

Licensing Act 2003 Premises Licence



APPENDIX D

Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

880758

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Southwark Park Southwark Park Gomm Road	
Ordnance survey map reference (if applicable), 535253179029	
Post town London	Post code
Telephone number	

Where the licence is time limited the dates
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Licensable activities authorised by the licence
Plays - Indoors and Outdoors Films - Indoors and Outdoors Live Music - Indoors and Outdoors Recorded Music - Indoors and Outdoors Performance of Dance - Indoors and Outdoors Entertainment Similar to live/recorded music - Indoors and Outdoors Sale by retail of alcohol to be consumed on premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 11:00 - 22:30
Thursday 11:00 - 23:00
Friday 11:00 - 23:00
Saturday 11:00 - 23:00
Sunday 11:00 - 22:30

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies
Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Plays - Indoors and Outdoors

Monday 11:00 - 22:00
Thursday 11:00 - 22:30
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Films - Indoors and Outdoors

Monday 11:00 - 22:00
Thursday 11:00 - 22:30
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Live Music - Indoors and Outdoors

Monday 11:00 - 22:00
Thursday 11:00 - 22:30
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Recorded Music - Indoors and Outdoors

Monday 11:00 - 22:00
Thursday 11:00 - 22:30
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Performance of Dance - Indoors and Outdoors

Monday 11:00 - 22:00
Thursday 11:00 - 22:30
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Entertainment Similar to live/recorded music - Indoors and Outdoors

Monday 11:00 - 22:00
Thursday 11:00 - 22:30
Friday 11:00 - 22:30
Saturday 11:00 - 22:30
Sunday 11:00 - 22:00

Sale by retail of alcohol to be consumed on premises

Monday 11:00 - 21:30
Thursday 11:00 - 22:00
Friday 11:00 - 22:00
Saturday 11:00 - 22:00
Sunday 11:00 - 21:30

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Assembled Gala Ltd
66a Charlotte Road, London,
EC2A 3PE

[REDACTED]
[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

09886417

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

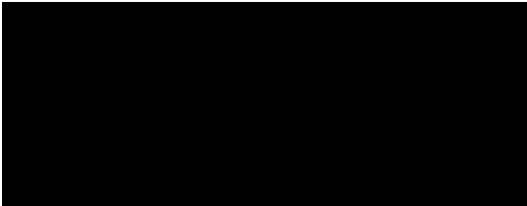
James William Law

[REDACTED]
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No. [REDACTED]
Authority L.B Haringey

Licence Issue date 21/07/2023



Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- (a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

102 The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself.

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

487 The responsible person must ensure that free potable water is provided on request to customers where

it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –

(i) the holder of the premises licence;

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

112 This licence allows for the premises to remain open for non standard timings as stated on the days below.

Non-Standard Timings for Opening Hours: Sundays preceding Bank Holiday Mondays: 11:00 to 23:00

113 This licence allows for the premises to remain open for the sale or supply of alcohol for non standard timings as stated below on the following days: Non-Standard Timings for the sale of alcohol to be consumed on the premises: Sundays preceding Bank Holiday Mondays:

11:00 to 22:00

114 This licence allows for the premises to extend the following licensable activities for non standard timings as stated below on the following days: Non-Standard Timings for Plays, films, live music, recorded music, performances of dance and anything similar to live or recorded music (both indoor and outdoor): Sundays preceding Bank Holiday Mondays: 11:00 to 22:30

340 Plays may be performed in open air or within tented structures. Plays may be stand-alone entertainment or performed as part of a wider programme. Plays may be accompanied by amplified music.

341 Films may be shown in open air or within tented structures. Events and performances may be filmed and shown on screens. Screens may also show artist supporting material. Short films, live visual/video performances, feature films and may be accompanied by amplified music

342 Live music may be performed in open air or within tented structures. Live performances of both amplified and un-amplified music on stages

343 Recorded music may take place in open air or within tented structures. Performances of recorded music by artists. Recorded music may also be played between other entertainments and may also accompany other entertainments.

