



City of Westminster

# Follow on Committee Agenda

Title:

Licensing Committee

Meeting Date:

Wednesday 4th July, 2018

Time:

10.00 am

Venue:

Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR

Members:

## Councillors:

Angela Harvey (Chairman)	Louise Hyams
Heather Acton	Aicha Less
Rita Begum	Tim Mitchell
Susie Burbridge	Karen Scarborough
Melvyn Caplan	Shamim Talukder
Peter Freeman	Aziz Toki
Murad Gassanly	Jacqui Wilkinson
Jim Glen	

**Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda.**

**Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 5 Strand from 9.30am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting..**



**An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Kisi Smith-Charlemagne, Senior Committee and Governance Officer.**

**Email: [kscharlemagne@westminster.gov.uk](mailto:kscharlemagne@westminster.gov.uk) Tel: 020 7641 2783**

**Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Director of Law in advance of the meeting please.

## **AGENDA**

### **PART 1 (IN PUBLIC)**

#### **7. NOTTING HILL CARNIVAL UPDATE**

Report of the Director of Public Protection and Licensing

**(Pages 1 - 6)**

**Stuart Love  
Chief Executive  
29 June 2018**



## City of Westminster Licensing Committee Report

<b>Date</b>	04 July 2018
<b>Classification</b>	General Release
<b>Title or report</b>	Licensing Service approach to Notting Hill Carnival 2018
<b>Report of</b>	Director of Public Protection and Licensing
<b>Decision maker</b>	For information
<b>Financial summary</b>	None
<b>Report author and telephone</b>	David Sycamore – Licensing Service Team Manager 020 7641 8556

### 1. Executive Summary

- 1.1 This report provides an update to the Licensing Committee on the Licensing Services approach to the Notting Hill Carnival for 2018.
- 1.2 The Licensing Service have been involved with this year's Carnival planning meetings which involved all of the key stakeholders who are involved in delivery of a successful and safe event.
- 1.3 Officers from the Licensing Service and City Promotions, Events and Filming Team will continue to support applicants in completing event management plans and applications for the relevant permissions as well as providing information on security and access arrangements.
- 1.4 The Licensing Services Environmental Health Consultation Team will be working with the Metropolitan Police Service Westminster Licensing Team in considering any Temporary Event Notices that seek to operate a sound system or sell alcohol during the Carnival weekend. The Environmental Health Officers and Police Licensing Officers will be conscious of the potential numbers who could be attracted to sound systems and the potential for the capacity to exceed the capacity limit of 499 persons permitted under the temporary Event notice.

- 1.5 Street trading pitch locations, particularly at points between Royal Borough of Kensington and Chelsea and the Councils boundaries will also be considered to ensure improved pedestrian flow across the Carnival footprint.

## **2. Background**

- 2.1 Preceding last years event the Licensing Authority acknowledged 3 temporary event notices and there are 3 premises licences already granted for sound systems. The Council also issued 23 street trading licences for traders within Westminster's Carnival footprint. There was no change in the number from 2016 of sound systems. A plan covering for the Carnival footprint is provided as Appendix 1 to this report.
- 2.2 Prior to last years event all sound system operators were invited to meet members from the Licensing Service to offer advice and guidance on submitting applications and event management plans.
- 2.3 Officers from the Licensing Service also met with every street trading applicant to ensure that they understood their responsibilities and duties under the street trading licence.
- 2.4 The event management plans submitted by applicants, licence holders and those submitting a temporary event notice were considered by Westminster Police Licensing and the Environmental Health Consultation Teams. The Council's City Promotions, Events and Filming Team provided input and support to the Environmental Health Consultation Team as part of their considerations.
- 2.5 During the Carnival weekend, officers from Public Protection and Licensing were onsite to ensure compliance with conditions, agreed undertakings and event management plans.

## **3. Preparation for this year's Notting Hill Carnival**

- 3.1 A new event organiser has been brought in to take on the responsibility for planning and delivering the Notting Hill Carnival this year. Notting Hill Carnival Limited (NHCL) are a wholly owned subsidiary of Carnival Village Trust, set up to manage the particular risks associated with Carnival. The Trust has in place a members' agreement reserving certain key decisions to itself. The subsidiary has its own Board and Advisory Council.
- 3.2 NHCL were successful in securing the grant funding awarded by the Royal Borough of Kensington and Chelsea. They have also submitted funding requests to the multi-agency Strategic Partners Group which Westminster City Council sits on. Westminster City Council is currently considering its offer of funding.
- 3.3. In relation to Sound Systems NHCL are working with all partner agencies, British Association of Sound Systems (BASS) and the individual sound systems to enhance the planning and safety arrangements.

- 3.4 NHCL has issued a guidance document to all sound systems which sets out the standards expected from the sound systems event management plans. This guidance document includes the requirements specified by the Council.

