

NOTICE OF DECISION

LICENSING ACT 2003: PUB IN THE PARK, DULWICH PARK, COLLEGE ROAD, LONDON, SE21 7EB

1. Decision

That the application made by Brand Events TM Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Pub in the Park, Dulwich Park, College Road, London SE21 7EB be granted in part as follows for one three day event in 2020 with the following hours:

- Friday 3 July 2020: 17:00 to 23:00
- Saturday 4 July 2020: 11:00 to 23:00
- Sunday 5 July 2020: 11:00 to 19:30

- Live Music to conclude at 22:30 on Friday and Saturday and 19:00 on Sunday.

- Sale of alcohol to conclude at 22:15 on Friday and Saturday and 18:45 on Sunday.

2. Conditions

The mandatory conditions, the conditions from the current operating schedule the conditions agreed with the environmental protection team, the licensing authority and the conditions as agreed by the sub-committee, all listed below, shall apply:

1. That no later than six months prior to the proposed dates of the event taking place: the premises licence holder shall notify all responsible authorities and the Southwark safety advisory group (SAG) of their intention to hold the event and the proposed date(s) it is to be held.
2. That no later than 120 days prior to the event taking place: the premises licence holder shall consult with council highways and police with regard to his proposals for traffic management, security and stewarding
3. That no later than 90 days prior to the event taking place: the premises licence holder shall submit draft copies of the event management plan to SAG for consultation
4. That no later than 35 days prior to the event taking place: the premises licence holder will submit final copies of the event management plan and any subsequent changes must immediately be brought to the attention of SAGE.
5. That during the week immediately prior to the event and if requested to do so: the premises licence holder shall provide access to the event site to any member of SAG or other responsible authority for the purposes of a site inspection and confirmation of compliance with the event safety management plan. All events shall be planned and managed by experienced professionals with a track record of large-scale outdoor public events and food event production.
6. That the premises license holder undertakes liaison and attendance at meetings as required with SAG representatives, enforcing agencies and similar.

7. That the appropriate fencing shall be installed around the event site perimeter to restrict access and to create safe working areas - as well as defining the limits of the licensed premises.
8. That a comprehensive risk assessment be produced for the licensed premises.
9. That a schedule of all licensed activities be produced.
10. That all necessary safety related documentation from third party suppliers is collated and reviewed.
11. That a detailed event safety management plan (ESMP) is produced.
12. That entry to the event will be restricted to those with a ticket/wristband only.
13. That the numbers of people on the site/licensed premises shall be regulated and monitored.
14. That all events shall be given suitable lead time to ensure proper scheduling, appointment of reputable contractors etc.
15. That there be the provision of suitable food hygiene facilities such as:
 - hot and cold hand wash facilities
 - cold stores
 - food hygiene inspections
 - storage spaces
 - cleaning regimes
 - cleansing schedules
 - food management systems.
16. That sanitary facilities, hand wash toilets etc shall be provided in accordance with respective national guidance.
17. That a final version of the detailed site layout plan, showing clear ingress and egress routes, audience circulation areas, welfare, medical facilities etc shall be produced.
18. That a clear method of communication is established between all key personnel on site in the event of a minor and major incident.
19. That there shall be facilities for use by less abled patrons such as toilets and access routes.
20. That designated parking areas shall be established and managed by experienced traffic management providers.
21. That there shall be site cleansing operations in order to manage litter in site and to provide staff, waste receptacles etc and to ensure a large build up of waste on site is not permitted.
22. That the organisers shall ensure that detailed contingency and cancellation policies and procedures are in place for each session.

