

**MINUTES OF A MEETING OF THE  
LICENSING SUB-COMMITTEE  
Council Chamber - Town Hall  
2 November 2011 (2.30 - 3.20 pm)**

**Present:**

**COUNCILLORS**

**Conservative Group**            Peter Gardner (Chairman) and Frederick Thompson

**Labour Group**                 Denis Breading

Apologies were received for the absence of Councillors Linda Van den Hende.

All decisions were taken with no votes against.

The Chairman reminded Members of the action to be taken in an emergency.

**1        ROMFORD AND GIDEA PARK RUGBY FOOTBALL CLUB -  
APPLICATION FOR TWO TEMPORARY EVENT NOTICES.**

The applicant and a colleague were present at the hearing. Also present was PC Dave Leonard on behalf of the Metropolitan Police and Havering Licensing Officer, Mr Paul Campbell. The legal advisor and the clerk to the Sub-Committee were also in attendance.

The Chairman advised those present of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

There were no declarations of interest.

**The Sub-Committee adjourned at the end of the hearing to consider its decision, and reconvened to announce it.**

**PREMISES**

Romford & Gidea Park Rugby Football Club,  
Rear of 55-59 Crow Lane,  
Romford,  
RM7 0EP

**APPLICANT**

Mr David Goronwy Emlyn Davies  
25 Stanley Avenue,  
Gidea Park,  
Romford,  
RM2 5DL

## **DETAILS OF FIRST APPLICATION**

Application for a Temporary Event Notice (TEN) under Section 100 of the Licensing Act 2003 (“the Act”).

### **1. Details of the application**

The applicant submitted an application for a TEN on 20 October 2011 in accordance with the provisions of section 100.

The TEN is to cover the sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from a marquee and sponsors/V.I.P. bars to the front of the clubhouse adjacent to the patio on Friday 4 November 2011, from 18.00 to 22.00 hours.

### **2. Grounds of objection**

Havering Police served a notice of objection on the Licensing Authority on 20 November 2011. The grounds for objection to the application for a TEN are as follows:

Prevention of Crime and Disorder

Whilst there may not necessarily be a fear of crime occurring at this family-themed event, based on the attendance figures at last year’s event and the disruption caused to the local residents, it would be remiss not to expect that there was a strong possibility of disorder occurring if the event was not properly managed again this year.

### **3. Details of Representations**

#### **Chief Officer of Metropolitan Police (“the Police”)**

The club operates with a Club Premises Certificate (CPC) which means it caters for club members and guests *not* the general public. The club applied for, and failed to get, a premises licence earlier in the year in an effort to host music festivals for up to 14,999 people. The police were advised by the club at the Licensing hearing in July 2011 that the premises licence application was initially inspired by the ‘success’ of their 2010 Fireworks Display when they planned the ‘ticket only’ event to cater for 1500 people.

The event turned into a traffic management nightmare and brought Crow Lane and the surrounding area to a standstill when over double the anticipated numbers of spectators descended upon the venue.

Despite conceding a naïve incompetency to arranging such events, the applicants were advised in no uncertain terms of their responsibilities to the community and of the need to liaise and plan any future proposed large-scale events with the police, fire brigade and local authorities. The police

were unaware that any such actions had been taken for this year's 'Spectacular'.

The Police were mindful that the only ground permitting them to oppose the Temporary Event Notice was the potential concern for the event to result in causing crime and disorder. Whilst there may not necessarily be a fear of crime occurring at this family-themed event, based on the attendance figures at last year's event and the disruption caused to the local residents, it would be remiss not to expect that there was a strong possibility of disorder occurring if the event was not properly managed again this year.

Since lodging the objection an Emergency Safety Advisory Group meeting had been held with the applicants and involving key partners such as the Police, Fire Brigade and the local authority. A number of issues had been raised with the applicants at that meeting. Following that meeting Health and Safety and the Fire Brigade had visited the premises and given their approval for up to 5,000 people attending the event, i.e. the Fireworks Spectacular. A comprehensive Events Management Plan had been prepared by the club.

