

## Licensing Sub-Committee Report

Subject of hearing: **Radioactive Clothing Limited T/A Slammin Events, Morden Park, Lower Morden Lane, SM4**

Date: **30<sup>th</sup> June**

Time: **5.30pm**

Venue: **Virtual meeting**

### **Special Policy Area (premises licences and club certificates)**

1.1 The premises are not in the special policy area.

### **2. Type of hearing and powers of the sub-committee**

2.1 The sub-committee is required to determine the application by taking such of the steps set out below as it considers necessary for the promotion of the licensing objectives.

2.2 In making their determination the sub-committee must have regard to the Licensing Act 2003, the licensing objectives, guidance issued by the Secretary of State and Merton's Licensing Policy.

2.3 New premises licence: s18

(i) To grant the licence subject to conditions

(ii) To exclude from the scope of the licence any of the licensable activities to which the application relates

(iii) To refuse to specify a person in the licence as the premises supervisor

(iv) To reject the application.

### **3. Hearing papers**

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundles together with any relevant existing licence. This includes any documents which must be sent to any of the parties to the hearing under Regulation 7(2) and Schedule 3 of The Licensing Act 2003 (Hearings) Regulations 2005. This bundle has been issued to all parties to the hearing.

### **4. Legal advice to the sub-committee**

4.1 A legal officer appointed by the Assistant Director of Corporate Governance and Head of Legal Services will attend the hearing to advise the sub-committee on statutory provision and legal matters.

### **5. Licensing Officer comments**

5.1 This application is for a three year premises licence for one event weekend in September each year. The dates for the following two years to be agreed with Merton Council within a specified time frame. The proposed dates for 2021 are 4th & 5th September.

5.2 The applicant wishes the licence to start 4 September 2021 and end 30 September 2023.

- 5.3 The application is for 9,999 persons expected to attend the premises at any one time.
- 5.4 The applicant has applied for
- live music – outdoors. Saturday from 12:00 to 22:30 and Sunday from 12:00 to 22:00
  - Recorded music – outdoors. Saturday from 12:00 to 22:30 and Sunday from 12:00 to 22:00
  - Performances of dance – outdoors. Saturday from 12:00 to 22:30 and Sunday from 12:00 to 22:00
  - Anything similar to the above - outdoors. Saturday from 12:00 to 22:30 and Sunday from 12:00 to 22:00
  - Supply of alcohol for consumption on the premises. Saturday from 12:00 to 22:10 and Sunday from 12:00 to 21:40
  - Hours the premises is open to the public - Saturday from 12:00 to 22:30 and Sunday from 12:00 to 22:00
- 5.5 The applicant has stated steps, in the operating schedule, that they intend to take to promote the four licensing objectives. These could be turned into conditions on the licence should the committee decide to grant.
- 5.6 The 2021 event is to have different line ups for each day. Saturday 4 September is called Beautiful People. The Sunday event is called Southbound. A draft poster and line up provided by the applicant for each event is attached to this report.
- 5.7 The applicant also produced a Public Overview document giving information about the event. This document is attached to this report.
- 5.8 An amended plan has been received from the applicant. The applicant states this is to reduce sound noise nuisance and to be further away from the register office. This plan is named *28 May 2021 VER 6 Licensable Area*. A clear, enlarged, site plan was also supplied named *28 May 2021 VER 6*.
- 5.9 We have received 47 representations.
- 5.10 The representation from the Environmental Health Noise Team states a condition. The applicant has stated they have no objection to this condition. This condition is listed in the annex of conditions.
- 5.11 The possible conditions from the application provided by the applicant, the condition agreed by the applicant attached to the Environmental Health Noise Team, suggested conditions contained in Trading Standards representation and the requested conditions contained in the Metropolitan Police representation are contained in an annex to this report for your assistance.
- 5.12 The applicant has commented in writing on the Metropolitan Police representation. This document is attached to the report.

**For enquiries about this hearing please contact**

Democratic Services  
Civic Centre  
London Road  
Morden  
SM4 5DX

**Telephone:** 020 8545 3357

**Email:** [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)

## Parties to the hearing

This document forms part of the notice of hearing.

