

## **LONDON BOROUGH OF LEWISHAM**

MINUTES of the meeting of the LICENSING COMMITTEE, which was open to the press and public held on THURSDAY 29 MAY 2019 in the Council Chamber Civic Suite, Catford Road, Catford SE6 4RU at 7.15pm.

### **Present**

Councillor Elliott (Vice Chair)(In the Chair), Councillors Anwar, Hordijkeno, and Howard.

Observing Councillor Campbell

Apologies for absence were received from Councillors Stamirowski, Handley, Hall, and Wise.

### **Also Present**

Lisa Spall - Crime, Enforcement and Regulation Manager  
Petra Der Man – Lawyer  
Alison Taylor – Project Manager - Regeneration  
Alfene Rhodes – Neighbourhood Community Safety Officer

### **Naked City Jazz Festival Beckenham Place Park Beckenham Hill Road BR3 5BS**

### **Applicant**

Kieran Clancy - Premises Licence Holder  
Danny Clancy – Event Director  
Julian Butterfield – Operations Manager

### **Representation**

Nick Goy and Patricia Garcia

#### **1. Minutes**

RESOLVED that the minutes of the meeting of the Licensing Committee held on 7 May 2019 be confirmed and signed.

#### **2. Declarations of Interests**

Councillor Howard declared a non- pecuniary interest as a ward member for Downham which has links with Beckenham Place Park.  
Councillor Hordijkeno declared a non- pecuniary interest because Beckenham Place Park is in Bellingham ward; she is one of the ward members for Bellingham.

### **3. Naked City Jazz Festival Beckenham Place Park Beckenham Hill Road BR3 5BS**

3.1 The Chair welcomed all parties to the meeting and introductions were made. She then invited Ms Spall to introduce the application.

3.2 Ms Spall said that members were being asked to consider the application for a new premises licence sought by Kieran Clancy. She outlined the application and said that if granted, the event would take place annually on the last Saturday in July, in perpetuity. Six representations had been received from local residents on the grounds of prevention of public nuisance. Ms Spall then outlined the options open to members of the Committee.

#### **Application**

3.3 Mr Clancy said that along with his management team, they have vast experience organising and producing music festivals in London and elsewhere. Along with Danny Clancy, under their other company Krankbrother Ltd, they have produced three outdoor festivals in London which have taken place in Haringey and Hackney. Mr Butterfield, operations manager, is one of the co-founders of Love box and spent 13 years as manager there. He also managed a lot of the outreach work. Production Manager Sean McNally was also production manager for Glastonbury and Love Box and many more events across the U.K.

3.4 Mr Clancy said that the application is for a Jazz festival. He said that with ticketing platforms, there is very accurate data about the people buying tickets. The average age for ticket buyers so far is 32 years; which is significantly older than most other London festivals. 55% of these ticket buyers are from South London, 20 % from Lewisham and 10% Bromley. A large percentage of the artists are from South London.

3.5 Mr Clancy said that 150 free tickets will be given to the local community; this number may increase nearer to the event. 1500 letters have been sent to local residents advising them about the event and asking for their comments. Organisers received 200 positive emails requesting tickets; one resident expressed concerns but still wanted a ticket.

3.6 Event Management and Plans for Safety have been submitted to the Event Safety Advisory Group (ESAG). They have been adjusted and the licensing officers and ESAG agree with the plans. Licensing objectives have been discussed; there is a robust set of conditions and these have been agreed with the Police and licensing authority. Mr Clancy considers that all the concerns raised by residents have been addressed within the licensing objectives.

3.7 Mr Clancy said that one of the main area of concern for residents is management of noise. This has been discussed a great deal; Vanguardia, a top acoustic management team, have produced a report on this and plans have been agreed with the Senior Environmental Protection Officer. Noise levels during the festival will not exceed the agreed levels. If a high number of complaints is received from a particular area, staff will respond to that and make sure that the agreed levels have not been exceeded.

