

**LONDON BOROUGH OF TOWER HAMLETS****MINUTES OF THE LICENSING SUB COMMITTEE****HELD AT 6.30 P.M. ON TUESDAY, 6 FEBRUARY 2018****THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON, E14 2BG****Members Present:**

Councillor Peter Golds (Chair)

Councillor Suluk Ahmed

Councillor Dave Chesterton

**Other Councillors Present:**

Councillor Joshua Peck

Councillor Amina Ali

Councillor Rachel Blake

Councillor Gulam Robbani

**Officers Present:**

Kathy Driver	–	(Principal Licensing Officer)	
David Wong	–	(Legal Services)	
Simmi Yesmin	–	(Senior Committee Officer, Democratic Services)	

**Representing applicants**

	<b>Item Number</b>	<b>Role</b>
Clare Eames	3.1	Legal Representative
Aidan Brooks	3.1	Owner of OSM
Toby Brown	3.1	Manager of OSM
Simon Taylor	3.2	Legal Representative
Jim King	3.2	AEG
Steve Reynolds	3.2	AEG
Dan Craig	3.2	AEG

**Representing objectors**

	<b>Item Number</b>	<b>Role</b>
Anthony Edwards	3.1	Legal Representative
Jonathan Stebbins	3.1	Resident
Tony De Jasay	3.1	Resident

**Apologies**

None

## **1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

Councillor Suluk Ahmed declared a personal interest in respect to item 3.1 that he was a ward member for Spitalfields and Banglatown.

No declarations of disclosable pecuniary interests were declared.

## **2. RULES OF PROCEDURE**

The Rules of Procedure were noted by the Sub Committee.

## **3. ITEMS FOR CONSIDERATION**

### **3.1 Application for a New Premises Licence for (OSM Ltd) Open Market Space, Old Spitalfields Market, London E1 6AA**

At the request of the Chair, Ms Kathy Driver, Licensing Officer, introduced the report, detailing the application for Open Market Space, Old Spitalfields Market, London E1 6AA. It was noted that objections had been received by local residents and resident associations as well as support from two residents.

Ms Driver explained that since the application had been made there had been a number of amendments to application in terms of timings and conditions, it was also explained that there were licences already in place if the application was to be refused. It was noted that a comprehensive set of conditions had been proposed by the applicant which had been circulated to all interested parties.

At the request of the Chair Ms Clare Eames, Legal Representative for the Applicant explained that Members having read the papers, she would only go over the key aspects of the application and address the concerns raised in relation to the cumulative impact zone (CIZ). She said it was very important to her client to have and maintain a good relationship with the local residents. It was noted that the premises had been owned by the Brooks family since 2015 and a brief history of the family was given.

Ms Eames explained that the premises currently had a licence and was in operation. It was noted that the application had been amended and conditions proposed, amendments were in essence through mediation and in consultation with the Responsible Authorities. It was further noted that the market would be opened longer than the hours the licensable activities had been applied for.

Ms Eames explained the importance to demonstrate through the proposed conditions how they would overcome the rebuttable presumption of the CIZ. She said that there had been pre consultation work with residents, an investment of £5million to improve the market area, introduction of a new kitchen area and there had been community engagement led by the Manager of the premises.

It was noted that the premises had a 150 year lease and the Brooks family had sole control of the premises has since 2015, it was believed that with the investments made to the infrastructure it would reduce the reliance on other food outlets, markets and events.

Ms Eames stated that they would surrender a licence for Smiths which was a late night venue and the licence for Square Pie which also had premise licence, therefore reducing the impact on the CIZ which is currently being experienced. It was also noted that they had removed off sales from the application.

Ms Eames highlighted the fact that there would be a reduction in the special events offered and drew Members attention to the display boards which showed the layout of the premises, it was noted that the plans on the new licence if granted would have a smaller area for the consumption of alcohol then the current licence and the dispensing of alcohol would only be 5% of the premises area and this would be marked on the premises layout plans.