The following are parties to the hearing having submitted relevant applications, notices or representations under the statutory provisions indicated:

<b>Applicant</b> Radioactive Clothing Limited T/A Slammin Events	
<b>Statutory Authorities</b>	
Metropolitan Police	LB Merton Trading Standards
LB Merton Environmental Health	
<b>Interested Parties</b>	
Councillor Helena Dollimore	
Councillor Sally Kenny	Councillor Nick McLean
Councillor Dennis Pearce	LB Merton Registration Service
Ahmadiyya Muslim Association (AMA)	Karen Aleksandrowicz
Lynn Aziza Dar	R Bainton
Clare Bennett	Brian Birch
Gary Bourne	Anna Chapman
Elsbeth Clarke	Gillian Clarke
Valerie Cova	Emaan Dar
Keith Davis	
Ruhee Farooq	Philippa Foskett
Mrs Joan Grant	Mrs Joan Hanrahan
Mrs B Harbrecht	Clare Heath-Whyte
David Heath-Whyte	Claire Jauffret
Tom Killick	Russell King
Mr & Mrs J Kingsley	Kathleen Knowles
Colin Lee	Susan Liang
Dr Pippa Maslin	Mr Jayesh Pandya
Michaela Reay	John Rust
Mrs Marylyn Sedgwick	Elizabeth Sherwood
Stephen Shimwell	Mrs Monica Smith
Trevor & Patricia Spackman	Patricia Taylor
Peter Webb	Richard and Anjela Winson

## **Operating Schedule Possible Conditions Offered by the Applicant**

- A bespoke Event Safety Management Plan (ESMP) will be produced for each event to be held at the premises. A draft ESMP will be submitted to Merton Council, the MET Police and other Responsible Authorities at least 12 weeks prior to the event, unless all parties agree it can be submitted in a shorter period. A final plan will be agreed with the responsible authorities 30 days prior to the event taking place, subject to any unforeseen need to change due to a new safety or crime risk. Any such change will only be made in consultation with the Responsible Authorities.
- This agreement and submission timetable will also apply to any individual policy required to be part of the ESMP.
- Where there is in existence an operating Safety Advisory Group (SAG) covering the area of the event, the premises licence holder or representative will attend any meeting on request of the SAG in order to discuss the event with the SAG members.
- There will be a personal licence holder on the premises at all times the licence is in operation.
- We are seeking a licence for events Saturday and Sunday being for 18 year old and over. These arrangements will be confirmed in advance with Merton Council, Licensing and the other Responsible Authorities in advance.
- The premises licence holder will produce documented Search, Drugs, Alcohol, Security and Eviction policies as part of the ESMP in consultation with, and to the satisfaction of the Metropolitan Police. The premises licence holder will act upon any counter terrorism or crime specific intelligence provided by the Metropolitan Police. We will seek and act upon any knife crime advice provided by the Metropolitan Police.
- The premises licence holder will carry out an Event Risk Assessment, which will include an assessment of entertainment content, and produce a security and stewarding operation and deployment plan. This will be submitted to the Metropolitan Police and Merton Council at least 12 weeks prior to the event and agreed no later than 30 days prior to the event. The SIA to public ratio will be set to reflect the nature of the event and individually agreed with the Metropolitan Police. This will include discussions regarding any requirement for Special Policing Services.
- Where SIA staff are employed the premises licence holder will ensure all details of SIA staff are recorded including their identity, duties and any staffing agency they have been provided by. This record will be made available for inspection for up to 6 months. The premises licence holder will also ensure any required SIA or similar badge is displayed whilst on duty.