- 3.8 Another concern residents have is regarding protection of children from harm. Children under 18 years will be allowed into the park to encourage families to the event. They must be accompanied by an adult; there is a children's welfare area on site and a lost child point as well as a robust alcohol policy.
- 3.9 There is a lot of detail about ingress and egress in the management plans. The main ingress and egress will be via the Beckenham Hill Road gate. The route to the main area in the park will be sign posted and there will be pedestrian barriers. The egress will be gradual from about 7pm onwards and carefully managed by experienced security.
- 3.10 Environmental protection has been addressed. Stage locations were moved because of concerns about noise and lighting close to ancient woodland.
- 3.11 The festival is promoting a no single plastics use. There will be key cups on all bars and the most successful waste management in the U.K. has been engaged. There will be vehicle track ways around the park to prevent damage to the park.
- 3.12 A low risk level of trouble and anti-social behaviour is expected with the average age of patrons being 32 years. Robust security measures are in place that have been agreed by ESAG. Alcohol will be sold in accordance with responsible sales of alcohol.
- 3.13 Anti-social behaviour will be managed by their experienced security team; there will be clear signage to and from the stage area and portaloos will be provided.
- 3.14 Mr Clancy said that another concern resident is have, is patrons travelling to and from the venue. Marketing of the event stresses that there will not be any parking in the park and encourages ticket holders to travel by public transport.
- 3.15 The Chair asked whether everyone had read the conditions proposed by the Police and licensing officers and agreed by the applicant. Mr Goy had not read the conditions so it was agreed that the meeting be adjourned for 10 minutes to enable Mr Goy to read the conditions.

At 7.30pm the meeting was adjourned. It convened again at 7.40pm.

- 3.16 Councillor Hordijenko asked how residents could get in contact with organisers if they experience noise nuisance. Mr Clancy said that a customer complaints number will be publicised on the website and in a letter drop to local residents. This number will be answered by a member of staff throughout the day and they will be able to contact an acoustic consultant to check sound levels. Councillor Hordijenko asked whether staff would be able to react quickly to noise complaints. Mr Butterfield said that a noise report post event will be reported by Vanguardia. They will go to residents' homes, if necessary, to measure the level of noise. If there are several complaints over a 1-2 hour period, Vanguardia will discuss the direction and level of the music with event organisers and a solution to the issue will be agreed and implemented. He hoped that staff would be able to react within an hour, but historically this has been 2 hours.

- 3.17 Councillor Hordijenko said that some members of the public may call Lewisham Council if they have not seen the number advertised by event organisers. Mr Clancy said that traditionally, local authorities will refer complainants to event organisers. The London Borough of Haringey has the number advertised on their web site. Lewisham staff will be working on the event and will be contactable throughout the event.
- 3.18 Councillor Hordijenko asked whether security will be allowing patrons to bring alcohol in to the park. Mr Clancy said that only alcohol purchased in the park will be permitted and patrons will not be allowed to leave the premises with alcohol. There will be a thorough search of bags for alcohol, drugs and knives.
- 3.19 Councillor Anwar said that there is a litter management plan. There will be a lot of single use plastics purchased including water bottles. He asked whether food, general waste, and plastic will be recycled separately. Mr Daniel Clancy confirmed that this waste will be recycled separately in three bins and separate bins for key cups that have not been returned to the bar. When these cups are purchased, a deposit will be paid at the bar to be redeemed at the end of the day but if the patron does not want the deposit back, they can recycle it in separate bins. Water bottles may be purchased at the bar and there will also be water points in the park to refill these bottles.
- 3.20 Councillor Anwar asked how many entrances there will be and how they will prevent youths from jumping over fences. Mr Clancy said that there will be one main entrance and all the searching will be managed at this point. There will be stewarding all around the perimeter of the park, fencing will not be erected too close to trees to prevent members of the public from climbing the trees and jumping over fences. Stewarding of these fences will be at 30 metre intervals.
- 3.21 Councillor Howard said that organisers will discourage people from attending the event by car. She said that the park is not easy to access via public transport and she asked how 7000 people will come to a largely residential area without causing a nuisance to local residents. She had heard that the event is for 9 days including the setting up and removal of the equipment. She asked what organisers have done to ensure that any disruption caused to residents is minimal. Mr Clancy said that the park is served by 3 local stations. 7,000 people is not a large number for the ingress and egress of the site with these stations nearby. TfL and local station management have been advised about the event but he did not expect extra trains to be provided on the day. Extra trains were not provided for the event Love box, for which there were 40,000 ticket holders. It is expected that there will be 55% of ticket holders from South London and 30% from immediate locations. 25 % are expected to use Uber as their mode of transport, 15% by bus and a small percentage will walk. He said that this is one of their smaller events and there will be a very gradual egress; he does not have any concerns regarding ticket holders coming to the event or when they leave.
- 3.22 Mr Clancy said that the production schedule is for 8-9 days. Disruption for park users will not be excessive, only when valuable kit comes on to the site will the area need to be locked down on the Wednesday/Thursday before the event. It is a small footprint in the park that is being used; the whole park will not be used and all footpaths will remain open and everything else in the park will remain

unaffected including the mansion. The whole event will have finished and the area will be returned to normal by 4pm on the Tuesday after the event, with most of the work completed on the Sunday. On Monday the fencing will be taken down and there will be tidying up. He said that they need to balance the needs of park users with health and safety of the event and he would not want to compromise on health and safety. He said that he is concerned about environmental issues and would not want to damage the grass or foliage and will set up equipment and remove it gradually.

- 3.23 Councillor Howard asked whether information is already being sent out to ticket holders about the expectations of event organisers including the lack of parking spaces. Although the licence has not been granted she understood that tickets had been sold. Mr Clancy said that there are usually queries in the month before the event but that does not usually include travel plans; this is on line. Mr Butterfield said that a lot of the information agreed will be included in a letter that will be set out locally. Ms Spall said that on the event web site, it states that ticket holders should not travel by car. Mr Butterfield confirmed that other important information, including the fact that alcohol will be allowed on site is also on their web site.
- 3.24 The Chair asked what the policy is if someone leaves this event. Mr Clancy said that there will not be any re-admission. In the past, patrons have wanted to leave to obtain cash, but there will be cash machines at the event.

### **Representation**

- 3.25 Ms Garcia said that she lives close to the park, and residents have experienced problems with small events held at the park. One small music event had been held at the Mansion House and a fight broke out at midnight. People were drunk in the road and they caused mayhem for residents. It was not dangerous but it was a nuisance and frightening.
- 3.26 Ms Garcia said that the application for a premises licence for Naked City had not been well publicised. It was hidden behind a murky glass and difficult to see. Residents are very concerned about such a big event being held in the park. She is concerned that with all best intentions, there can still be problems when people have been drinking all day. The park is big and access is difficult. She has investigated the experience of the groups on the application. Although they did not seem to have a lot of experience, Mr Clancy had outlined their large events they have managed and their experience over several years, at this meeting, so she hopes that they will manage this event well.
- 3.27 Ms Garcia said that only at the end of the event will they know if anything has been destroyed in the park or whether there has been nuisance for residents because access to the park is via residential roads. She said that the website describes the event as holding adult entertainment, she questioned the meaning of this. In conclusion, she is concerned about the licence being granted in perpetuity because it may not be successful particularly with regard to people travelling to and from the venue and the nuisance it could cause local residents.

- 3.28 Mr Goy said that he has been visiting the park since a child and although he has been involved in campaigns with the friends of Beckenham Place Park since 1991, he was making his representation as an individual.
- 3.29 Mr Goy said that he met Councillor Hall about a month ago, and he has been in email correspondence with him, and in his view, there is nothing that Councillor Hall has said that has prejudiced his ability to attend this meeting. Mr Goy said that in the response notice sent to him, it states that he has the right to be represented by any person and had suggested to the legal officer that Councillor Hall should represent him. However, the legal officer was adamant that he should not be his representative or attend the meeting. Ms Der Man said that she had given advice to Councillor Hall and it is a matter for each councillor as to how they proceed. If she had known that this was Mr Goy's intention in advance, she would have contacted him before the meeting and suggested that he receive independent advice himself. Mr Goy said that he had only met Councillor Hall this evening and was expecting him to be on the Committee and it would have been a way for him to make representation.
- 3.30 Mr Goy said that he loves parks and tries to protect them. People in previous generations have established them and they should be there for future generations to enjoy; particularly with increasing numbers of people in the area, they need an area to enjoy. He believes that open spaces are being sold by cash strapped councils
- 3.31 Mr Goy said that he knows that half of his representations have been beyond the licensing objectives and he has sent his comments to the Mayor and received a reply agreeing with him, that parks should be green tranquil places for everyone to enjoy.
- 3.32 Mr Goy asked for it to be noted that last year he made an objection on behalf of Beckenham Place Park. He was unhappy with the process; having put a lot of effort into the objection, he received one unsatisfactory email in response. The process has improved this time. He has submitted three pages outlining his objections to the application. The Chair advised Mr Goy that the parts of his representation that have been crossed out, cannot be considered by members of the Committee because they do not relate to the four licencing objectives. Ms Der Man said that a number of his objections can be considered and she recommended that he concentrate on those matters relevant to this Committee. Mr Goy said that of the three pages submitted, only two paragraphs were allowed. He asked for reasons why his objections were deemed to be irrelevant but had not received a satisfactory response. He said that, in his opinion, officers had not complied with the Licensing Act 2003, he considered all of his objections to be relevant under this Act. In addition, under the Human Rights Act, everyone is entitled to a fair and impartial hearing and unless all of his objections are taken into account, he did not believe that this would be a fair and impartial hearing.
- 3.33 In order to obtain clarity on the matter, the Chair adjourned the meeting for 5 minutes. When they reconvened, the Chair asked members to read all parts of pages 50-53, including all the representations crossed through.

At 8.20 the meeting was adjourned to allow members to read pages 50-53. At 8.27, the meeting re-convened.

- 3.34 Mr Goy said that he believes that all of his representations relate to the four licensing objectives and relevant to all those aspects of holding a premises licence when managing an event. He asked members to consider all of his points during their deliberations; if they are not considered, then he asked that this be minuted.
- 3.35 Councillor Anwar asked for clarity regarding this Council's legal status. Ms Der Man said that Mr Goy has asked members to consider all of his representations made because he believes that they are relevant to the four licensing objectives. However, officers do not believe that they are relevant. They have been retained within the paperwork and she has advised members to read all parts of Mr Goy's representation and give whatever weight they wish to give them; certainly to note them. Mr Goy is conscious that he wants all of his representations to be noted when members make their decision. Some of his points are relevant to the licensing objectives, but Mr Goy decided not to expand on these points.
- 3.36 Mr Clancy addressed some of the points raised by residents at the meeting.
- He was not aware of the event that took place at the mansion house. He suggested that there might not have been a security plan. At the Jazz festival, any violence will be sorted very quickly by the robust security team that has been hired. There is also a detailed crowd management plan.
  - There will be tower lights throughout the ingress and egress route. They throw out a lot of light and crowds will be directed towards the egress gates to ensure that they do not wander into the pitch black areas of the park.
  - The application is for a permanent licence every year. Any issues will be addressed but if there are any serious issues the licence will be revoked. Adult entertainment will not be part of the day.
  - There have been two ESAG meetings. He has read and understands the concerns of residents and taken all their points on board. The ESAG group consists of very senior officers and they have looked at all of their safety documents and residents' representations. He wants patrons to enjoy the park including 3000 people from South London. It may be a different view of enjoyment from local residents but the event is only for a few days, after which the park will revert back to its natural state.
- 3.37 Mr Goy said that ticket holders will be coming to hear the music and then leave. The park has nature, ancient woodland, animals and it is a place where people who live in built up areas can enjoy open space. Mr Goy said that in his opinion, the purpose of the park is to get back to nature. London is a built up area. There are purpose built venues for music events. There will be three stages at the event and the sound will reverberate around the park. Residents will also have to endure the noise of setting up the event; there is the potential damage to the park following trucks moving the staging, lighting and generators. £5m of lottery money has been invested in restoring the park. Mr Goy said that the Council is commercially exploiting the park, but it should be preserved and protected.
- 3.38 Members asked whether the licence could be granted for a year at a time. Ms Spall said that the application is for the event to take place on the last Saturday of

July yearly. However, if after the event there are issues, the licensing team, as the responsible authority will apply for the review of a licence and would be based on evidence. A report would be submitted to this Committee and it would then be for members to make their decision about whether the event continues or not.

3.39 Councillor Hordijkenko asked for information about the remit of the ESAG and the purpose of the meetings. Ms Spall said that any big event held in the borough, will be reported to the ESAG and their event management plan considered. Officers from licensing, trading standards, London ambulance service, Fire Brigade, Lewisham's sound officers, environmental health, attend the meeting and Ms Subramaniam Director of Public Protection & Safety and Crime Reduction is the Chair. Each meeting is event specific. The meeting in June will be held to ensure that everything outlined in plans, has been completed.

3.40 Councillor Anwar asked for it to be clarified that members have read and considered all representations made by residents.

3.41 Members of the Committee then withdrew to make their decision. When they returned it was:

**RESOLVED that the application be agreed and conditions as proposed by the Police and licensing team be added to the licence.**

3.42 Ms Spall said that an appeal may be made against this decision to the Magistrates Court within 21 days from the date of the decision letter which would be sent out within 5 days of the meeting.

The meeting ended at 9.05pm

Chair