Dance may be performed in open air or within tented structures. Dance may or may not be performed as part of the events. Other entertainments may encourage the audience to participate in dance. Dance may be accompanied by amplified music

344 Anything of a similar to live music, recorded music and dance to the type of entertainment that will be provided has been described as "Funfair, comedy, MC, host, compere and the like" to take place both inside and outside.

345 Public access to the area of the park that this licence specifies during build and break periods, access

will be restricted. Sound checks may take place in advance of the event with permission from the local authority

346 This Licence will permit a maximum of 3 event days per year, on Thursdays, Fridays, Saturdays, Sundays or Bank Holiday Mondays only (when Monday is a recognised Bank Holiday)

347 The exact date of each event will be presented to the Local Authority and Safety Advisory Group (SAG) and agreed with the Parks and Events Team at least 12 weeks in advance.

348 The exact site layout (indicating locations where Licensable activities will take place, the location of sanitation facilities, the number and location of emergency exits etc) and location within the wider park will be presented to the Local Authority and Safety Advisory Group (SAG) and agreed with the Parks and Events Team at least 6 weeks in advance.

349 The capacity for each event will be agreed with the Local Authority and SAG at least 12 weeks prior in advance, with year one only (2023) being restricted to a maximum of 9999 persons own site at any one time.

350 Each and every event would be presented individually to the SAG.

351 A Challenge 25 Policy will be in operation at all bars. Clear signage will be in place informing customers of this policy. A Personal Licence Holder will ensure that all staff are briefed on the acceptable forms of ID.

352 Events will be categorised as either '18+ Only' or 'Family Friendly'

353 Events categorised '18+ Only' will be advertised as operating a 'No ID, No Entry' Policy to guests, details of which will be included in the Event Safety Management Plan (ESMP). Challenge 25 will also be in operation at the entrance to the event.

354 Events categorised 'Family Friendly' will feature a comprehensive Child Welfare Policy which will be detailed in the ESMP.

355 The event organisers shall have a means of counting in the people entering the event site to ensure that they are able to provide on request, the number of people on site at any point in time to authorised officers of Southwark Council.

356 Locked amnesty bins shall be provided for the disposal of alcohol and other waste.

357 An event and site-specific Event Safety Management Plan will be developed and shared with the Licensing Authority and SAG.

358 The ESMP will include details on the following subjects: Event Risk Assessments, Event Schedule, Site Plan, Fire Risk Assessment, Security & Crowd Management Plan, Drugs Policy, Alcohol Management Plan, Traffic Management Plan, Egress / Dispersal Plan, Waste Management Plan, Medical Management Plan, Adverse Weather Plan, Crisis Communication Plan, Noise Management Plan, Sanitation Plan, Child Welfare/Vulnerable Persons Policy. These documents will be 'living documents' which will be reviewed and revised in the planning phases of the events.

359 The premises will be run in accordance with the event management plan submitted

360 A suitable and experienced security and stewarding company will be appointed to ensure public safety and to prevent crime and disorder.

361 The ESMP Security & Crowd Management Plan (CMP) will outline the number, position and roles of the Security and Stewarding staff working at the event.

362 The CMP will outline the details of the level of search on entry to be implemented

363 Searches will be carried out by SIA Registered staff of the same sex

364 The Drugs Policy will include New Psychoactive Substances (NPS) and No2/NOS/Nitrous Oxide. No2 will not be permitted on site and any found on entry will be confiscated.

365 Entry to the festival will operate in line with the Drugs Policy. During the entry process, should persons be found with quantities of controlled substances or NPS in excess of those specified in the Drugs Policy will be refused entry and the Police informed immediately.

366 Anyone found with an offensive weapon on entry will be refused admittance and the Police informed immediately.

367 Each bar on site shall have a dedicated bar manager or supervisor and team who shall be conversant with the requirements and responsibilities for the sale of alcohol and shall be given written designation of their responsibilities.

368 The DPS, or their authorised representative, shall brief all bar staff on their responsibilities under the Licensing Act 2003 before each event. A record of this briefing shall be kept on site.