- The premises licence holder will ensure that an incident and security log is completed throughout the duration of any event. This log will be retained for at least 6 months and be available for inspection by any Responsible Authority.
- CCTV will be installed to cover entry lanes and for any eviction. The need for any further coverage will be discussed with the Metropolitan Police. It will be installed, operated and maintained in line current Metropolitan Police CCTV policy and images will be retained for at least 31 days.
- All drinks will be provided in plastic glasses and any drinks in bottles will be decanted into glasses and the bottles retained by staff. Customers will not be allowed to bring bottles on site.
- An additional health protection assessment and mitigation plan will be undertaken in respect of transmittable diseases and the premises licence holder will follow HM Government guidance, and guidance from anybody operating on behalf of the Government. In addition, the organisers will further consult Merton Public Health and Health and Safety officers, London Ambulance Service (LAS) and local NHS in the production and delivery of these plans.
- The premises licence holder will seek wider event specific H&S advice from Merton Council in addition to statutory legislation and guidance.
- The premises licence holder will submit a Fire Risk Assessment and associated mitigation plans in consultation with London Fire Brigade (LFB). This FRA will be agreed with London Fire Brigade (LFB) at least 30 days before the event.
- The premises licence holder will provide Merton Council (MC) with full details of any catering provision including details of operators, their contact details and certification. This will be provided at least 4 weeks before the event. Caterers will only be used if they meet any certification level set by MC. Any introduction of a new catering provider will only be made with the agreement of MC.
- The premises licence holder will undertake a medical risk assessment which will specify the necessary medical cover required to be provided at the event. London Ambulance Service (LAS) and local NHS will be consulted as part of this assessment.
- The premises licence holder will submit a Noise Management Policy to MC Environmental Health at least 12 weeks before any event and this policy will be agreed with at least 30 days before the event. The policy will include a publicised system for making complaints, logging complaints and the response to any noise issues. The public contact number will be staffed at least one hour before opening and one hour after closing of the event. This number will be located in the Control Room in order to inform responses by event staff.

- The premises licence holder will submit an Ingress, Egress and Transport Management Policy to the satisfaction the responsible 'Highways Authority' and MC. This will include consideration as to reducing the impact of the event on local residents.
  - The premises licence holder will ensure that no potential nuisance or criminal flyposting advertising of the event occurs and will maintain a register of any promoters advertising the event.
  - The premises licence holder will create a litter plan in consultation with MC which will include cleaning of the park and adjacent streets.
  - The premises licence holder will engage with Friends of Morden Park and other local resident associations to minimise any impact on park users and residents.
  - Saturday & Sunday events will be for 18 years or older. A Challenge 25 policy will be applied on entry to the site and at any point of alcohol sales. Acceptable proof of age documents such as passports, photo driving licences and PASS cards will be agreed with MC Licensing and Trading Standards and advertised in advance to customers. A refusal register will be maintained at each bar.
  - The premises licence holder will produce a Safeguarding Policy in consultation with the Metropolitan Police and other SAG members. This will include additional specific safeguarding measures for the Friday.
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## **Environmental Health Noise Team**

Applicant's Environmental consultants agree to condition

1) A Noise Management Plan shall be submitted and agreed by the Environmental Health (Noise & Nuisance) Manager at least 8 weeks prior to an event taking place, which shall incorporate details of pre-event information, sound check procedures, sound monitoring strategy, sound attenuation at each 'venue', noise and sound system management together with Local Authority liaison and complaint handling procedures which shall be implemented and adhered to throughout the duration of the event. A post event compliance report shall be produced following each event and submitted to Environmental Health.

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### **Trading Standards Requested Conditions**

1. Notices shall be placed at all points of sale detailing the restrictions on sales of alcohol to children.
2. A record of refusals shall be maintained which documents every instance that a sale of alcohol (and any other age-restricted product) is refused on the premises, indicating the date and time the refusal was made, and the member of staff making the refusal.
3. The record of refusals shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service, and officers of the Police.
4. An effective methodology shall be in place at all points of sale to ensure staff undertake appropriate age checks on potential sales of alcohol (and any other age-restricted product).
5. All staff that undertake the sale or supply of alcohol (and any other age-restricted product) shall receive appropriate training in relation to undertaking appropriate age checks on such, before being allowed to sell or supply any alcohol (and any other age-restricted product).
6. Records of all staff training, relating to the sale or supply of alcohol (and any other age-restricted product), along with any training material used, will be kept and maintained by the Designated Premises Supervisor or the Premises Licence Holder.
7. Staff training records shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service, and officers of the Police.