Ms Eames concluded that a noise limiter would be set by an independent Environmental Health Officer and that no objections had been received from Responsible Authorities.

Members then heard from local residents, Mr John Stebbins, and Mr Tony De Jasay and from Councillor Gulam Robbani, who all shared similar concerns about the impact this licence would have on local residents if this licence were to be granted. Members noted objectors' concerns relating to the existing levels of noise nuisance and anti-social behaviour; and noted objectors' concerns about increased noise nuisance, impact upon family environment, lack of adequate toilet facilities at the premises in question for the likely increased numbers of clientele if the application were granted, that the premises would become the destination for patrons on-route to clubs/bars late at night and into the early hours of the morning, and thereby the likely impact on the cumulative impact zone.

Members then heard from Mr Anthony Edwards who represented the Resident Associations which had made objections. He explained that surrendering the current licences would not be a benefit as he explained that noise in closed premises was different from noise in an open space, which is what the application was for. He expressed the enormity of the concerns raised with approximately 100 residents objecting covering all grounds of the licensing objectives. He then described the types of anti-social behaviour that was experienced by residents on a daily basis. Mr Edwards concluded by making the following points;

- That a 2 hour extension in the evenings, would attract crowds that come in for drinks in the evenings who would then continue on into the area to other late night venues and cause public nuisance to what currently exists.
- The introduction of weekends, would be concerns on Saturdays, with the weekend night life in the Shoreditch and Brick Lane, there would be enormous amount of alcohol provision in the area attracting more party goers into the area.
- Special events in the way of Temporary Events Notices (TENs) would also cause problems as experienced during London Cocktail Week.
- That the toilet facilities were not adequate for the capacity of the premises. He also mentioned that a noise limiter would not be able to stop people from speaking loudly.

In response to questions from Members the following was noted;

- That the premises was currently in the CIZ and had a licence and therefore would not be adding to the cumulative impact.
- That the licence area for consumption and dispensing of alcohol would be reduced significantly from what it currently was and therefore only seeking an extension of the hours.
- The dispensing area would be reduced to 5% of the premises area and with clear and robust conditions it would help reverse the burden of the CIZ.
- The concept of this application was for visitors to be able to have a drink with their food in a central point, which in fact would give staff more control over customers entering and leaving the premises.
- That no responsible authorities have objected in terms of the number of toilets and therefore in the applicant's submission they were adequate.
- That the maximum capacity was for 1200 people however this did not define the numbers for an event etc.
- The consultations process was explained.
- It was confirmed that if a new licence was granted the existing licence(s) would be surrendered.
- That Smiths nightclub and Square Pie which both have premises licence would be closed.
- That there were 36 flats directly facing the premises
- No evidence to suggest that the problems currently experienced by residents were directly linked to the premises.
- That they would be closed and cleared up by 9.30pm and that there was a full dispersal policy in place.

Members adjourned the meeting at 8pm to deliberate and reconvened at 8.25pm.

### **The Licensing Objectives**

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licensing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. Prevention of Public Nuisance; and
4. The Protection of Children from Harm

### **Consideration**

Each application must be considered on its own merit. The Sub Committee has carefully considered all of the evidence before them and considered written and verbal representation from the applicant and objectors with particular regard to the licensing objections of prevention of public nuisance, the prevention of crime and disorder and the protection of children from harm.

The Sub-Committee noted that the premises in question the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. However the effect of this special cumulative impact policy is to create a rebuttable presumption.

The Sub-Committee noted that the applicant can rebut the presumption if they can demonstrate that their application for a premises licence would not undermine any of the four licensing objectives.

The Sub-Committee considered that the onus lay upon the applicant to show this through the operating schedule, with appropriate supporting evidence that the operation of the premises, if licensed, would not add to the cumulative impact already being experienced.

