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LICENSING SUB-COMMITTEE

30 JANUARY 2018

(3.35 pm - 5.52 pm)

PRESENT Councillors John Bowcott (in the Chair),
Councillor Agatha Mary Akyigyina and Councillor Judy Saunders

ALSO PRESENT For the Applicant: Matthew Phipps TLT Solicitors
Rob Dudley, We Are The Fair
Peter Nash, Joynes Nash
Nick Morgan
Robert Hives
Yasmin Galletti

Interested Parties: Elspeth Clarke
Robert Whitfield

Elizabeth Macdonald – Licensing Officer
Peter Rollins – Legal Officer
Amy Dumitrescu – Democratic Services Officer

1 APPOINTMENT OF CHAIR (Agenda Item 1)

RESOLVED: That Councillor John Bowcott be appointed Chair of the meeting.

2 APOLOGIES FOR ABSENCE (Agenda Item 2)

There were no apologies for absence.

3 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 3)

There were no declarations of interest.

4 WE ARE THE FAIR LTD, MORDEN PARK OPEN SPACE, LONDON ROAD, MORDEN (Agenda Item 4)

The Chair opened the meeting, introduced the Committee and Legal Officer and outlined the procedure to be followed during the meeting as detailed in the main agenda pack.

Matthew Phipps, representing the applicant, presented the application advising that this was the second application by the Applicant for this location and the 7th overall for the event, having previously been held in Hatfield House. Mr Phipps stated that there had been many representations received for the first application in 2017 from Responsible Authorities, noting that their overriding concern was how the event would be managed and delivered. Mr Phipps advised that it was the Applicants' view that the event had passed off satisfactorily and this was evidenced by the absence of any representations from any of the responsible authorities including those who had

put in representations for the 2017 event. The Applicant also noted that they had worked hard to ensure that the Registry Office, who had concerns in 2017 were not disturbed and noted they had not made any objection to the 2018 event.

The Applicants' representative advised that following the 2017 event, the Safety Advisory Group had met and de-briefed and that the dialogue between them was still continuing and was informing the application for the 2018 event.

The Applicants' representative gave an overview of the application itself noting the hours and licensable activities sought and drawing the Committee's attention to the comprehensive operating schedule, noting the conditions offered had all been discussed with the responsible Authorities.

The Applicants' representative advised that the Applicant was aware of several areas where improvements could be made and gave an overview of those as follows:

- 1) Queuing – The Applicants' representative informed the Committee that this would be enhanced in 2018 to avoid long queueing times which occurred in 2017. There would be a split queue allowing twice the ability to queue and an additional VIP queue.
- 2) Litter & Waste Management – There was room for improvement in this area and these would be included in the Waste Management Plan.
- 3) More portaloos were to be provided outside the venue and the locations of these would be discussed with the Local Authority.

The Applicants' representative stated that this aside, they were of the view that they had a good year in 2017.

Addressing the issues raised by residents in their representations, the Applicants' representative advised the following:

- Noise: The 2017 had complete compliance with the noise regulations agreed and with the Noise Management Plan. There had been no breach of noise levels at any point. The noise on site was managed by an independent company and the Local Authority's Environmental Health Team, whilst off-site monitoring was undertaken by two patrolling consultants who measured the noise levels at points closer to the event than any residential property. There was also a complaint hotline set up and following concerns raised from 2 locations (The Rectory and Rutland Drive) these were visited and those visits concluded that there had been no breaches of noise levels. The Complaint Hotline number for 2018 would be published in advance, but the Applicants' representative commented that hearing the event did not confirm it was a nuisance and that, by its' very nature, the event would produce noise and have some impact. The Applicants' representative referred to a representation by Ms Clarke regarding the noise levels and stated that although they were sorry that Ms Clarke was less than happy about the noise, this did not allow for the

conclusion that the event was creating a noise nuisance. The Applicants' representative acknowledge the concerns about disturbing the weddings and Church Services at the Church and advised that, as last year, they would work hard to ensure they were not disturbed and would ensure that they provided fair access to the church.