#### **4. Determination of Application**

**Consequent upon the hearing held on 2 November 2011, the Sub-Committee's decision regarding the application for a Temporary Event Notice for the Romford & Gidea Park Rugby Football Club is as set out below, for the reasons stated:**

The Sub-Committee was obliged to determine this application with a view to promoting the licensing objectives, which in respect of temporary event notices are limited to:

- The prevention of crime and disorder

In making its decision, the Sub-Committee also had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and Havering's Licensing Policy.

In addition the Sub Committee took account of its obligations under s17 of the Crime and Disorder Act 1998, and Articles 1 and 8 of the First Protocol of the Human Rights Act 1998.

### **Agreed Facts**

#### **Decision**

##### **Issue 1**

##### **Crime and Disorder**

The Sub-Committee was informed that last year the applicants had held a 'successful' fireworks event at their premises. However, because more people attended than anticipated the event turned into a traffic management nightmare and brought Crow Lane and the surrounding area to a standstill when over double the anticipated

numbers of spectators descended upon the event.

In July the Club had applied for a premises licence in an effort to enable them to host music festivals for up to 14,999 people. This application was unsuccessful.

Prior to submitting the current application for a Temporary Event Notice the Club failed to contact any of the key authorities i.e. police, fire brigade, local authority, creating serious concerns that their management of the event could be flawed. Since the Police lodged their objection the club have met representatives of the Police, Fire Brigade and Local Authority to tackle the areas of concern.

**Response of the Applicant**

The applicant advised that the club was a community owned club and the annual fireworks event was one of their two or three major fund raising events of the year. They had learnt lessons from last year's event and planned to utilise 100 marshals, compared to 60 last year to marshal the crowd. Additionally they would have 8 ticket booths to ease entry into the site and the tickets would be bar coded to facilitate quick entry. The Temporary Event Notice was for a small marquee to act as an extension of the clubhouse as a bar area, as there will be some overspill from the clubhouse. They also sought to play music ancillary to the fireworks display, and some live music prior to the display, in the form of a Kylie Minogue tribute act, which was scheduled to last around 45 minutes.

Following meetings with the Fire Brigade and the Local Authorities Health and Safety Team a comprehensive Event Management Plan had been prepared and made available to the police.

Access to the bars would be controlled by stewards to ensure only club members could access these areas. They confirmed that the advert on the internet offering club membership to all ticket-holders had been withdrawn.

5. **Decision**

Having considered the oral and written submissions of the Police in relation to the TEN, the Sub-Committee **allowed** the application for the following reasons and with the following cautions:

- A key element of the Temporary Event Notice system is the so-called "light touch", whereby the presumption is very much in favour of permitting the activity to take place. Only the Police can object to a

TEN, and only if satisfied that the activity would undermine the crime prevention objective.

- The Sub-Committee was of the opinion that there was insufficient evidence in this instance to persuade it that there was a risk of crime and/or disorder – which was the only part of the Licensing Objectives it could consider – to warrant the refusal of the application.
- The applicants were advised that it was their responsibility to manage the event and should they fail to do so either the Police or the Licensing Officer could shut down the event.

## **DETAILS OF SECOND APPLICATION**

Application for a Temporary Event Notice (TEN) under Section 100 of the Licensing Act 2003 (“the Act”).

### **1. Details of the application**

The applicant submitted an application for a TEN on 20 October 2011 in accordance with the provisions of section 100.

The TEN is to cover the provision of regulated entertainment and the provision of late night refreshment from a small staged area to be located adjacent to and south of the clubhouse (along western boundary) on Friday 4 November 2011, from 17.00 to 21.30 hours.

### **2. Grounds of objection**

Havering Police served a notice of objection on the Licensing Authority on 20 November 2011. The grounds for objection to the application for a TEN are as follows:

Prevention of Crime and Disorder

Whilst there may not necessarily be a fear of crime occurring at this family-themed event, based on the attendance figures at last year’s event and the disruption caused to the local residents, it would be remiss not to expect that there was a strong possibility of disorder occurring if the event was not properly managed again this year.

