

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 10 August 2023 at 10.00 am at Online/Virtual: please contact [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk) for a link to the meeting and the instructions for joining the online meeting

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**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor Suzanne Abachor  
Councillor Ian Wingfield

**OTHER MEMBERS  
PRESENT:**

**OFFICER  
SUPPORT:**

### 1. APOLOGIES

The meeting opened at 10.03am.

The chair explained to the participants and observers how the meeting would run. Everyone then introduced themselves.

There were no apologies for absence.

### 1. CONFIRMATION OF VOTING MEMBERS

The voting members were confirmed verbally, one at a time.

### 3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

There were none.

#### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

#### 5. LICENSING ACT 2003: CARNAVAL DEL PUEBLO, THE GREAT LAWN, CHUMLEIGH GARDENS, BURGESS PARK, CAMBERWELL, LONDON SE5 0AT

The licensing officer presented their report. They advised that the responsible authorities had conciliated with the applicant.

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

The sub-committee noted the written representation of the other person (local resident) objecting to the application.

The applicant was given up to five minutes for summing up.

The meeting adjourned at 10.53am for the sub-committee to consider its decision.

The meeting reconvened at 11.09am and the chair advised everyone of the decision.

#### RESOLVED:

That the application made by Carnaval del Pueblo Asociación for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as Carnaval del Pueblo, The Great Lawn, Chumleigh Gardens, Burgess Park, Camberwell, London SE5 0AT is granted.

#### 1. Hours

Live music (indoors and outdoors):	Sunday: 11:00 to 22:00.
Recorded music (indoors and outdoors):	Sunday: 11:00 to 22:00.
Performance of dance (indoors and outdoors):	Sunday: 11:00 to 22:00.
Anything similar to live music, recorded music and performance of dance (indoors and outdoors):	Sunday: 11:00 to 22:00.
The sale by retail of alcohol (on the premises):	Sunday: 11:00 to 21:30.
Opening hours:	Sunday: 11:00 to 23:00.

#### 2. 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 and the conditions agreed with the Metropolitan Police Service and Environmental Protection Team, Licensing as a responsible authority and Trading

Standards.

### **3. Reasons**

Carnaval del Pueblo Asociación applied for a premises licence in respect of Carnaval del Pueblo, The Great Lawn, Chumleigh Gardens, Burgess Park, Camberwell, London SE5 0AT.

The licensing sub-committee heard from the applicant, who advised that Carnaval Del Pueblo was a registered charity and the application was for a one day annual event held in Burgess Park. The applicant already had a premises license for the event, limited to 5,000, but it was their intention to upscale the event in the future and for this reason they now sought an annual licence for 10,000 people. The event would take place within the Great Lawn of Burgess Park, close to Chumleigh Gardens, off Albany Road. Well-known musicians and artists from Latin America including Salsa world champions from Puerto Rico would be taking part in the celebration in addition to community groups in full regalia showcasing and sharing music, arts and dance representation of the rich cultural heritage from 19 Latin American countries.

The main stage would have Latin American live orchestra music from folk to salsa, the sound level of which would be monitored throughout the day. There would also be a marquee with recorded Latin music and drumming played together with dance workshops and free style dance.

The applicant had also partnered with many local community groups to deliver the event: the London Borough of Southwark, the Arts Council, England, the GLA, the Council of Colombia, United St. Saviors City Bridge Trust amongst others. It would comprise of a mainstage salsa workshop area with salsa and other organisations which proactively seek to bring people who are not Latin American into the music and dance of the region and music of the Andes area, as well as the newer Carnaval Alito area, run by Latin Hub UK, which would specifically target an audience of families. The family section of the event would take place early in the day with a host of activities available: football, karaoke, community crafts and things focused on children, such as bilingual storytelling workshops. The live music would have a very soft start at 13:30 hours with Paddington Bear from Peru and a small fun fair. The live music would grow gently throughout the day, up to an orchestra from Roberta Platt, who had approximately 25 year's involvement in the event, with young people and a group from Colombia.

Overall, the music was intergenerational with extraordinary musicians aimed at the Latin American and all other communities in South London. After the headline orchestra there would be more downbeat music, which would coincide with the terminal hour for the sale of alcohol at 21:30 hours.