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### **Metropolitan Police Requested Conditions**

#### **1. Event Specific Management Document (ESMD)**

An Event Specific Management Document to be completed outlining the proposed management structure, responsibilities and contact details for each individual event. The event management plans for each event shall include the following information

as a minimum; site plans, stewarding/security plans to include regular weapon sweeps before, during and post egress, crowd management plans, medical plan, fire plan, specific safety policies, risk assessments, traffic management plans, possible noise nuisance plans, and ingress/egress plan. In all cases, this shall be submitted to the Metropolitan Police three calendar months in advance of the event. The Metropolitan Police shall have an absolute power of veto where they are not satisfied with the measures proposed.

## **2. Information of Artists and Performers**

Details and information of Artists, Performers and Promoters must be presented to the Metropolitan Police 3 months in advance of events. The Premises Licence Holder will work closely with <https://www.safersounds.org.uk>. If the Metropolitan Police identify concerns within 14 days of the submission of this information regarding a particular artist or group the event organiser will remove that artist or performer from the line-up. If at any time MPS/Safer Sounds identify valid concerns regarding a particular artist or group, the event organiser will work closely with them to attend to the issue raised.

## **3. CCTV**

CCTV shall be in operation throughout licensable hours, and must include: Main public entrance/exits, back of house entrance/exits and entrance/exits for Artist, Promoters and Entourage. All Stages/viewing areas, all Arenas/Tents and all bars. During the events any CCTV request made by Police should be provided on a useable digital format immediately.

- A) A closed-circuit television (CCTV) system shall be installed at the premises and positions of the cameras shall be agreed with the Metropolitan Police prior to an event taking place.
- B) The CCTV system installed at the premises shall be maintained in effective working order and shall be in operation at all times the premises is open to the public.
- C) All recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available on request to the Metropolitan Police, the Licensing Authority or other Responsible Authorities.
- D) At all times the premises is open to the public a minimum of one member of staff on duty will be able to operate the CCTV system.
- E) When the premises is closed or out of hours the Premises Licence Holder will be provide CCTV footage to the Metropolitan Police upon request.

## **4. The Security and Incident Log**

The Security and Incident Log shall be kept on the premises and completed on each occasion an incident as listed in A-J below occurs: The security and Incident log (which may be electronically recorded) shall be kept with the Premises Licence Holder at least six months, and made available on request to police or an authorised officer. The following details shall be recorded:

- (a) All crimes and any incidents reported to the site;
- (b) Location of incident.
- (c) Persons concerned
- (d) Summary of incident
- (e) Identification of any Emergency Services Personnel who attended.
- (f) All ejections of patrons
- (g) Any complaints received
- (h) Any visit by a relevant authority or emergency service
- (i) Any other incident or event that impacts upon the promotion of the Licensing Objectives within the Licensing Act 2003.
- (j) Record of all Security searches of the site including dates and times.

## **5. Event Site Security**

The Event site will have 24/7 CCTV in operation at the start of build until the end of build. All recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available on request to the Metropolitan Police, the Licensing Authority or other Responsible Authorities. A minimum of one member of staff on duty will be able to operate the CCTV system.

The event site will be monitored 24/7 by security staff in order to prevent unauthorised persons gaining entry to the site this shall form part of the ESMD.

Double fence line at least 20 feet apart at all points and Height 2.4 metres with 30cm overhang.

A weapons sweep must be conducted of the event site following completion of the event build up but prior to the event opening to the public. Regular weapon sweeps shall be carried out of the event site and shall be recorded in the Security and Incident log.