369 All drinks shall be sold in either opened cans, PET containers or decanted into polycarbonate vessels. No glass drinking vessels will be permitted into the public festival arena. Glass bottles will be retained behind bars for disposal.

370 An event and site-specific Risk Assessment (RA) and Fire Risk Assessment (FRA) will be undertaken and implemented.

371 The Premises Licence Holder (PLH) shall carry out a suitable and sufficient Medical Risk Assessment as well as use the "Purple Guide" and HSG195 to determine the level of First Aid provision for the event, such that there is no undue demand on National Health Service resources.

372 All EMERGENCY EXITS, TOILETS AND FIRST AID POSTS shall be clearly indicated by means of signage, such that it is visible to attendees. assessed dynamically on-site by the PLH.

373 The appropriate type and number of firefighting equipment shall be provided throughout the site. Locations and numbers will be specified in the ESMP/FRA.

374 A queuing system will be designed and implemented at the main entrance to minimise waiting time whilst maintaining crowd safety

375 Crowd Management Stewards tasked with entry lane queue management will wear Hi- Visibility tabards

376 Loudhailers will be available to assist Stewards in providing information to customers regarding delays and other pertinent information

377 Stewards and Marshals will be deployed to manage the egress phase of the events. These Stewards and Marshals will wear Hi-Visibility tabards. The number, role and position of these staff will be detailed in the ESMP.

378 The ESMP will consider any service disruptions to local rail services and any subsequent rail replacement bus services.

379 The ESMP will be submitted to the Licensing Authority and other members of the SAG a minimum of 12 weeks prior to the event.

380 The Traffic Management Plan (TMP) will be developed following consultation with Southwark Highways and Parking departments as well as TfL. The TMP will be adhered to during the event

381 No waste glass or similar items shall be disposed of (“bottling out”) between the hours of 20:00 – 08:00

382 The PLH will be required to employ a Noise Management Consultant who shall produce a Noise Management Plan (NMP).

383 The Noise Management Consultant will carry out a test of the noise sources prior to the event. The tests shall be conducted at a distance of 1m from the façade of the nearest noise sensitive premises.

384 The PLH will ensure an officer from Environmental Protection Team (EPT) is invited to the proposed sound tests prior to the event (preferably one day before the event).

385 The PLH shall ensure that all reasonable requests from the Council Officers are complied with.

386 The details of two contact telephone numbers, including a mobile telephone number, permanently staffed during performances, will be made available to council officers prior to the event(s).

387 At least one week prior to the beginning of the event, a leaflet drop is to be made to households in the immediate area. The leaflet is to include a timetable and description of each performance and the contact telephone numbers.

388 The PLH should ensure that the music noise level limits proposed in the noise management plan are not exceeded during the event.

389 The PLH will ensure that regular checks are to be carried out at a distance of 1m from the façade of the nearest noise sensitive locations to the event (e.g. houses, residential homes, churches as described in the NMP) to monitor the noise and ensure that the limits agreed are not exceeded.

390 The volume of all sound equipment on site shall be the responsibility of the Noise Management Consultant appointed by the PLH.

391 No additional sound equipment (other than that described in the ESMP/NMP) shall be used on site without the prior agreement of the council's EPT and the appointed Noise Management Consultant.

392 The appointed Noise Management Consultant shall continually monitor noise levels at the sound mixer position and instruct the sound engineer accordingly to ensure that the above noise limits are not exceeded. The Council shall have access to the results of the noise monitoring at any time.

393 The Noise Management Plan (NMP) will need to be agreed with Southwark EPT no later than 14 days prior to any event taking place.

394 The PLH shall have in place an arrangement (contract) with a reputable Waste Management Company to manage the event site and externally affected areas for the duration of the event and a post event clean up.

395 '18+ Events': The event will be a ticketed, 18+ music festival.

396 '18+ Events': No person under the age of 18 will be permitted to enter the event site.

397 '18+ Events': A Challenge 25 policy will be in force at all festival bars.

398 '18+ Events': The event will be advertised as operating a 'No ID, No Entry' Policy.