The Sub-Committee noted that the cumulative impact of the number, type and the density of licensed premises in the area may lead to serious problems of nuisance and disorder; and that the cumulative impact zone did not act as an absolute prohibition on granting or varying new licences within that zone.

The Sub Committee heard from the applicant that if the application were granted, the applicant would surrender the premises licences for three other premises in the area currently held by the applicant, which the applicant presented as thus mitigating the impact on the cumulative impact zone of licensed premises in the Open Market Space, Old Spitalfields Market.

The Sub-Committee noted written representations made by objectors. The Sub Committee also heard oral representations from objectors regarding the impact of the premises on the Cumulative Impact Zone. The Sub-Committee noted objectors' concerns relating to the existing levels of noise nuisance and anti-social behaviour; and noted objectors' concerns about increased noise nuisance, impact upon family environment, lack of adequate toilet facilities at

the premises in question for the likely increased numbers of clientele if the application were granted, that the premises would become the destination for patrons en route to clubs/bars late at night and into the early hours of the morning, and thereby the likely impact on the cumulative impact zone.

### **Decision**

The Sub Committee noted the applicant's representation that the impact of the premises licence if granted, at the premises in question, would be mitigated by the applicant surrendering the premises licences which they already hold in relation to three other premises in the area.

The Sub-Committee noted the applicant's reference to the absence of objections from any Responsible Authorities, and were surprised at the absence of any representations of any kind from the Responsible Authorities. However, the Sub-Committee considered that the absence of objections from any Responsible Authorities is not conclusive, and the onus remains upon any applicant seeking a premises licence in a cumulative impact zone to demonstrate that their application for a premises licence would not undermine any of the four licensing objectives. The Sub-Committee considered that offering to surrender three existing premises licences in the area did not obviate the need for the applicant to demonstrate in their operating schedule, sufficient measures of sufficient robustness which would address concerns about the impact of a premises licence for that set of premises in the cumulative impact zone. It is true that the surrender of three premises licences for other premises in the area would remove the footfall generated by those other three premises. However, the potential increased footfall arising from any grant of the application in this instance requires a particularly robust operating schedule, which should demonstrate particular measures at the premises to address the likely increased impact of increased clientele and potential alcohol fuelled disorder arising therefrom.

The Sub-Committee was not satisfied that the operating schedule as presented at the Sub-Committee meeting met that requirement. The Sub-Committee was concerned about the impact of an increase in licensing hours in the evenings and weekend; that the premises would become a destination for patrons en route to clubs/bars late at night and into the early hours of the morning; noise nuisance would increase; there would be an impact on family environment; there were inadequate toilet facilities at the premises for the likely increase in numbers of clientele; and the potential increase in crime and disorder, public nuisance and anti-social behaviour.

The Sub Committee was therefore not satisfied that the applicant had rebutted the presumption against granting a premises licence for premises situated in a cumulative impact zone, in that it was considered the applicant failed to demonstrate that their application for a premises licence would not undermine any of the four licensing objectives.

Accordingly, the Sub Committee unanimously

**RESOLVED**

That the application for a Premises Licence for Open Market Space, Old Spitalfields Market, London E1 6AA be **REFUSED**

**3.2 Application for Time Limited Premises Licence for Victoria Park, London E3**

At the request of the Chair, Ms Kathy Driver, Licensing Officer, introduced the report, detailing the application for a Time Limited Premises Licence for AEG, Victoria Park, London E3. It was noted that objections had been received by local ward councillors from Tower Hamlets and Hackney Council.

At the request of the Chair, Mr Simon Taylor, Legal Representative for the Applicants explained that a number of elements of the application had been withdrawn since the application was first made. He referred Members to the objection letter contained in the agenda on pages 503-504 and explained that following a mediation meeting with some of the Councillors they had made some progress.