## **6. Admission Search Policy – All Staff, Artists, Promoters and Entourage.**

The Premises License Holder shall operate an admission search policy for all staff, artists, promoters and entourage. A Separate Dedicated Security Industry Approved Company to be employed providing SIA security staff at each event to search all Staff, Artists, Promoters and Entourage. The search will operate a 3 stage process: Passive Drug Detection Dogs (minimum of 2 K9 units per event), Wand Metal Detector, Visual & Physical Search (hands on) All bags will be searched and all those entering will pass through the metal detector and/or wands search area.

Searches will be carried out by SIA Registered staff of the same sex.

All members of staff shall be instructed not to consume alcohol nor to take drugs when working on site or in uniform and shall not be under the influence of drink or drugs whilst working.

## **7. Security Industry Approved (SIA) Staff**

SIA Security staff will be deployed at the event at a ratio of 1:50. Body Worn Video will be worn by all SIA door staff who are deployed at the premises including all entry points and those dealing with the ejection of attendees from the event. When SIA Security staff are deployed ensure that records are kept by the DPS, at the premises, of the following details of any door-supervisor employed at the premises: Name and date of birth, full 16 digit SIA badge number and dates and times employed.

These records must be made available, in useable form, to the Metropolitan Police, Merton Council officers or authorised officers of the Security Industry Authority upon request.

SIA Security staff wearing BWV shall begin recording should there be any disruption of Crime and Disorder, or if they deem it appropriate when an incident occurs. In the event that body worn cameras are switched on, these will only be turned off again once the incident has been defused and brought under control. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of the Metropolitan Police or authorized officer of the Licensing Authority.

A staff member from the premises who is conversant with the operation of the body worn cameras shall be in the premises at all times when the premises is open. This staff member must be able to provide to the Metropolitan Police or authorized council officer copies of recent images or data with the absolute minimum of delay when requested and within a maximum of 24 hours of the initial request.

Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the cameras, and will be able to download selected footage onto a disk/USB Stick for the Metropolitan Police or authorized officers of the Local Authority or UK Border Agency without difficulty, delay or charge.

Any camera breakdown or system failure will be notified to the SW Police Licensing Team and Local Authority immediately & remedied as soon as practicable. Any queue to enter the premises that forms outside the premises shall be kept orderly and supervised by SIA door supervisors to ensure that there is no nuisance or obstruction to the public highway and footpaths.

All staff engaged outside the entrance to the premises and inside the site, or supervising or controlling queues, shall wear high-visibility jackets or vests.

## **8. Condition of Entry and Searching Procedures**

All attendees to the event will be subject to search. The search will operate a 3 stage process: Passive Drug Detection Dogs (minimum of 2 K9 units per event), Wand Metal Detector, Visual & Physical Search (hands on). All bags will be searched on entry.

Searches will be carried out by SIA Registered staff of the same sex.

Passive Drug Detection Dogs and Explosives Detection Dogs will carry out a sweep of the event site following completion of the event build up but prior to the event opening to the public. The catering, merchandise stalls and any customer lockers will be included during this sweep.

The Premises Licence Holder will operate an anti-drugs policy in conjunction with a search and seizure policy in compliance with agreed memorandum of understanding with the Metropolitan Police. This will also include storage and disposal procedures. Signage will be displayed throughout the premises. Any amendments to the policy must be agreed in writing with South West Licensing Team 30 days prior to any event.

A clear visible notice shall be placed at the entrances to the premises advising those attending, that it is a condition of entry that customers agree to being searched and the Metropolitan Police will be informed if anyone is found in possession of controlled substance or weapons. Anyone found with drugs will be refused entry, more than the agreed quantities for personal consumption (as outlined in the drugs policy) of controlled substances or NPS the Metropolitan Police will be informed immediately. The Drugs Policy will include New Psychoactive Substances (NPS) and No2/NOS/Nitrous Oxide. No2 will not be permitted on site and any found on entry will be confiscated.

### **9.Locked Amnesty Bins**

The Premises Licence Holder shall provide separate locked amnesty bins for the disposal of alcohol, drugs, weapons and other waste. This will also include storage and disposal procedures. Any amendments to the policy must be agreed in writing with South West Police Licensing Team 30 days prior to any event.