#### **4. Licensing Services Approach for this years Carnival**

##### Feedback and actions

- 4.1. Following last year's event the Licensing Service will continue to engage with all of the key stakeholders. The Council has been working in partnership with colleagues from the Royal Borough of Kensington and Chelsea and the NHCL.
- 4.2 Where the Police or Environmental Health Officers believe that a sound system cannot guarantee that the capacity does not exceed 499 persons they will insist that the operator applies for a premises licence for that location. The Licensing Service and City Promotions, Events and Filming Team will continue to provide support to any operator who requires it when completing their event management plans and/or proposing conditions that may be attached to the licence.
- 4.3 Private forecourts that have in previous years sold alcohol and other refreshments including food have at times caused large queues. These raised concerns regarding the impact on the public highway and crowd dynamics. The Licensing Service will be writing to properties who have permitted this in the past to remind them of the requirements under the City of Westminster Act 1999 concerning trading within 7m of the highway and if queues could be generated affecting the flow of people.
- 4.4 In previous years the location of some sound systems has created large crowds which can significantly impact pedestrian flow when they are operating. This was evidenced in the report undertaken by Movement Strategies on crowd dynamics, which was published in 2017.

##### Engagement

- 4.5 As with previous years, the Licensing Service will meet with all stakeholders prior to Carnival. This includes, but is not limited to, the organising committee, BASS the Metropolitan Police Service, sound system operators, Street Traders Mayor's office and the Royal Borough of Kensington and Chelsea.
- 4.6 Sound system operators have been invited to meet with Licensing Service Officers and other partners in June. Officers from the Licensing Service will also be attending the event organiser meetings with sound systems and the event organisers.
- 4.7 All sound systems operators will be invited to a meeting, beginning on the 25<sup>th</sup> June 2018, to discuss the plans for this years Carnival. The meeting will focus on supporting operators to develop improved event management plans, safety and crowd control systems and better communications with all responsible authorities.

### Temporary Event Notices

- 4.8 Where Temporary Event Notice applications receive objections from Environmental Health Consultation Team or the Police, the applicants will be contacted directly by the objecting officer. If the operator can amend their temporary event notice to address concerns raised by either the police or the Environmental Health Officer then the operator will be encouraged to do so. If the temporary event notice is modified to address the responsible authorities concerns then they may be in a position to withdraw their representations. Where the operator's temporary event notice is deemed to significantly risk one or more of the licensing objectives under the Licensing Act 2003 then the police and Environmental Health Officer will maintain their representation and a hearing will take place before the Licensing Sub-Committee.
- 4.9 If the Licensing Sub-Committee, after hearing the evidence presented at a hearing considered that allowing a temporary event notice will adversely impact one or more of the licensing objectives then the Sub-Committee will issue a counter notice.
- 4.10 The Licensing Service has responded to feedback from the Licensing Sub-Committee in relation to temporary event notices. Committee reports for Temporary Event Notices will now provide further detail of the temporary event notice, any discussions that have taken place with the notice giver and the reason why the responsible authority is maintaining their objection. The Licensing Service will make it clear to the notice giver that at Licensing Sub-Committee can only consider the original notice and not undertakings offered.
- 4.11 If any temporary event notices are made for this year's Carnival will be received within the next few months. If any of these temporary event notices are opposed these will be listed during July and early August. One temporary event notice for the carnival has already received a counter notice from the Licensing Sub-Committee due to the potential impact that it would have on the licensing objectives. If late Temporary Event Notices are received and objected too, they are served a counter notice and the event cannot go ahead.
- 4.12 The Licensing Service make it clear to all applicants for temporary event notices that they should submit their notices as soon as possible. They will also be advised that they must be accompanied by an event management plan otherwise they will receive an objection from the Police and/or the Council's Environmental Health Officer.
- 4.13 A weekly document of the temporary event notices that have been submitted for the Notting Hill Carnival weekend and the current status of that notice will be shared with the relevant authorities.

### Sound Systems

- 4.14 It is not expected that there will be an increase in sounds systems within Westminster's Carnival footprint in 2018. Where sound systems cannot operate

effectively within the capacity limit of 499 persons under a temporary event notice they will be encouraged and supported to apply for premises licences.

- 4.15 Following discussions with the operator of Solution Sounds, a sound system located on Ledbury Road, they will be applying for a time limited (annual permission) premises licence this year rather than a temporary event notice. It was identified that a temporary event notice was not appropriate for this site as it was highly likely that the capacity limit of 499 would be exceeded.

#### Street Trading

- 4.16 As with previous years a number of roads within the Westminster's Carnival footprint permit street trading. Compliance with the licence was reasonably good at last year's event and applicants engaged with the Licensing Service to ensure that all documentation were submitted in good time.
- 4.17 Westminster will actively promote the availability of street trading pitches at this years event to previous carnival traders. A street trading application pack will be sent to applicants or can be downloaded from the dedicated Carnival website.

**If you have any queries about this report or wish to inspect any of the background papers, please contact:**

Mr David Sycamore  
Licensing Service Team Manager  
**Tel: 020 7641 8556**

Appendix 1