399 '18+ Events': A Child Welfare and Vulnerable Person procedure will be in place and will be detailed in the ESMP. This will outline action to be taken in the event that under 18's attempt to gain entry to the event or are discovered within the event perimeter.

400 'Family Friendly Events': For the purposes of this Premises Licence, the definition of a 'Child' is considered anyone who has not reached the age of 16. The definition of 'Young Person' is considered anyone aged 16 or 17 and has not reached the age of 18.

401 'Family Friendly Events': A Child must be accompanied by an adult (over the age of 21)

402 'Family Friendly Events': A Young Person will be required to prove their age on entry. Acceptable forms of ID – passport, provisional driving licence, prove it card.

403 'Family Friendly Events': Parents/Carers will be responsible for their Child whilst on site and will be advised that they should supervise their children at all time.

404 'Family Friendly Events': Each adult (over the age of 21) will be allowed to be responsible for a maximum of 3 Children

405 'Family Friendly Events': Wristbands will be provided on entry to all Children to allow parents/carers to write their phone number on the inside of the wristband.

406 'Family Friendly Events': A dedicated Lost Children point will be set up and staffed by DBS checked staff (minimum of 2 on duty).

407 'Family Friendly Events': A Challenge 25 policy will be in force at all bars.

408 'Family Friendly Events': A Child Welfare and Vulnerable Person procedure will be in place and will be detailed in the ESMP Guidance

Annex 3 - Conditions attached after a hearing by the licensing authority

840 The hours granted are as applied for, with the exception of any day followed by a school day, when alcohol shall finish by 21:30 and all other licensable activities terminated by 22:00.

841 The premises licence shall run on a maximum of three consecutive days per annum.

842 The location of the licensable activities shall be limited to the northern quarter (to the north of the arterial road) of the park.

Annex 4 - Plans - Attached

Licence No. 880758

Plan No. TQ349794

Plan Date N/A

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 1 JUNE 2023

SECTION 17 LICENSING ACT 2003: SOUTHWARK PARK, GOMM ROAD, LONDON SE16 2ET

1. Decision

That the application made by Assembled Gala Limited for a time limited premises licence for the period of 5 August 2023 until 31 December 2025 under Section 17 of the Licensing Act 2003 in respect of the premises known as Southwark Park, Gomm Road, London SE16 2ET be granted.

2. Hours

Plays, films, live music, recorded music, performances of dance and anything similar to live or recorded music (both indoor and outdoor):	<ul style="list-style-type: none"> • Thursday to Saturday: 11:00 to 22:30 • Sunday and Monday: 11:00 to 22:00 • Sundays preceding Bank Holiday Mondays: 11:00 to 22:30
<p>N.B. Plays may be performed in open air or within tented structures. Plays may be stand-alone entertainment or performed as part of a wider programme. Plays may be accompanied by amplified music.</p> <p>Films may be shown in open air or within tented structures. Events and performances may be filmed and shown on screens. Screens may also show artist supporting material. Short films, live visual/video performances, feature films and may be accompanied by amplified music</p> <p>Live music may be performed in open air or within tented structures. Live performances of both amplified and un-amplified music on stages</p> <p>Recorded music may take place in open air or within tented structures. Performances of recorded music by artists. Recorded music may also be played between other entertainments and may also accompany other entertainments.</p> <p>Dance may be performed in open air or within tented structures. Dance may or may not be performed as part of the events. Other entertainments may encourage the audience to participate in dance. Dance may be accompanied by amplified music.</p>	

Anything of a similar to live music, recorded music and dance to the type of entertainment that will be provided has been described as “Funfair, comedy, MC, host, compere and the like” to take place both inside and outside.	
The sale of alcohol to be consumed on the premises:	<ul style="list-style-type: none"> • Thursday to Saturday: 11:00 to 22:00 • Sunday and Monday: 11:00 to 21:30 • Sundays preceding Bank Holiday • Mondays: 11:00 to 22:00
Opening hours:	<ul style="list-style-type: none"> • Thursday to Saturday: 11:00 to 23:00 • Sunday and Monday: 11:00 to 22:30 • Sundays preceding Bank Holiday • Mondays: 11:00 to 23:00
The wider park is generally open to the public from dawn to dusk. Public access to the area of the park that this licence specifies during build and break periods, access will be restricted. Sound checks may take place in advance of the event with permission from the local authority.	

