

THE LONDON BOROUGH OF CAMDEN

At a hearing of **LICENSING PANEL C** held on **THURSDAY, 19TH DECEMBER, 2024** at 7.00 pm in Remote meeting via Microsoft Teams. This meeting can be watched live at www.camden.gov.uk/webcast

MEMBERS OF THE PANEL PRESENT

Councillors Jonathan Simpson (Chair) and Matthew Kirk

MEMBERS OF THE PANEL ABSENT

Councillor Nina De Ayala Parker

The minutes should be read in conjunction with the agenda for the hearing. They are subject to approval and signature at the next hearing of Licensing Panel C and any corrections approved at that hearing will be recorded in those minutes.

MINUTES

1. GUIDANCE ON REMOTE MEETINGS HELD UNDER THE LICENSING ACT 2003 AND ASSOCIATED REGULATIONS

RESOLVED –

THAT the guidance be agreed.

2. APOLOGIES

Apologies for absence were received from Councillors De Ayala Parker.

3. DECLARATIONS BY MEMBERS OF STATUTORY DISCLOSABLE PECUNIARY INTERESTS, COMPULSORY REGISTERABLE NON-PECUNIARY INTERESTS AND VOLUNTARY REGISTERABLE NON-PECUNIARY INTERESTS IN MATTERS ON THIS AGENDA

There were no declarations.

4. ANNOUNCEMENTS (IF ANY)

Webcasting

The Chair announced that the meeting as being broadcast live to the internet and would be capable of repeated viewing and copies of the recording could be made

available on request. Those participating in the meeting were deemed to be consenting to being filmed.

Supplementary agenda and circulated document

A supplementary agenda was published on 18 December 2024 containing a paper which was submitted as part of the application. Also, an additional document was circulated ahead of the meeting containing supplementary information related to an objecting resident's submission. Both of these papers were intended to be included as part of the main agenda therefore were not categorised as late papers.

5. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT

There was no notification of urgent business.

6. MINUTES

RESOLVED –

THAT the minutes of the meeting held on the 14 November 2024 be approved and signed as a correct record.

7. HAWLEY WHARF MARKET PLACE: HAWLEY WHARF SQUARE, LONDON, NW1 8QH

Consideration was given to a report of the Executive Director Supporting Communities detailing an application for a new premises licence under Section 17 of the Licensing Act 2003.

Sarah Williams, Licensing Officer, summarised the report.

Steven Dormer, Licensing Authority responsible authority, summarised their representation included in the main agenda (page 108). In summary, the following points were made:

- The Licensing Authority objected to the application on the grounds of the Council's Licensing Policy on Cumulative Impact Areas.
- The Licensing Authority was of the opinion that the 52 conditions offered by the Applicant supported the licensing objectives

In response to questions, Steven Dormer clarified and outlined the following points:

- A Member stated that in their view the application rested on the event in July and TENs (Temporary Event Notices) in November 2024. He asked if any reviews were conducted following those events or if the Licensing Authority held any view

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on how those events were managed. Steven Dormer replied that he was not aware of any complaints relating to the TENS or any disturbance emanating from the Hawley Wharf estate. He stated that usually if there were complaints relating to the condensed crowded markets, they would be received in relation to an area and were hard to narrow down to a premises. From an Environmental Health perspective, events were typically over by the time they could be investigated and it was noted that Environmental Health had not submitted a representation to this application.

- It was clarified that conditions requiring unlicensed buskers to move on could not be applied to a licensing application

Kate Gemmell, representing TRACT (Tenants and Residents Associations Camden Town) as an interested party, summarised their representation included in the main agenda (page 116). In summary, the following key points were made:

- Kate Gemmell said the application should be rejected in its current form, and that additional conditions were necessary to prevent noise nuisance and protect local residents
- The market space in question had been designated for a produce market and in her view was unsuitable to hold loud events due to noise breakout. Events already held in this space had caused significant noise disturbance to residents.

Stelios Stylianou, resident interested party, summarised their representation included within the main agenda (page 118) and the circulated document. In summary, the following key points were made:

- The events held in the summer were disruptive to local residents and if the application were granted in its current form it would result in unacceptable nuisance to residents' homes.
- When Labtech previously tried to mitigate the noise nuisance, it appeared their actions only fractionally reduced the volume and that moving speakers made little difference.
- Labtech declined to visit Stelios Stylianou's home to experience the actual noise levels firsthand. The Mexican Day of the Dead event in November 2024 was a missed opportunity to test the noise levels caused.
- Stelios Stylianou's experience of the residents meeting on 26 October 2024 was that Labtech did not appear interested in discussing residents' views. Their ongoing experience was that they had not shown a willingness to resolve the concerns from residents before the licensing hearing.