23. That there shall be an engagement of competent and experienced security company who shall provide a detailed crowd management plan depending on the size and nature of the event session.
24. That there shall be the provision of event control operation to oversee the safe management of the event and to coordinate resources and contingencies in the event of an incident.
25. That there shall be the provision of competent and experienced stewarding and security personnel.
26. That there shall be a provision for SIA accredited staff at key points to carry out specific jobs, namely bar areas, eviction etc.
27. That items of contraband shall be removed from patrons and a chain of custody agreed with local police.
28. That there shall be advanced liaison with police to identify any trends/intelligence which may surround a particular group or audience profile.
29. That there shall be a list of all persons evicted from the event site will be logged and handed over to the police if required.
30. That the specific alcohol and drugs policies produced by PitP be communicated out to all relevant staff.
31. That a general assessment of the site shall be carried out and its suitability as a venue confirmed.
32. That there shall be numerous escape routes afforded throughout the event site and into places of relative safety.
33. That enclosed venues shall be subject to specific fire risk assessments.
34. That there shall be engagement of competent suppliers and service providers.
35. That there shall be engagement of experienced safety advisors.
36. That the proposed site shall provide an ample footprint for the proposed content and activities.
37. That seating shall be provided through a mixture of temporary seating and installations plastic furniture and or picnic bench style provisions.
38. That all temporary structures and other major infrastructure elements shall be subject to a formal sign off by a competent person prior to use of opening.
39. That the installation, distribution and sign off to temporary electrical systems shall be carried out by a competent professional contractor.
40. That there shall be the provision of appropriate medical and welfare facilities, which are clearly signed and staffed for the duration of the session/event.
41. That there shall be access to fresh and tested drinking water for working personnel and members of the public.

42. That a detailed fire safety assessment shall be produced to ensure all necessary controls are in place and monitored throughout the event period.
43. That access to potentially hazardous areas shall be restricted from members of the public and unauthorised personnel.
44. That the location of significant buried services shall be established and communicated to the relevant personnel.
45. That all generators and other electrical/technical areas shall be accessible by technical crew, contractors and event staff only.
46. That the appropriate warning signage shall be prominently displayed to advise of potential hazards on site.
47. That a suitable and sufficient front of stage barrier shall be installed and signed off by a competent person
48. That the lighting levels throughout the event site shall be set to allow patrons to clearly navigate their way around the site.
49. That any non-essential vehicle movement shall not be permitted on site during the public opening period. Any essential vehicle movement shall be carried out using a banksman.
50. That all production and/or servicing vehicles shall use the back of house and production roads..
51. That no alcohol shall be served in glass vessels* and patrons shall not be permitted to bring glass onto site (with the exception of managed taster sessions, master classes, and VIP enclosures).
52. That weather monitoring shall take place during the build, event and break periods and appropriate contingency plans (predominantly for high winds, lightning and heavy rains) shall be in place.
53. That there shall be a noise management plan and propagation tests shall be produced and carried out for each session.
54. That there shall be a dedicated noise complaint line during key events for local residents to contact if noise levels become a nuisance.
55. That the position of direct lighting (e.g. tower lights) shall not be in such a way which affects local residents but must be balanced to provide adequate and suitable lighting levels for navigation in and around the site.
56. That there shall be no build up of litter or waste anywhere out of the event site or on local highways.
57. That the event shall take all steps to minimise the effect on the environment where possible

58. That patrons shall be encouraged to share transport and use public transport to minimise disruption and environmental impact.
59. That there shall be consultation undertaken with local residents via engagement groups and the council wherever possible.
60. That there shall be a traffic management plan to minimise impact on local surroundings and facilitate ready access to and from the event site.
61. That every effort shall be made to prevent pollution of any watercourse.
62. That no under 16s shall be permitted on site without a responsible adult.
63. That no under 16s shall work at the licensed site unless a suitable and sufficient risk assessment has been carried out and all control measures effectively implemented.
64. There shall be a provision of DBS accredited personnel on site.
65. That the Challenge 25 rule for the sale of alcohol shall be adopted for the event.
66. That any films shown shall have appropriate age certification and theatre shows etc with adult content will be clearly advertised.
67. That any persons believed to be drinking under age shall be intercepted by security personnel and the alcohol disposed of.
68. That the closure times and the provision of transport links shall take account of the need to prevent young and vulnerable persons leaving the site without means of reaching their destination
69. That the capacity at the event shall not exceed 4,999 persons. 3,500 of which will be ticketed paying visitors.
70. That single use plastics shall not be used during the event.
71. That any construction, waste collection and other event related activities shall take place between 08:00 and 18:00.
72. That the tower lights shall be turned off by 23:15 on Friday 3 July and Saturday 4 July 2020.
73. That litter picks shall take place every 30 minutes around the site and periphery with the last pick taking place upon the departure of patrons.
74. That there shall be marshals at the bus stops and to guide people to the train stations.
75. That there shall be toilets near the exit.
76. That during the provision of licensed entertainment, a suitably qualified acoustic consultant shall:
 - carry out regular checks to monitor the sound level at the closest noise sensitive location(s) to the premises