- Damage to the Park – The Applicant had provided a deposit to the Local Authority of £7500 in 2017 for the Parks team to put the Park back into good order, and £4500 of that total was returned to the Applicant following the event. The Applicant noted that having been invited back this gave a fair reflection of the view of the Parks department.
- Traffic – The Traffic Management Plan would include access to the church as well as an enhanced facility for taxi/uber drop-off and pick-up points for the event off site. There would be further litter patrols and stewards to give directions to the pedestrians leaving the event.
- The Church – The Applicant was proposing more litter patrols and more supervision for the area surrounding the Church.
- Litter – There was ongoing dialogue informing the Waste Management Plan and the Applicant planned to look at having more of a response team to attend to issues and more bins were planned, the locations of which would be informed by discussions with police which were ongoing.
- Anti-Social Behaviour – There was an alcohol policy in place including a refusals register and training of staff. The applicant advised there would be more stewards on site to monitor arrivals and those in the queues and attendees would be refused entry if required. The Applicant was entirely satisfied that the alcohol on site was sold responsibly.

The Applicants' representative advised that they had read through all the representations.

Ms Clarke asked if it was possible for the noise levels that were set to be reduced, to which the Applicant responded that whilst they believed that the levels were appropriate, they could consider alternative locations to monitor the sound from, noting Ms Clarke's comments regarding the noise level being higher in some roads than others.

Councillor Akyigyina asked for clarification on the finishing time on the Sunday and the Applicant advised that the site would close at 23:00, with music finishing at 22:00 and sale of alcohol at 21:30 to allow for departure time of attendees after licensable activities had finished.

Councillor Judy Saunders asked whether the Applicant had held 2 day events at other locations in the past, what would be done to prevent any rough sleeping by attendees going to both days, how many complaints were made to the hotline in 2017 and what time noise tests would be undertaken. In response the Applicant advised that they had held a number of other 2 and 3 day events in other locations, that the site would be swept on the Saturday night and cleared of any customers. The

Applicant stated that there had been 12 complaints to the hotline in 2017 and that noise tests had to take place to ensure compliance and these would take place at approximately 10am on each day.

In response to further questions the Applicant advised that the numbers requested were 19,999 for each day of the event, though less were expected to attend on the Sunday.

In regards to drugs use, the Applicants' representative responded that there was a drugs policy which they believed had worked well. The Applicant advised that metal detectors would have identified any gas canisters being brought into the site.

Elsbeth Clarke asked in relation to her representation whether the communication with residents would be better for this years event and whether there could be a more family-orientated event at Morden Park. Ms Clarke expressed that she did not feel that this event was appropriate for Morden Park. The Applicant responded that they had noted to do more in regards to communication and were very happy to ensure comprehensive liason as well as being open to discussing other future events.

Councillor John Bowcott asked for clarification if the numbers requested (19,999) were correct and the Applicant responded that they were, noting that the previous year had been limited to 17,000 however they had now proved themselves and there was nothing in the representations to suggest the numbers needed to be reduced.

Robert Whitfield spoke on his representation raising concern over the use of same-gender searches by security staff at the 2017 event, his concern about the use of drugs on site at the event and the excessive noise from the 2017 event.

The Licensing and Legal Officers confirmed they had nothing to add at this stage.

In summing up, the Applicant re-iterated that hearing the event did not mean it was creating a nuisance, that the noise plan was delivered and adhered to and that they were happy to continue dialogue on the noise monitoring locations. The Applicant continued that the numbers were properly set, however if this was a concern then reduced numbers could be considered for the Sunday but the evidence didn't imply that was required. The Applicant noted that there were lots of concerns in 2017 from various parties but none of those materialised and the event was a success. The Applicant advised that they accepted the queuing, litter and toilets needed to be looked at and required improvement but invited the Committee to grant the licence as sought. The Applicant advised they would be happy to agree to a condition regarding continuing dialogue with residents.

The Committee retired at 17.01 to make their decision.

The Committee reconvened at 17:49. The Legal Officer advised that the representations had been considered in depth as had the application, the legislation and the licensing objectives. The Legal Officer advised that the Committee had noted the absence of representations from Responsible Authorities and also had noted the pertinent timing of the application.

The Chair informed all present of the Committee's decision and closed the meeting at 17:52.

RESOLVED: That the Licence application is granted.