

MINUTES OF LICENSING SUB-COMMITTEE

Tuesday, 17 January 2023
(7:00 - 9:15 pm)

Present: Cllr Adegboyega Oluwole (Chair), Cllr Faraaz Shaukat (Deputy Chair) and Cllr Alison Cormack

5. Declaration of Members' Interests

There were no declarations of interest.

6. Licensing Act 2003 - Application for a 5-year Time-Limited Premises Licence - A Man About A Dog Ltd, Barking Park, Longbridge Road, Barking IG11 8SP

The Council's Licensing Case Officer presented a report in respect of an application made by A Man About A Dog Ltd, for a 5 year time limited premises licence for festivals in Barking Park, Longbridge Road, Barking IG11 8SP.

The applicant sought the following licensable activities:

- Provision of Film Friday to Monday 12:00 to 22:30hrs
- Provision of Live Music Friday to Monday 12:00 to 22:30hrs
- Provision of Recorded Music Friday to Monday 12:00 to 22:30hrs
- Provision of Performance of Dance Friday to Monday 12:00 to 22:30hrs
- Provision of anything of a similar description to live music, recorded music or performances of dance Friday to Monday 12:00 to 22:30hrs, and the
- Supply of Alcohol Friday to Monday 12:00 to 22:10hrs

Two representations had been received in relation to the application from the Metropolitan Police Licensing Officer, and the Council's Environmental Health Public Protection (EHPP) Officer. In respect of the latter, following conciliation, agreement was reached with the applicant to impose additional measures/conditions which resulted in the representation being withdrawn.

The Sub Committee then heard from PC Owen Dunn on behalf of the Metropolitan Police who objected to the licence under the Licensing Objectives of the Prevention of Crime and Disorder and Public Nuisance as well as Public Safety. He also cited the absence of a comprehensive traffic management plan (TMP) which meant that it was not clear to him as to the effective dispersal of up to 15,000 attendees, and that those dispersing via Longbridge Road, a main spine road, would do so via an area which was subject to a Public Space Protection Order (PSPO).

PC Dunn accepted that although there had been continued engagement with the applicant, there remained the concern that the event would attract criminality in an area that was subject to high crime rates, the statistics of which were circulated to all parties and published in advance of the meeting as a supplementary report. He was further concerned that the park lake could pose a risk to the public if intoxicated individuals fell in.

In his submission he referenced a witness statement from the Ward Police Sergeant who too had serious concerns about the hosting of the event in Barking Park, a crime hot spot which in his opinion was not a suitable venue for festivals attracting large numbers of people and potential alcohol/drug consumption. He too was worried about the dangers posed by the relative openness of the lake and the potential at night for intoxicated persons to fall or jump in and drown.

The Sub Committee then heard at length from Mr Matthew Phipps, who was instructed by the applicant to represent them. He submitted that the applicant organising company (Slammin Events) had 25 years' experience in event planning and were a responsible and recognised organisation. The applicant sought to forge long term relationships with authorities and had never had a licence application refused or reviewed.

Mr Phipps stressed that given it was still eight months out until the planned date for the festival in 2023, the application was still in the consultation and refining stage, but that it was necessary to make the application now in order that the event could be properly planned, organised and managed. He recognised that many of the plans including the Traffic Management Plan (TMP) had still to be finalised to the satisfaction of the appropriate statutory consultees including the Police, but emphasised that this was not a premature application, rather, early submission was indicative of the applicant's professionalism.

He noted that the objections raised by the Environmental Protection Officer had been withdrawn because the applicant had listened to their concerns and had addressed them, and this was another indication of the professional way the applicant organised its events.

Mr Phipps referred to the two community meetings set up by the applicant to address any concerns that residents might have, but that no one had attended either meeting. He also mentioned that key information about the organisation of the event had been shared with residents in two local stakeholder letter drops, with plans for a third letter to go out at least 21 days before the first day of the event build.

PC Owen stated that the absence of any public objections did not necessarily mean residents would not be unduly affected by the activities on site including noise, traffic, unsocial behaviour, litter etc.

Mr Phipps then went on to address the specific concerns raised by the Police referencing details of a witness statement prepared by Darrell John Butterworth, Licensing and Security Compliance Consultant acting on behalf of the applicant, as set out in a further supplementary report circulated to all parties and published in advance of the meeting. It was submitted that the event, rather than exacerbate crime, would likely deter it. Barking Park was dimly lit and has no CCTV. The event would be significantly lit and would benefit from the organiser's own CCTV. There was also a robust drugs policy and no-one carrying drugs would be permitted into the venue. These measures would also address the concerns about the perceived dangers of the lake.

The venue had specifically been chosen because of its proximity to Barking Station, a major transport hub, which would facilitate the dispersal of attendees from the event and a traffic management summary had already been submitted to the relevant bodies and presented to the Sub-Committee as a supplementary report. This was an evolving document and would be agreed with the relevant bodies including reporting through to the Safety Advisory Group (SAG), in advance of the event. This would also seek to minimise the numbers leaving via Longbridge Road. It was also recognised that the recent tragic events at the Brixton Academy were still in the forefront of people's minds; however, ticket only entry and "Disney" style entrance barriers would address that risk.

Mr Phipps then took the Sub-Committee through the various management plans and the supplementary submissions filed by the applicant in response to concerns raised, as the application had progressed.

Mr Phipps closed by saying the applicant would have ninety-one conditions on the licence and that they would commit to a water safety plan to allay the concerns raised, together with an updated drugs policy, a completed TMP, CCTV, and an artist roster to ensure people management.

The Sub-Committee raised a number of questions and received responses from the applicant in respect to control and seizure of knives, the handling and confiscating of drugs in line with the proposed drug policy, the use of CCTV and matters associated with the Ingress and Egress Management Plan.

The Chair invited all parties present to sum up their representations before the Sub-Committee retired to make its decision.

Decision

Whilst the Sub-Committee listened carefully to the submission of PC Owen Dunn, Metropolitan Police Licensing Officer, it was satisfied with the professionalism of the applicant and the detail of submissions by Mr Phipps in addressing the concerns raised by the Metropolitan Police. Whilst they acknowledged that the application, as presented, was not complete with respect to the various management plans, it was satisfied that these would be agreed by all relevant parties in the lead up to the hosting of the first event, including the SAG, and consequently accepted the need for the early application.

The Sub-Committee therefore granted the five-year premises license for the licensable activities listed, subject to the addition of the ninety-one conditions offered and included in the operating schedule, which included two conditions as agreed between the Council's Environmental Protection Officer and the applicant; and that in advance of the event, the following plans must be put in place and agreed:

1. A traffic management plan.
2. A water safety policy.
3. An operating schedule showing the artist line-up.
4. A CCTV and security plan.

5. A revised drug policy.

In coming to this decision, the Sub-Committee had regard to the Licensing Act 2003, the statutory guidance, including adherence to the four statutory Licencing Objectives, Section 17 of the Crime and Disorder Act 1998, the Council's Statement of Licensing Policy and relevant articles of the Human Rights Act 1998.