arrival time, completion of services, receipt of goods
 - Hand-over of all appropriate certificates, eg portable appliance test certificate, completion certificate.
 - All signed documents such as delivery notes and completion sheets should be retained on your event files and records. These may be requested at any time including after the event.
7. That the applicant will ensure all food vendors provide the following information well in advance of the event date:
 - Details of Food Safety Management System (HACCP or Safer Food Better Business)
 - Details of which Local Authority you are registered with as a Food Business
 - Copies of Food Hygiene certificates
 - Health and Safety Risk Assessment (site specific).
 - PAT test certificates of all electrical equipment to be brought to site (if applicable)
 - Gas Safety certificates of all gas-burning equipment to be brought to site
 - Copy of your public liability insurance for £5m
 - Copy of the Employer's Liability Insurance (if appropriate)
 - All food vendor information will be provided to Southwark Council's environmental health team before 16 August 2018.
8. That the applicant will provide the details the named individuals who will be present at the event and involved in the preparation or serving of food and any training they have in food hygiene. Any food vendor that does not have the documentation as stated in paragraph 6 of the conditions (above) provided to the food team leader by noon on 9 August will not be permitted to trade at the event.
9. That the applicant will provide the details of the types of food that food traders will be offering at the event. For food items requiring cold/chill storage the applicant must include how this will be met. The same applies for food that will be served hot or kept hot awaiting sale. These will be included in the food safety management system.

10. That separate toilet and hand washing facilities will be provided by the applicant for use by food vendors, so as to prevent the need to queue at the public toilets at busy times. This provision should be in a ratio of one toilet and one separate hand washing station for every 10 food stalls or part thereof. This ensures the toilet facilities used by food handlers can be maintained in a hygiene condition that will prevent the possible spread of harmful bacteria through hand contact surfaces, a situation that could easily arise if all the toilets are used by everyone attending the event.
11. That only businesses registered with their local authority and current food hygiene score of 3, 4 or 5 shall be permitted to trade at the event.
12. That the noise monitoring data shall be provided to the environmental protection team within 14 days of the closure of the event.

Reasons

The reasons for the decision are as follows:

The applicants advised that the application for the time limited licence was in respect of a vibrant street festival that would bring music, art, food and fashion from Africa and the diaspora to the Africa Centre's home in Southwark. The time limited premises licence would be for 18 August 2017, with the Event taking place on Great Suffolk Street from the junction with Dolben Street to the junction with Sturge Street. The activities would include three music stages playing amplified live music, and food and drink for purchase by street vendors. The applicant had a run the same event in 2017 which was extremely well received, had the Mayor of London's support and the Applicant wished to build on this.

The licensing sub-committee heard from the representative from health and safety who referred to the 2017 event and stated that the organisation failed to provide the level of coordination needed. The representative advised that he did not have confidence that the organisation could provide a coordinated support team involving community wardens and police as well as volunteers, and believe these three elements will remain outside the managerial control of the applicant. The paperwork submitted by the applicant failed to address how the management would deal with public safety and there was no clear information as to how the organisers are to handle crowd management.

The licensing sub-committee heard from the representative from the environmental protection team (EPT) who raised concerns with the noise levels during the 2017 event, which also gave rise to noise complaints. Noise team officers visited on 19 August 2017 and they spoke with the noise consultant on site who advised the noise officers that "*they had breached the noise limit of 65dB several times during the event*". The noise consultant also advised the noise officer "that he thought the requirement for 65dB from nearest noise sensitive premises was almost unachievable due to the closeness to the stages.". EPT therefore had serious noise concerns especially with the music stages being positioned very close to residential properties and no information with regards to noise is included in the application. EPT suggested that the event should cease at 19:00 hours.

The licensing sub-committee were concerned with the level of noise going to 22:00 hours and in view of the complaints received in 2017, reduced the hours of the event until 21:00 hours. During the discussion stage both representatives from health and safety and EPT that a number of conditions had been conciliated which satisfied the licensing sub-committee who agreed that the conditions were appropriate and proportionate and on this basis, the application was granted.

Appeal rights

The applicant may appeal against any decision:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desire to contend that:

- a) The licence ought not to be been granted; or
- b) That on granting the licence, the licensing authority ought to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting ended at 2.06 pm.

CHAIR:

DATED: