

## **THE LONDON BOROUGH OF CAMDEN**

At a hearing of **LICENSING PANEL E** held on **THURSDAY, 22ND JUNE, 2023** at 10.00 am in remote meeting via Microsoft Teams.

### **MEMBERS OF THE PANEL PRESENT**

Councillors Meric Apak

### **MEMBERS OF THE PANEL ABSENT**

Councillors Nina De Ayala Parker and Richard Olszewski

### **ALSO PRESENT**

Councillor Jonathan Simpson

**The minutes should be read in conjunction with the agenda for the hearing. They are subject to approval and signature at the next hearing of Licensing Panel E and any corrections approved at that hearing will be recorded in those minutes.**

### **MINUTES**

#### **1. ELECTION OF CHAIR**

Councillor Merik Apak, the only appointed Licensing Panel E Panel Member present, was nominated as chair for the duration of the meeting. It was confirmed that the election of chair for Licensing Panel E for the municipal year 2023/24 would be deferred to the next meeting.

#### **RESOLVED –**

THAT Councillor Merik Apak was elected as Chair of Licensing Panel E for the duration of the meeting.

#### **2. GUIDANCE ON REMOTE MEETINGS HELD UNDER THE LICENSING ACT 2003 AND ASSOCIATED REGULATIONS**

#### **RESOLVED –**

THAT the guidance on remote meetings be noted.

#### **3. APOLOGIES**

Apologies had been received from Councillors Richard Olszewski and Nina de Ayala Parker. Councillor Simpson was in attendance as a substitute.

**4. DECLARATIONS BY MEMBERS OF STATUTORY DISCLOSABLE PECUNIARY INTERESTS, COMPULSORY REGISTERABLE NON-PECUNIARY INTERESTS AND VOLUNTARY REGISTERABLE NON-PECUNIARY INTERESTS IN MATTERS ON THIS AGENDA**

There were no declarations.

**5. ANNOUNCEMENTS (IF ANY)**

**Broadcasting of meeting**

The Chair made the following announcement: "In addition to the rights by law that the public and press have to record this meeting, I would like to remind everyone that this meeting is being recorded and broadcast live by the Council to the Internet and can be viewed on our website for six months after the meeting. After that time, recordings are archived and can be made available upon request.

If you have asked to address the meeting, you are deemed to be consenting to having your contributions recorded and broadcast, including video when switched on, and to the use of those sound recordings and images for webcasting and/or training purposes."

**6. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT**

There was not urgent business.

**7. MINUTES**

**RESOLVED –**

THAT the minutes of the meeting held on 2 February 2023 be approved and signed as a correct record.

**8. HAMPSTEAD SUMMER FESTIVAL 2023 - BIG FAIR DAY: HEATH STREET, HAMPSTEAD, NW3**

Consideration was given to a report of the Executive Director Supporting Communities detailing applications for six temporary event notices (TENs) under Section 100 of the Licensing Act 2003.

The Licensing Officer summarised the report. A correction was made to the published report, that the application was for on and off sales of alcohol.

PC Rachel Aldis summarised the Police objection notice. In addition to the written representation, the following was outlined:

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- In order to ensure a safe and legal event, the Police believed that each TEN area (up to 499 people) should be separated using barriers and clickers to monitor the number in each area.
- The Police stated that earlier in the week they had a meeting with the Applicant. During that meeting, the applicant claimed there would be 2,000 at the event at any given time, 4,000 per hour, and the whole event throughout the day in total may attract 20,000 visitors. The Police took into consideration the 120 stall holders and security staff adding to the people footprint. In current plans, and did not believe there was the ability for the organisers to know how many visitors would attend the event at any given time.
- The Police did not oppose the event itself and understood the event to have run well in the past, with no recorded incidents, however in the past the event was licensed to operate under a premises licence with conditions and was not operating on multiple TENs.

During questions of the responsible authority, the following was clarified:

- Within the report, the Police were objecting the TEN applications on public safety grounds and not crime and disorder. Environmental Health did not make a representation.
- The Police confirmed that if the event were to go ahead using multiple TENs, the Licensing Act would be compromised by breaching the numbers allowed at a TENs event, given the expected numbers and no plans for barriers.
- The Police confirmed they had tried to mediate with the event organisers before the hearing, but were unsuccessful in resolving all of their concerns. The applicant was not prepared to accept the Police recommendations for barriers to be installed.
- The Police clarified that the sectioning of TENs areas was necessary because one of the TENs would be providing regulated entertainment: *115511 - Heath Street. From the junction with East Heath Road/West Heath Road at the upper end to junction with Upper Terrace at the lower end.*

Els Bauer (Chair of the Hampstead Summer Festival), accompanied by Margaret Anne Ward (Applicant) and Simon Freedman (CSP Security Services), summarised the applications. In addition to the information set out in the papers, the following was stated:

- The annual Hampstead Summer Festival had operated since 2011 and paused between 2019-2022 due to the pandemic.
- The festival was a family event and no incidents had occurred in previous years.
- It was confirmed that the organisers would usually apply for a premises licence to cover the whole event, however due to personal circumstances the deadline to apply and hold the event using a premises licence was missed. Camden Council advised that applying for multiple TENs could be a solution to still hold the event.