It was noted that AEG was the 2<sup>nd</sup> largest promoter in world, with 15 years of experience holding events in places like the O2 and Wembley Stadium and explained that they had held previous events in Victoria Park and Hyde Park. Mr Taylor then gave examples of other successful events led by AEG to demonstrate to members the proven track record AEG had, and the support they received from the local community.

It was noted that an annual event needed embracing from the local community and this was built into the consultation and the conditions offered giving the residents the opportunity to raise concerns before and after the event.

It was further noted that there were no representations from Responsible Authorities as upon consultation they were happy with the plans proposed. It was noted that a Noise Consultant had been appointed from Vangaurdia to deal with complaints received and to comply with and manage the noise conditions and regulations etc.

He explained that a reduction in the number of years from 5 years to 1 year would not be feasible as the licensing regime allowed for a licence for multiple years and not only permanent licence. It was noted that AEG had been awarded the land licence for Victoria Park and wanted to mirror this with a premises licence to create a synergy and to cut costs. He explained that a review process was available to everyone and is a primary remedy if anything was to go wrong. He explained that the conditions proposed were tailored to suit a multiple licence.

Mr Taylor concluded that if Members were satisfied to agree a 1 year licence then why not confident to grant a 5 year licence.

Members then heard from Councillor Josh Peck, he explained that he represented all the Councillors who had objected and in total was representing 90,000 residents between them. He said he was delighted that AEG won the tender, however said that despite how good they were, it was difficult to know the impact its events would have and simply impossible to mitigate potential problems. He said that all processes that has been mentioned by the Applicants had been used before and none of them had adequately managed it. He said that 2 out of the 4 issues raised in the objections have been resolved.

The two remaining was the 75 dba as close proximity to residents and the number of years for the licence.

He then proposed the following that the objectors would be happy with a MNL at 70dba for a 5 year licence or a MNL at 75dba for a 2 year licence.

Councillor Rachel Black and Councillor Amina Ali also raised similar concerns and highlighted the issues relating to noise nuisance.

In response to questions from Members the following was noted;

- That if a two year licence could be granted then why not a five year licence?
- That the applicants would be investing a significant amount of money into the process and a longer licence would justify their costs.
- That there would be a large number of sanitation facilities in and around the venue, as well as, on the route to the stations. It was noted that the applicant's would be doubling the number of toilet facilities that had been recommended for such an event.
- That the applicant's would be amenable to a 3 year licence with the MNL set at 75dba as the community investment which is proposed is heavily linked to a 5 year contract.
- That there would be increased stewards and sanitation facilities.
- That the Councillors were of the view that a 2 year licence would build trust with residents and then give the applicants the opportunity to re-apply for the remaining years.

Members adjourned the meeting at 8pm to deliberate and reconvened at 8.25pm.

### The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of



Licensing Policy and in particular to have regard to the promotion of the four licencing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. Prevention of Public Nuisance; and
4. The Protection of Children from Harm

### Consideration

Each application must be considered on its own merit. The Sub Committee has carefully considered all of the evidence before them and considered written and verbal representation on behalf of the Applicant and the local Councillors who had made objections with particular regard to the licensing objection of the prevention of public nuisance.

Members noted that a mediation meeting had taken place between the interested parties during which some points were addressed and options for a reduction in the term of the licence was discussed.

Members were of the view that a comparison to events in Hyde Park and Wembley Stadium were not the same as Victoria Park as the demographics and transport links were very different as opposed to the others, as Victoria Park was in the middle of a residential area and in close proximity to the park.

Members considered the impact on the local residents and noted the number of complaints from previous events at the park and from their own local knowledge. Members were concerned with the potential increase in the number of people that would be visiting the area during the event periods and the likelihood of increased public nuisance. It was noted that although there was an option for interested parties to review a licence, the process to seek a review was not so easy and straightforward.

Members welcomed the efforts made by the Applicant in offering a set of robust conditions and were also pleased to note the increase in sanitation facilities around the park and on route to transport links.