### **3. Details of Representations**

#### **Chief Officer of Metropolitan Police (“the Police”)**

The club operates with a Club Premises Certificate (CPC) which means it caters for club members and guests *not* the general public. The club applied for, and failed to get, a premises licence earlier in the year in an effort to host music festivals for up to 14,999 people. The police were

advised by the club at the Licensing hearing in July 2011 that the premises licence application was initially inspired by the 'success' of their 2010 Fireworks Display when they planned the 'ticket only' event to cater for 1500 people.

The event turned into a traffic management nightmare and brought Crow Lane and the surrounding area to a standstill when over double the anticipated numbers of spectators descended upon the venue.

Despite conceding a naïve incompetency to arranging such events, the applicants were advised in no uncertain terms of their responsibilities to the community and of the need to liaise and plan any future proposed large-scale events with the police, fire brigade and local authorities. The police were unaware that any such actions had been taken for this year's 'Spectacular'.

The Police were mindful that the only ground permitting them to oppose the Temporary Event Notice was the potential concern for the event to result in causing crime and disorder. Whilst there may not necessarily be a fear of crime occurring at this family-themed event, based on the attendance figures at last year's event and the disruption caused to the local residents, it would be remiss not to expect that there was a strong possibility of disorder occurring if the event was not properly managed again this year.

Since lodging the objection an Emergency Safety Advisory Group meeting had been held with the applicants and involving key partners such as the Police, Fire Brigade and the local authority. A number of issues had been raised with the applicants at that meeting. Following that meeting Health and Safety and the Fire Brigade had visited the premises and given their approval for up to 5,000 people attending the event, i.e. the Fireworks Spectacular. A comprehensive Events Management Plan had been prepared by the club.

#### **4. Determination of Application**

**Consequent upon the hearing held on 2 November 2011, the Sub-Committee's decision regarding the application for a Temporary Event Notice for the Romford & Gidea Park Rugby Football Club is as set out below, for the reasons stated:**

The Sub-Committee was obliged to determine this application with a view to promoting the licensing objectives, which in respect of temporary event notices are limited to:

- The prevention of crime and disorder

In making its decision, the Sub-Committee also had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and Havering's Licensing Policy.

In addition the Sub Committee took account of its obligations under s17 of the Crime and Disorder Act 1998, and Articles 1 and 8 of the First Protocol of the Human Rights Act 1998.

**Agreed Facts**

**Decision**

**Issue 1**

**Crime and Disorder**

The Sub-Committee was informed that last year the applicants had held a 'successful' fireworks event at their premises. However, because more people attended than anticipated the event turned into a traffic management nightmare and brought Crow Lane and the surrounding area to a standstill when over double the anticipated numbers of spectators descended upon the event.

In July the Club had applied for a premises licence in an effort to enable them to host music festivals for up to 14,999 people. This application was unsuccessful.

Prior to submitting the current application for a Temporary Event Notice the Club failed to contact any of the key authorities i.e. police, fire brigade, local authority, creating serious concerns that their management of the event could be flawed. Since the Police lodged their objection the club have met representatives of the Police, Fire Brigade and Local Authority to tackle the areas of concern.

**Response of the Applicant**

The applicant advised that the club was a community owned club and the annual fireworks event was one of their two or three major fund raising events of the year. They had learnt lessons from last years event and planned to utilise 100 marshals, compared to 60 last year to marshal the crowd. Additionally they would have 8 ticket booths to ease entry into the site and the tickets would be bar coded to facilitate quick entry. Following meetings with the Fire Brigade and the Local Authorities Health and Safety Team a comprehensive Event Management Plan had been prepared and made available to the police. The Temporary Event Notice to allow them to play music ancillary to the fireworks display, and some live music prior to the display, in the form of a Kylie Minogue tribute act, which was scheduled to last around 45 minutes.

They confirmed that the advert on the internet offering club membership to all ticket-holders had been withdrawn.

5. **Decision**

Having considered the oral and written submissions of the Police in relation to the TEN, the Sub-Committee **allowed** the application for the following reasons and with the following cautions:

- The Sub-Committee was of the opinion that there was insufficient evidence in this instance to persuade it that there was a risk of disorder – which was the only part of the Licensing Objectives it could consider – to warrant the refusal of the application.
- The applicants were advised that it was their responsibility to manage the event and should they fail to do so either the Police or the Licensing Officer could shut down the event.

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**Chairman**