3. 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 and the following additional conditions made by the licensing sub-committee:

1. That the hours granted are as applied for, with the exception of any day followed by a school day, when alcohol shall finish by 21:30 and all other licensable activities terminated by 22:00.
2. That the premises licence runs on a maximum of three consecutive days per annum.
3. That the location of the licensable activities shall be limited to the northern quarter (to the north of the arterial road) of the park.

4. Reasons

This was an application made by Assembled Gala Limited for a time limited premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Southwark Park, Gomm Road, London SE16 2ET (“the Park”).

The licensing sub-committee heard from the representative for the applicant who informed the sub-committee that the application was for a time limited premises licence which if granted, would permit a maximum of three days of licensable activity per year. This year however, there would only be two days of activities on 5 and 6 August 2023, when the inaugural Rally Festival, organised by GALA. If granted, the licence would always be for the northern section of the park, away from the children’s playground.

In terms of the access the general public would have to the park, the applicant’s representative advised that they would be on site for 12 days; five days building, the event(s) would take place over three days and then four days de-rigging.

For 2023, the first day would be for an event known as Rally, and the second, for the Bermondsey Carnival. The Bermondsey Carnival would utilise the infrastructure and equipment the applicant paid for. Without this, the Bermondsey Carnival would not be able to take place. If the licence was granted, the proposed three day events in 2024 and 2025 the applicant was hopeful of a three day Rally or similar event under the licence, gifting the Bermondsey Carnival use of the site and the infrastructure under their own licence, subject to their funding arrangements.

The applicant informed the sub-committee that Rally was a totally new concept managed and produced by the same people as those behind the GALA Festival. They would be collaborating with a London based music promoter and producer called Bird on a Wire who produce and promote events nationwide for new and upcoming artists, up and coming grassroots underground, with different influences and genres including electronic, dance, jazz, and indie music. The ethos was very similar to GALA, being very community focused, but a slightly different musical offering, with a similar collaborative approach. The applicant was also in discussions with the Art Gallery in the Park about potentially sponsoring a mural with Goldsmiths College.

Rally had raised £18,000 funds for the Southwark Daycare Centre for asylum seekers. It also sponsored local community art projects, offers free tickets for hyper local residents, discounted tickets for locals and free tickets for local charity workers, and offers collaborations between local community groups.

Extensive consultation had been conducted and there had been three separate stakeholder meetings: one with ward councillors, one with the Southwark Park Association and one with local residents. Approximately 3,000 resident letters had been sent out to people in the vicinity advising them of the events that will be taking place. The proposals had been well received with the majority recognising the benefits the applicant would provide in terms of being able to allow Bermondsey Carnival to return.

With regard to noise concerns, the applicant advised that they worked with experienced and independent noise consultants who would produce a site specific noise management plan, which would be approved by Southwark's environmental protection team (EPT). Acoustic consultants would be on site throughout the duration of each event monitoring noise levels, ensuring compliance with the noise management plan (NMP) approved by EPT at Safety Advisory Group (SAG). The NMP would detail the likely direction of speakers on site and the decibel levels. A hotline telephone number would be made available to all local residents and raise any concerns.

When questioned by members about reinstating the park, the representative for the Applicant advised that the council's park hire process required a huge commitment on event organisers to sign up to the council's strategy regarding sustainable sustainability and environmental impact. A significant amount had been paid to the council to hire the Park and also as a 'damage deposit'. This deposit amount would not be refunded to the Applicant until the Park was returned to the same state it had been hired in. Repairs would

be carried out as soon as is practical, following the event. In terms of wildlife, prior to the event taking place we will be undertaking an ecological survey to ensure none of the event activities disturb bats or ground nesting birds.

The licensing sub-committee noted the written representation opposing the application from another person who was not in attendance at the sub-committee hearing.

The licensing sub-committee also noted the representations from eight other persons supporting the application, none of whom were in attendance at the sub-committee hearing.