Members considered the proposals made at the meeting and were of the view that due to the number of complaints from previous events it was reasonable and proportionate to grant a two year licence with MNL at 75dba. This would allow the applicants the opportunity to demonstrate their event management plans and would then be able to apply for the remaining term of the contract.

Members considered the proposed conditions by the applicant and the impact of the application on the local area and local residents. Therefore considering all of the above, Members decided to GRANT the application in part to appease the concerns of residents in both Tower Hamlets and the neighbouring borough of Hackney.

### Decision

Accordingly, the Sub Committee unanimously –

**RESOLVED**

That the application for a Time Limited Premises Licence for AEG, Victoria Park, London E3 be **GRANTED IN PART**.

**Time Limited Premise Licence**

**6<sup>th</sup> February 2018 to 6<sup>th</sup> February 2020**

Hours premises are open to the public

Monday 10.00 hours to 23:00 hours \*  
Tuesday 10.00 hours to 22.30 hours  
Wednesday 10.00 hours to 22.30 hours  
Thursday 10.00 hours to 22.30 hours  
Friday 10.00 hours to 23.30 hours#  
Saturday 12.00 hours to 23.30 hours  
Sunday 12.00 hours to 23.00 hours

\*where event days fall on bank holidays the following timings would apply for major events, Bank Holiday Monday: 12.00 hours to 23:00 hours.  
For minor events, Bank Holiday Monday: 10.00 hours to 22:00 hours

#where event days fall on Friday the following timings would apply for major events, Friday: 12.00 hours to 23.30 hours. For minor events, Friday: 10.00 hours to 22:00 hours

Supply of Alcohol:

Monday - 10.00 hours to 22.15\* hours  
Tuesday 10.00 hours to 21.45 hours  
Wednesday 10.00 hours to 21.45 hours  
Thursday 10.00 hours to 21.45 hours  
Friday 10.00 hours to 22.45# hours  
Saturday 12.00 hours to 22.45 hours  
Sunday 12.00 hours to 22.15 hours

\* where event days fall on bank holidays the following timings would apply for major events, Bank Holiday Monday: 12.00 hours to 22.15 hours.

For minor events, Bank Holiday Monday: 10.00 hours to 21.30 hours and closing time of the venue for “Minor” events to 22:00 hours

# where event days fall on Friday the following timings would apply for major events, Friday: 12.00 hours to 22.45 hours. For minor events, Friday: 10.00 to 21.30 hours and closing time of the venue for “Minor” events to 22:00 hours

Plays / Films / Indoor sporting events / Boxing or Wrestling/ Live Music / Recorded Music/ Performance of Dance / Anything of a Similar Description:

Monday 10.00 hours to 22.30 hours \*  
Tuesday 10.00 hours to 22.00 hours  
Wednesday 10.00 hours to 22.00 hours  
Thursday 10.00 hours to 22.00 hours  
Friday 10.00 hours to 23.00 hours#  
Saturday 12.00 hours to 23.00 hours  
Sunday 12.00 hours to 22.30 hours

\* where event days fall on bank holidays the following timings would apply for major events, Bank Holiday Monday: 12.00 hours to 22.30 hours.

For minor events, Bank Holiday Monday: 10.00 hours to 21.30 hours and closing time of the venue for "Minor" events to 22:00 hours

# where event days fall on Friday the following timings would apply for major events, Friday: 12.00 hours to 23.00 hours. For minor events, Friday: 10.00 hours to 21.30 hours and closing time of the venue for "Minor" events to 22:00 hours