- shall ensure that the sound level of the entertainment does not cause a public nuisance in the vicinity of the premises at the/those location(s).
77. That noise levels shall not exceed the predicted noise level of 67dB LAeq (15 minute checks) (free field) at any residential receptor.
 78. That PitP Dulwich shall ensure compliance with noise level is assessed by LAeq (15 minute) monitoring periods which shall be synchronised with current time to allow independent assessment\verification (i.e. 12.00, 12.15, 12.30 etc.).
 79. That there is a written record of sound level checks which shall be kept and shall contain details of:
 - the time, date and location of each check;
 - the person who undertook the check; and
 - any actions taken as a result of the check.

Each check shall be signed in the record by the person who made the check. The monitoring record shall be kept onsite and made available to officers of the police or council upon request.

80. That the applicants shall ensure that noise level at the stage(s) is kept within the overall control of the acoustic consultant at all times.
81. That the premises licence holder shall make sure that a telephone complaint number shall be published to the local community which shall enable direct contact with the event team at all times during the event when necessary.
82. That all resident complaints shall be investigated at the time and a record of actions taken and made available to the local authority.
83. That Sessions 1 (Friday), 2 and 3 (Saturday) of live music to be limited to 150 minutes. Session 4 (Sunday) to be limited to 190 minutes. This is to reflect the fact that 4 music acts with play at session 4 (Sunday session).
84. That there shall be fewer patrons dispersing from the Court Lane gate compared to the other gates.
85. That the event shall be ticketed only.
86. That there shall be an appointed manager at any facility selling alcohol who must have a personal license.
87. That there shall be no drinks served in glass containers at the event, with the exception of the wine and beer tasting areas whereby drinks will be permitted in the VIP area in glass receptables and security personnel will ensure that no one shall be permitted to leave these areas with their drinks in the glass.
88. That no drinks in opened containers shall be allowed outside the premises.
89. That the accommodation limit of the premises shall not exceed 4,999.
90. That the event is run in accordance with the Event Safety Management Plan V8 (version PitP-2019 ESMP V8 dated 5/8/2019); The Dulwich – 2020 Crowd

3. Reasons

The reasons for the decision are as follows:

The sub-license committee had full regard to the submissions heard on both the 10 January 2020 and 21 January 2020. The meeting was adjourned on 10 January 2020 so that further material could be provided to the committee in support of the application.

The licensing officer presented his report to the licensing sub-committee and confirmed that all further documents received had been handed to all parties. The licensing officer also observed on the 10 January that although there had not been conciliation some conditions had been agreed between the environmental protection team (EPT) and the applicant. On 21 January 2020 the licensing officer advised that although there had not been conciliation conditions had been agreed between EPT and the applicant and the responsible authority for licensing and the applicant.

The licensing sub-committee heard from the applicant who advised they had over 20 years experience hosting outdoor events, priding themselves on working with local communities, authorities and stake holders. It was noted that the applicant engaged leading experts in all fields to ensure the protection of areas in which they work and the promotion of the four licensing objectives.

The applicant went on to state that Pub in the Park (PitP) is in its fourth year, with 13 events having been successfully held in parks. They added that PitP is a pleasant experience for all ages, celebrating good food, drink and music.