### **10. Weapons Policy**

Anyone found with an offensive weapon will be ejected/refused entry to the event, detained by SIA security staff the Metropolitan Police informed immediately and the attendee detained until police arrival. The Premises Licence Holder will operate a weapons policy in conjunction with search and seizure. Any amendments to the policy must be agreed in writing with South West Police Licensing Team 30 days prior to any event.

### **11. Anti-Theft Policy**

The Premises Licence Holder shall operate an anti-theft policy, which will include the reporting of theft, safe storage of found items, storage and disposal procedures for all items of property found or discarded at the premises. Signage will be on display in prominent places advising customers to safeguard their property. Any amendments to the policy must be agreed in writing with South West Police Licensing Team 30 days prior to any event.

### **12. Dispersal Policy**

The Premises License Holder shall display appropriate signage to direct all event attendees towards the nearest transport links should be displayed and this should occur throughout the entire event. Attendees should be reminded that the event is in a residential area and that they should disperse quietly. There shall be a documented dispersal policy, as agreed with the relevant responsible authorities, implemented at the premises and a copy lodged with the South West Police Licensing Team. Any amendments to the policy must be agreed in writing with the South West Police Licensing Team 30 days prior to any event.

### **13. Challenge 25 Scheme**

A Challenge 25 scheme must be operated to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that they are over 18 years of age. Proof of age shall only comprise a valid and in date passport, photo card driving licence, military card or a card bearing the PASS hologram.

All bar staff at the event will be trained, this training should reflect the Licensing Act 2003 and include the licensing objectives, proof of age, and conflict management. The training will be refreshed every 6 months and all staff training records should be maintained and kept on site. A designated member of staff should be able to produce the records on the request of police or other authorised person.

### **14. Polycarbonate Drinking Vessels**

Drinks will not be served in glasses or glass bottles on site. Polycarbonate drinking vessels are used for all alcoholic and soft drinks served to attendees and that all drinks supplied in glass bottles will be decanted into polycarbonate serving or drinking vessels. No alcohol will be permitted to be taken off the licensed site. Customers shall only consume alcohol which has been purchased from the premises.

Each Bar and Tent shall be individually managed by a personal licence holder, during licensable hours.

### **15. Litter**

There will be a proper and adequate control of litter generated by the premises and will be stored securely in a designated area, bins should be placed near to the exits at the site. To ensure that the site is clear of litter after site break down. Staff will be removing all litter from public areas on a regular basis. The Premises License Holder shall ensure a dedicated cleaning company will be employed to pick up all litter relating the events on Sunday 5th September and Monday 6th September – This shall form part of the ESMP.

### **16. ACT Condition**

The Premises Licence Holder shall engage with freely available counter terrorism advice and guidance through Counter Terrorism Protect Officers and Counter Terrorism Security Advisors.

All members of customer facing staff, including those involved in the sale or supply of alcohol, undertake Action Counters Terrorism (ACT) Awareness eLearning, on an annual basis (as long as such, or similar, training is available). Such training is available at <https://www.gov.uk/government/news/act-awareness-elearning>.

17. A direct telephone number (mobile to be held by duty manager) will be provided to neighboring premises to be used in the event of a complaint of noise nuisance. A direct telephone number for the License Holder/DPS/manager of the premises shall be publicly available at all times that the premises is open. The number is to be made available to residents and businesses in the vicinity. Any complaints shall be remedied within 48 hours and details to be recorded in the incident book including the action taken by the License Holder/DPS/manager.

18. The Premises License Holder shall run each event with the latest event specific management document that has been agreed in writing at the latest SAG meeting.

19. The Premises Licence Holder shall operate a vulnerable person policy, this must include WAVE training and Ask for Angela for all members of staff.

20. The Premises Licence Holder will allow all uniformed and plain clothes Metropolitan Police to periodically attend the premises upon prior agreement with the Premises Licence Holder/DPS in order to carry out advance drug searching techniques, including (but not limited to) requiring customers to take part in drug analyser testing as a condition of entry, and passive drug dog sweeps of the premises and queue.

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