Concerning the complaints raised by the resident objector of loud, disturbing music and anti-social behaviour, the sub-committee noted that all of the responsible authorities had conciliated and representations had been withdrawn. An independent noise control consultant (Electric Star) had already been instructed, the details of which were in the event management plan. The music level would be set to ensure it was not a noise nuisance. This would be measured throughout the day around the perimeter of the site.

During the informal discussion section of the hearing, the applicant addressed the issues raised by the resident objector. It was explained to members of the sub-committee that all of the detail was contained in the event management plan which had been presented and approved by the Safety Advisory Group (SAG). In terms of ingress/egress and crowd management, this would primarily be undertaken via a clicker system and the SIA security, which was well established in the industry; this would regulate the flow of individuals attending the site.

The event management plan also addressed traffic management that was to be co-ordinated by Tidesurity and as far as reasonably practicable, measures would be in place addressing hazards to other road users and ensuring that disruptions to local traffic and residents are kept to the absolute minimum including matters such as the management of vehicle movement around the event perimeter and de-conflicting, as far as possible, vehicles and pedestrians.

In addition, the event management plan dealt with the safeguarding of young and vulnerable persons with regard to lost persons. This would be dealt with by the event security firm and St John's Ambulance. A Latin American nursery who were extremely well qualified would also be available and could provide comfort to any child that should become lost.

As regards the complaint made about sanitary facilities and odours being experienced on Georges Way, the Purple Guide (originally published by the Health and Safety Executive) calculated the number of toilets required which was assessed as 45 toilets, being an increase of over double from the 2022 event. For the 2023 event, the applicant had added separate toilet facilities specifically for the traders and also urinals, which would speed up the flow of people using such facilities.

The applicant advised members that they were very familiar with Southwark's Statement of Licensing Policy 2021-2026 (SoLP) and Environmental Policy, and recognised that Southwark had declared a climate emergency. The applicant

stated that they were committed to “no use of single-use plastics” and would also ensure all publicity about the event encouraged the use of public transport.

The licensing sub-committee noted the objection of the other person who was not in attendance at the hearing.

The objection submitted by the Metropolitan Police Service was conciliated with the applicant and their representation was withdrawn. Paragraph 2.1 of the Home Office, Revised Guidance issued under s.182 of the Licensing Act 2003 (December 2022) provides that: “Licensing authorities should look to the police as the main source of advice on crime and disorder”. Since the police withdrew its representation, the sub-committee were satisfied that the application/event did not undermine the crime and disorder licensing objective.

The objection submitted by the Environmental Protection Team was also conciliated with the applicant and their representation was withdrawn. As the main source of advice for noise nuisance, because EPT withdrew its representation, the sub-committee were satisfied that the application/event did not undermine the prevention of nuisance licensing objective.

Furthermore, Licensing as a responsible authority had also conciliated their objection with the applicant and withdrawn their representation. As the gatekeeper to Southwark’s Statement of Licensing Policy (2021-2026) it was also reasonable to conclude that Licensing as a responsible authority had concluded that the application/event did not undermine any of the licensing objectives.

It was also noted that The Friends of Burgess Park were a stakeholder for the Safety Advisory Group in the hiring of a park application who had not submitted a representation objecting to the application, but would volunteer in the park litter pick the day after the event.

The Carnaval del Pueblo event had been a well-established free community event since approximately 1998 and, together with associated processions, played an important role to the Latin American community and community cohesion as a whole.

The resident objector is reminded that should they have serious concerns regarding the management of the event they have the right to call the premises licence in for a review when ultimately, the licensing sub-committee could revoke the premises licence. The resident objector is also reminded of the right to appeal the decision at the Magistrates’ Court, the details of which are provided.

The applicant should note, that because they were late submitting the application, unless agreement could be reached with the single resident objector, the applicant would have to revert to their premises licence 878088 dated 1 August 2022.

In reaching this decision the sub-committee had regard to all the 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 have 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.

#### **6. LICENSING ACT 2003: HAYATT, 20-22 CAMBERWELL CHURCH STREET, LONDON SE5 8QU**

It was noted that this item had been conciliated prior to the meeting.

Meeting ended at 11.13 am

**CHAIR:**

**DATED:**

**[CABINET ONLY]**

**DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, [DATE].**

**THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE CABINET BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.**