With regards to the application the applicant noted that it sought an annual license and was willing to cap ticketed visitors at 3,500 per session in the first year to tease out any challenges.

The applicant discussed policies to ensure protection to children through both the ticket sale process and at the event. It was noted that a stringent alcohol management plan and a Challenge 25 policy would be in operation.

The applicant advised that there would be marshals briefed in their specific area and in relation to dispersal. They further advised that there would be radio links so that any incidents could be quickly responded to.

With regards to the environment, the applicant noted they did not allow single use plastics, that there would be regular litter picks and they would work closely with the park warden to ensure minimal damage and disruption to the park. They advised that they would use track on the ground to protect the park from vehicle movements and to minimize the risk of damage to the park grounds.

The applicant maintained that the event would benefit the local community, that they would promote the four licensing objectives and that they would maintain the condition of the park by working closely with others. The applicant further stated that they did not anticipate dispersal issues as they believed that patrons would walk to the event or use public transport. However, the final position would be finalised following ticket sale data. The applicant also stressed that their aim is not to disrupt the park or the local community and that they wanted to work with them to ensure they can come back on an annual basis.

The licensing sub-committee noted written submissions from other persons, all of whom were objectors. The representations objecting to the application are concerned that significant noise nuisance, crime and disorder, endangerment of public safety and risk to children are likely to arise as a result of the proposed event.

The licensing sub-committee then heard from four other persons who had submitted objections to the application, being parties 1, 2, 3 and 4.

Party 1, on behalf of the Dulwich Society, noted concerns over restricting the area of park which could be used by all members of the public over a 10 day period. They were also concerned about noise nuisance from both the event itself and users, especially on the houses closest to the park. They also advised on their concerns about parking, public transport and the park car park being used for taxi pick up/drop off. Further concerns raised related to safety and security given the crowds and possible drunken behavior.

Party 2 noted they had just moved to Dulwich from another area of London in search of a quiet life. Party 2 also raised concerns over noise nuisance. However, Party 2 had particular concerns around crime and disorder, observing that it is synonymous with alcohol consumption. Further concerns over the safety of children given the numbers of people, increased traffic/congestion, dangers caused in the park during the construction and deconstruction of the site were also raised.

Party 3 advised that Dulwich Park is unique with houses coming right up to the park's perimeter. They advised that they had concerns about public nuisance, prevention of crime and disorder and public safety. They also raised concerns about the increase in the number of people in an already busy space and the impact large numbers of people who had been drinking may have on the area.

Party 4 similarly referred to the noise and the detrimental impact the event would have on the park and other park users. Party 4 further raised concerns over the heightened risk of crime and disorder such an event might bring.

The licensing sub-committee considered the level of objection raised by the local community, particularly in relation to the duration for which the license was granted, if granted at all. They also considered that the applicant is reputable, has previously delivered Pub in the Park events in numerous park locations as well as other large-scale events. The committee noted that the applicant has agreed to numerous conditions to minimise disruption to the local community.

Furthermore, the applicant agreed conditions with the licensing responsible authority and EPT (in addition with SAG) demonstrating their commitment to reduce any negative impact on the community and the environment, which includes (amongst other things) working with the parks warden and plans to protect the grass, statutes and other key aspects of the park and the impact from noise be reduced from implementation of stringent noise testing at 15 minute intervals and the implementation of a hotline on which complaints can be made.

The licensing sub-committee are therefore of the view that Pub in the Park would, ultimately be a pleasant and family friendly food and music festival. However, the licensing sub-committee still had some concerns about the impact of the event.

The licensing sub-committee gave consideration to the applicant's application for an annual premises license. Despite the applicant's willingness to adhere to conditions imposed by the licensing sub-committee and the responsible authorities the sub-committee were also mindful of the concerns raised by the local community. As such, the licensing sub-

committee determined a license for 2020 would be most appropriate as this would enable any necessary changes for a future application to be made should issues arise

In reaching this decision the sub-subcommittee had regard to all relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

4. 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.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy.

Date: 21 January 2020