This was an application for a time limited premises licence for the period of 5 August 2023 until 31 December 2025 in respect of the premises known as Southwark Park, Gomm Road, London SE16 2ET (“the Park”). The park is located in Rotherhithe and covers an area of 25 hectares. The park features a bandstand, a bowls club, playground and cafe. The application applies to a specific area of the park to be identified on a site plan, agreed with the council in advance of events taking place. The application seeks a maximum of three days of events per year

The sub-committee noted that following the necessary consultation under the Licensing Act 2003, none of the responsible authorities submitted objections. Consultation posters had been displayed around the whole perimeter of Southwark Park. Albeit under the remit of the SAG, some three thousand letters were also sent to local residents.

Only one objection to the application was received. The objection raised concerns of noise, crime and disorder (through potential drugs use), the impact of event(s) would have animal wildlife and how the local community would be deprived from the use to the park.

Under Southwark’s statement of licensing policy 2021-2026, the park is situated in a residential area, but not in one of the three cumulative impact areas. The recommended closing time within the area is 23:00. There is not a carte blanche to applicants seeking an operation beyond these policy hours and each application is based on its own merits. However, none of the responsible authorities’ submitted representations objecting to the hours. This sub-committee is also familiar with the GALA operation and the hours sought are in line with those at other events in the borough.

The evidence relevant for the sub-committee was whether the application/event would undermine the licensing objectives, namely: the prevention of crime and disorder, the promotion of public safety and the prevention of public nuisance, the protection of children from harm. It was a matter for this sub-committee to consider the balance between the rights of the applicant and those other persons making representations to the application when making its decision on whether the licensing objectives could be promoted or undermined.

The remit of the licensing sub-committee is to consider the premises licence application submitted under the Licensing Act 2003. The Licensing Act 2003 is a permissive regime and the licensing sub-committee *must* grant a premises licence if an application is made in

accordance with statutory requirements. The determination of applications are required to be evidence based and justified as being “appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve” (paragraph 9.43, Home Office, Revised Guidance issued under section 182 of the Licensing Act 2003 (December 2022)).

The other person’s concerns of crime and disorder (by way of potential drug taking), paragraph 2.1 of the Section 182 Guidance provides that: “Licensing authorities should look to the police as the main source of advice on crime and disorder”. The sub-committee noted that there was no objection submitted by the Metropolitan Police Service. It was therefore reasonable to conclude that the police had no reason to believe the application/event would undermine the crime and disorder licensing objective.

The single representation opposing the application referred to potential noise issues and made reference to historical Korean pop events that took place in the Park. This was an entirely different event, with different organisers and it is believed took place in a different section of the Park. The environmental protection team (EPT), whose responsibilities relate to the prevention of nuisance licensing objective, did not oppose the application.

As a quasi-judicial body, the Licensing Sub-Committee is required to consider each application on its merits. It must take into account only relevant factors, and ignore irrelevant factors. The decision is based on evidence, which shows the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which is relevant. The sub-committee is obliged to give fair consideration to the contentions of all persons entitled to make representations to them. Unfortunately, because the conservation of the Park and wildlife neither promote or undermine the licensing objectives, very little weight, if any, can be given to them, by this sub-committee. The sub-committee has however, considered measures in safeguarding both contained in the event management plan.

Under Southwark’s Night Time Plan, the council seeks a diverse entertainment industry with niche entertainment and social outlets, particularly for LGBTQIA+ and grassroots live music and this sub-committee is satisfied that view the application supports this Plan and the benefits to the local residents outweigh the disadvantages to have a properly organised event with considerable appropriate control measures that can be enforced by the responsible authorities if necessary.

The sub-committee also remind any person that should the local residents have serious concerns of the management of the event they have a right to call the premises licence in for a review when ultimately, the licensing sub-committee could revoke the premises licence. The residents were also reminded, that they had a right to appeal the decision at the Magistrates’ Court, the details of which are provided in this notice of decision.

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.

5. 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 Assistant Chief Executive – Governance and Assurance

Date: 1 June 2023