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- They stated that barriers would be erected around the parameter of the whole event. If barriers were separating each TEN area, the flow of visitors would be affected and increase potential blockage risks.
- Due to the street layout, the organisers believed the number allowed in a TENs area would not be exceeded.
- Since speaking to the Police, the organisers had put additional crowd management and security provisions in place to respond to safety concerns. The organisers hired a supporting team of 12 (six security, and six volunteers) who would be fully briefed on managing the event. There were additional members of the security team and volunteers in comparison to previous years.
- The organiser listed the overcrowding preventive measures: some of the team had previous experience in managing this specific event and knew the most likely visitor bottlenecks; the team would be equipped with two-way radios; the team would be counting heads to manage numbers in each TEN area; the team would be orderly moving people along if any blockages arose; the team would be using clickers at the main tube station side entrance, and would close that entrance to the event if deemed necessary.
- The entertainment had been reduced to one stage, having been two in previous years.

During questions of the Applicant, the following was clarified:

- Simon Freedman informed the Panel that his company had worked at the Festival three times before.
- The security team were experienced at this type of event and the lead member of security this year had carried out the same role in the 2019.
- In previous years, there had never been an issue with the number of visitors. The event was a family day out, with children's activities and stalls, and was not a drinking-led event.
- The security team would be monitoring visitor pinch points and managing food trader queues, ready to advise customers to come back later or move people to less busy traders in necessary.
- In relation to the stage, it was confirmed that visitors were able to view the performances from higher surrounding areas outside of the specific TEN area.
- There were four members of the security focussing of crowd control, two managing the entrances at either end of the street, and there were two traffic marshals supporting the team.
- It was confirmed that there was the option for visitors to move downside streets to the event to leave the area if it became overcrowded.

In their closing remarks, PC Rachel Aldis stated that it was not the Police's intention to impede a successful event and they acknowledged it had been well run in previous years. However they believed that if the event was to take place with the predicted numbers using six TEN areas, and without mitigating concerns by agreeing all of the Police recommendations, there was a risk of breaching the number allowed under the Licensing Act for each TEN area.

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In their closing remarks, Els Bauer told the Panel that the event had run nine times successfully in the past without any problems occurring. They were sure that the event would be safe and well managed with the experienced security team and supporting volunteers and using the additional mitigating measures.

#### **Decision and Reasons**

In their deliberations, Members confirmed that they had heard and considered all the evidence and that their consideration was only in relation to the prevention of public safety licensing objective not crime and disorder as confirmed by the Police.

Members stated that the number of people attending the event should be the number expected at any one time (2,000), and not the total for the day (20,000), as that was the number which would apply to the 499 maximum number per TEN. Therefore, the probability was the number of visitors would not exceed the limit in the six TENs areas and Licensing Act would not be breached. Members also noted that the event had been run and managed for nine years without incident and took this into account.

Having heard and considered the number of targeted additional security measures outlined by the organisers, Members were assured they would be sufficient to manage the annual family event as described. However, Members did note that the organiser should in future ensure a premises licence was applied for any future events to allow for full consultation on the application and appropriate conditions to be attached if a premises licence was granted.

Members stated they would grant all six TEN applications, as set out in the papers, having considered the Police objection notice and event organiser's submissions they were assured that the licensing objectives would be upheld.

#### **RESOLVED –**

THAT all six temporary event notice applications, scheduled for Sunday 2 July 2023, 12:00 – 17.30 for the sale of alcohol on and off-premises, be granted for:

1. 15509 – Heath Street. Opposite Upper Terrace on the raised pavement
2. 115511 - Heath Street. From the junction with East Heath Road/West Heath Road at the upper end to junction with Upper Terrace at the lower end.
3. 115515 - Heath Street: From the junction with Upper Terrace at the upper end to junction with The Mount at the lower end.
4. 115517 - Heath Street: from the junction with The Mount at the upper end to junction with Youngs Court at the lower end.

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5. 115518 - Heath Street: From the junction with Youngs Court at the Upper end to Hollybush Steps at the lower end.
6. 115520 - Heath Street: From Hollybush Steps at upper end to Hampstead Tube Station at the lower end.

**ACTION BY: Executive Director Supporting Communities**  
**9. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**

There was no urgent business.

The hearing ended at 11.25 am.

**CHAIR**

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**MINUTES END**