In response to questions, Stelios Stylianou clarified and outlined the following points:

- Stelios Stylianou was the only resident who attended the second residents' meeting organised by Labtech on 29 October 2024. Stelios Stylianou's experience was that the meeting felt rushed and Labtech were unwilling to acknowledge the level of disturbance that had been caused to residents at previous events.
- In email correspondence between residents and ward councillors, at one stage Labtech had previously offered limiting their application to 20 events per year.

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There was no final agreement in the correspondence and this offer was not included in the final application.

Jack Spiegler, Agent, accompanied by Liam O'Hare, Designated Premises Supervisor, presented the application. Richard Vivien, Big Sky Acoustics Specialist, was present to answer any questions related to acoustics, if required. The following points were made:

- As part of the granting of the Hawley Wharf development the developer was required to enter a section 106 agreement with the Planning Authority whereby community-based events had to be held on the development as part of the Camden Masterplan. The application was made as part of the commitment to meet the Planning obligations. The proposed community events would be family-friendly, free to attend and based on local arts and culture.
- This application process began a long time ago, with stakeholders being contacted far in advance, followed by a pre-application process with the Licensing Authority which resulted in the Applicant taking advice and voluntarily reducing the proposals significantly. The application had already undergone rounds of scrutiny, therefore further scaling down was unnecessary.
- After the pre-application stage local resident groups were contacted by the Applicant and there were extensive efforts to consult, which demonstrated the commitment for residents to be fully aware of the plans and given an opportunity to provide feedback. At the consultation only one resident attended, namely Stelios Stylianou, present at this hearing. Following the consultation, there were only three objections and several representations in support, including from local residents and market traders. Notably, no representations were received from any responsible authorities.
- It was noted the Applicants did not have sufficient time ahead of the hearing to review Stelios Stylianou's statement, which was circulated before the hearing, in fine detail, however they were not able to accept the content of what they had read. They were able to give a full response to the content, stating they had listened to him and appreciated his time and feedback. The Applicant expressed willingness to visit Stelios Stylianou's home before and during a future event to further understand his concerns, and following that to consider additional safeguards to add to the Event Management Plan, which was required to be submitted prior to each event.
- In 2024 Camden Market established a culture programme to celebrate diversity and inclusion of the community in Camden. In the summer 30 broad-ranging, family-friendly, free to attend, cultural events were held and some of these events utilised TENs. The events all finished in the early evening and were not alcohol-led, and when alcohol was available there were sales from a local brewing company cart. There had only been one complaint during the summer, otherwise there had been good feedback. Noise levels were measured at events and monitored to make sure they were not too loud.
- There was an extensive list of 52 conditions which should reassure the objectors' concerns. The Applicant urged that this event should be considered on merits and an exception to the CIA policy, given the nature of the events and within the proposed framework hours.

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In response to questions, Jack Spiegler clarified and outlined the following points:

- Members suggested the Applicant's offer to visit Stelios Stylianou's home should be honoured.
- Members asked why other areas of the site could not accommodate events as well. It was confirmed that after discussions with the Licensing Authority, the proposed event area was reduced to the marketplace, with the original application including the canal and rooftop areas. Other areas on the site were used for non-licensable activities, such as children's events and mural painting.
- Members asked whether there was a proposed annual limit on the number of events. It was confirmed that the Applicant had discussions with Councillor Callaghan, Stelios Stylianou, and Kate Gemmell to explore the idea of limiting the number of events. However, no agreement was reached. Following the correspondence, the Applicant had reflected and decided that flexibility was needed for the nature of events, such as for culture celebration months, when considering there were already safeguards to protect residents, including the Safety Advisory Group mechanism.
- It was confirmed that condition 30-32 could be reworded to clarify the distinction between the standing live Event Management Plan and individual Event Management Plans.
- Members asked if there was a need for the hours to be as late as 9pm on the application, as this was an outdoor space. It was clarified that 9pm related to the public realm condition from the Planning Authority. In reality, no event in 2024 lasted beyond 8pm. However, the Applicant would like the flexibility to extend the time, for example, in the event of delays caused by weather conditions. The Applicant was happy to set a limit of five events with an end time of 9pm, with the remaining events ending at 8pm.
- Members asked why the finish time for amplified music was set at 8pm and 9pm for all events on the application. They stated they had to consider the application itself and not the intentions if they differed. It was clarified that amplified music would not be playing for any whole event, but there would be performances or slots. There were numerous safeguards to prevent disturbance within the conditions and routes for local residents to communicate concerns which could feed into the Event Management Plan to address concerns.
- Members asked if local residents could be notified ahead of events. This would include defining the scope of each event, specifying which performances were taking place, and the times when amplified sound would be used.
- It was clarified that the market place was cited as a place that could hold events in the section 106 agreement with the Planning Authority.
- It was confirmed that the 2026 events would be similar to the 2024 events, with a slight expansion.