Conditions

1. A maximum of ten (10) event days may be operated under this licence in each calendar year, of which no more than six (6) may be at a capacity not exceeding 39,999 ("Major Event") and the remainder at a capacity not exceeding 14,999 ("Minor Event").
2. Major Event days will take place only on Fridays, Saturday, Sundays or Bank Holiday Mondays, except where otherwise approved by the Multi Agency Planning Group
3. Each year, the Premises Licence holder will undertake a full and detailed consultation with each of the responsible authorities. This consultation will take place through a Multi-Agency Planning Group (Chaired by the Local Authority) in the lead up to, and during the event.
4. Each year, at least 4 months prior to the first event date, the Premises Licence holder will notify the Licensing Authority of the proposed dates for that years events.
5. Each year, at least 3 months prior to the first event date, the Premises Licence holder will produce a draft Event Management & Operating Plan (EMOP) containing detail appropriate to the Event. This will also include a detailed plan of the site.
6. The Final Event Management and Operating Plan (EMOP) must be

approved by the Multi-Agency Planning Group, at least one month prior to the first event date. Thereafter, no changes will be made to the EMOP without the prior written consent of the Licensing Authority. Any changes during the event can only be made with the consent of the Event Liaison Team (ELT).

7. For each event the final EMOP (including the plan of the site) will be implemented and complied with by the Premises License holder.
8. Throughout the event open period the Premises Licence holder will maintain an Event Control Room to manage the event.
9. A debrief meeting will be undertaken annually after the final event date;
10. The Premises Licence holder will implement an event and pre-event communications strategy to provide anti-crime messaging and drugs awareness advice to ticket holders;
11. The Premises Licence holder will use screening on the entry points to the event, to exercise the right to refuse entry to any unauthorized or disorderly person;
12. The Premises Licence holder will implement various operations to disrupt the misuse of drugs amongst those proposing to attend the event, and to support the Event Organisers "zero tolerance to drugs" policy;
13. In conjunction with the Metropolitan Police and other responsible authorities, each year the Premises Licence holder will produce;

Crowd Management Plan  
Alcohol Management Plan  
Ingress Management Plan  
Egress Management Plan  
Security & Crime Reduction Plan

14. In conjunction with LBTH Health & Safety and other responsible authorities, each year the Premises Licence holder will produce;

Risk Assessment  
Fire Risk Assessment  
Schedule of Temporary Structures  
Questionnaire and Inspection schedule for Food Traders  
Rules for Site contractors

15. The Premises Licence holder will set up a publicised meeting each year with local residents prior to the first event date. This meeting will

be to discuss plans for the Event and receive residents feedback.

16. The Premises Licence holder will set up a publicised meeting each year with local residents after the final event date. This meeting will be to receive residents feedback;
17. Age restrictions will apply to each event day, the age restrictions for each event day will be agreed in advance with the Multi-Agency Group and will be contained within the EMOP
18. All alcohol outlets will be monitored by security staff and bars management team. All bar staff will receive training and daily briefings;
19. The Premises Licence holder offers the opportunity for agencies to visit the site during the live period to demonstrate the licence holders management controls and experience of the event.
20. The Premises Licence holder will provide the contact numbers of the applicants and their appointed officers
21. For Major Events, the "Music Noise Level" (MNL) measured as a LAeq over any 15- minute from an agreed permanent noise monitoring position shall not exceed 75 dBA 15-minutes.
22. For Minor Events, the "Music Noise Level" (MNL) measured as a LAeq over any 15- minute from an agreed permanent noise monitoring position shall not exceed 65
23. The following three permanent noise monitoring positions have been agreed (as detailed below), but should it be found that these are not representative of the site layout or residential noise impact, then they may be relocated with the agreement of the Premises Licence holder and environmental health. The three agreed Permanent Noise Monitoring Locations are: i) Waterside Close, at the residential façade. ii) Empire Wharf (within Victoria Park) in-line with the building arch. ii)Wetherell Road (Iveagh Close) Day Nursery (within Victoria Park).
24. The sound system and site design shall be reviewed to manage containment of sub- bass, so as not to cause a public nuisance.
25. The Premises Licence holder shall appoint a competent Noise Consultant. The consultant will have the ability to monitor music noise levels competently and with the authority to control sound levels to ensure compliance with the music noise conditions.
26. A direct means of communication between the Noise Consultant and the Officers of the Environmental Health Department must be made available. There must also be a separate radio channel dedicated to

noise control.

27. In consultation with the Council's Environmental Health Department, the sound systems and other noise sources shall be positioned so as to minimise noise disturbance.
28. In conjunction with the Council's Environmental Health Department, sound tests shall be carried out before the event. This will determine the maximum music noise levels that can prevail at agreed proxy monitoring positions so as to ensure compliance with the agreed noise limits;
29. A permanent noise monitor shall be placed at all "front of house" sound mixer positions, this must be able to measure 15 minute LAeq periods or less and print or store the results, Officers must be able to view all the results at the mixer position during the event. A copy of any noise measurements undertaken at permanent sound mixer or the 3 residential monitoring locations must be forwarded within 10 working days to the Environmental Health Department.
30. The Noise Consultant shall be able to demonstrate an up to date calibration certificate for all noise meters used according to BS7580: 1992 and be a minimum type 2 grade instrument according to BS5969: 1981.
31. Erection, dismantling and cleaning operations should only be undertaken during Council Policy working hours Mon. – Fri 8.00 a.m. – 6.00 p.m. and Saturday 8.00a.m. – 1.00 p.m. unless otherwise agreed by prior consent. If work or operations are agreed outside of the above hours a contact telephone number (not an answer phone) must be provided for the person in charge of these operations.
32. White noise "Broadband" reversing alarms shall be used on any forklift truck or vehicle likely to affect any residential property throughout the occupation of the park by the Premises Licence holder.
33. Any complaints received should be directed via a central complaints handling system and directed to the Council Officers and all concerned immediately by secure phone or messaging service, not via an insecure wireless radio system. The Council's complaints procedure for taking and logging complaints must be followed at all times.
34. The Premises Licence holder shall comply with any reasonable instructions given by the licensing authority that seek to control noise nuisance.
35. The noise-consultant must have a sufficient number of competent staff

with the necessary authority, confirmed in writing by the licensee to control the music noise levels. This number should be agreed with Environmental Health department in advance of the event.

36. The Premises Licence holder shall invite a representative of Environmental Protection Department to visit the site during the event live period to take noise measurements and qualitatively assess the impact of event noise on the property, and for all parties to use this information to drive further improvements in the management of the event.
37. No alcohol shall be taken out of the licensed area;
38. Any mobile dispensing servers (MDS) will be accompanied by persons not involved directly in serving alcohol. These other persons ('shepherds') will be responsible, jointly with the sellers and security personnel, for ensuring that mobile units comply with the Challenge 25 policy used on site, including preventing proxy sales; and sales to intoxicated customers;
39. The licensee must ensure that all staff involved in MDS operations are fully aware of and understand the requirements of the Licensing Act 2003 and all related conditions applicable to the event.
40. MDS operators must carry a clear indication that a Challenge 25 protocol is in operation.
41. A Challenge 25 Policy shall be implemented, so that before being served alcohol, identification bearing their photograph, date of birth, and a holographic mark is checked. Identification will include, for example;
  - A photo driving licence
  - A passport
  - A proof of age card bearing the PASS hologram.
42. Throughout the duration of the events (including sound checks, rehearsals and concert performances) the control limits set at the mixer position shall be adequate to ensure that the 63Hz and 125Hz octave frequency bands shall not exceed 75dB (LZeq 15 minutes) as a result of Music Noise level (MNL) beyond a 2km radius (distance measured from the main stage mixer position). The 63 Hz and 125 Hz octave frequency bands shall be assessed in a free field position at measurement points prescribed by the London Borough of Tower Hamlets Environmental Health.
43. The noise consultant shall make use of a monitoring system that allows for real-time correlation between performance stages and off site monitoring locations.

**4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003**

There were no applications that required deadline extensions.

The meeting ended at 9.55 p.m.

Chair, Councillor Peter Golds  
Licensing Sub Committee