In their closing remarks, Steven Dormer stated that, given the nature of this operation, it had been preferable for an applicant to go via the premises licence route rather than TENs, as this allowed for strengthened conditions – which had been the approach taken by the Applicant. Camden Town was a busy area of the borough for premises licences, and sometimes suffered from congestion during the summer.

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Steven Dormer said that it was for Members to decide whether this application had had enough merit to depart from the Cumulative Impact Policy and be granted.

In their closing remarks, Kate Gemmell stated that there was no way to contain noise in an open-space premises, and that residents could be impacted at any time, day or night.

In their closing remarks, Stelios Stylianou stated that, although they were the only person at the meeting with the Applicant in October 2024, this did not equate to them being the only resident with concerns. They spoke on behalf of their household and had spoken to neighbours. People were reluctant to complain to the Council, and this was the first time Stelios Stylianou had been involved in these processes. Local residents already tolerated regular disturbances, and this proposed application would be a devastating addition, with an 8-9pm closing time considered too late for locals. This application appeared to be a blank cheque for unlimited amplified events. Local residents supported the events themselves, but not their amplification.

In their closing remarks, the Applicants stated that there were 52 conditions, a Safety Advisory Group, a review procedure, and a responsible landlord in place, which safeguarded against the interested parties' concerns. This application had gone through the licensing pre-application procedure and the licensing application procedure, rather than just using TENs applications with lesser safeguards. The Applicant was a proven long-term responsible operator in delivering safe, family-friendly events. The Applicant welcomed constant engagement with the interested parties; with Stelios Stylianou, who already had the Applicant's contact details, stating that the Applicant was happy to visit their home, and Kate Gemmell and other local residents' associations having existing monthly meetings with the Applicant. There had only been a single complaint against the premises, which was a testament to the responsible operation of local free events. Lastly, they stated that amplified music did not necessarily mean loud noise.

Decision and reasons

In their deliberations, Panel Members stated that they were assured by the number of conditions offered by the Applicant to promote the licensing objectives and were in favour of the application in principle, given the nature of the events and the time of day. Panel Members praised the community celebration nature of the application but noted that significant work with local residents was still needed. Based on the merits described, Members were not concerned about departing from the Cumulative Impact Policy. However, amplified music was the sticking point, as described by local residents and its impact on them.

To protect residents, Panel Members agreed that the number of amplified events per year should be limited, and the end times of the majority of those events should be reduced. This condition was necessary to avoid granting the Applicant a 'blank cheque' for the number of events, despite the intentions described sounding reasonable. A conditioned guarantee was considered necessary. The Applicant was able to apply for a variation or TENs in the future if they felt they needed a different

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arrangement. Members noted that TENs had fewer regulatory opportunities and that only responsible authorities could make objecting representations (condition 53 added). To further protect residents, Panel Members stated that condition 40 should be strengthened to specify how, when, and what information residents would receive ahead of events involving amplified music (condition 40 updated).

Panel Members also agreed that conditions 30-32 should be reworded for clarity, specifically to clearly separate the procedure for the live Event Management Plan and individual Event Management Plans (conditions 30-32 updated).

As part of their deliberations, Panel Members acknowledged that this venue was outdoors and had the potential to affect residents more than an enclosed venue. They stated that if residents were negatively impacted a review should be considered. Although not a condition, Panel Members noted Labtech's new offer to visit Stelios Stylianou's home to measure noise levels. Not being conditioned, Panel Members urged that, in the future, the Applicant consider spreading amplified events across the site.

RESOLVED –

i. THAT the following licence be granted:

a. **Live Music**

Monday to Sunday
12:00 – 21:00

b. **Recorded Music**

Monday to Sunday
12:00 – 21:00

In accordance with condition 53, there will be a limit of 20 events permitted to feature amplified music/sounds from a speaker system per year. A maximum of 5 of those events are permitted amplified music/sounds from a speaker system until 9pm. A maximum of 15 of those events are permitted amplified music/sounds from a speaker system sound until 8pm.

c. **Dance**

Monday to Sunday
12:00 – 21:00

d. **Sale of Alcohol on and off**

Monday to Sunday
12:00 – 21:00

e. **Opening Hours**

Monday to Sunday
12:00 – 21:00

- ii. THAT the following conditions be added to the licence:

Conditions consistent with the operating schedule

1. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police. The CCTV to cover all areas where the public have access to (except toilets and changing areas).
2. The CCTV system shall be maintained in good working order and, at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
3. There shall be a suitably equipped control room within the premises which shall be manned by staff at all times when the premises is open to the public for events during which licensable activities are provided.
4. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority within 48 hours of request.
5. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
6. The facility to transfer the images to a compatible, removable format shall be held on the premises.
7. When events involving licensable activities are taking place in the external parts of the premises, the CCTV monitors shall be monitored by a dedicated incident spotter.
8. A dedicated welfare officer shall be employed at the premises whenever licensable activities are provided. Their role will be to monitor the welfare of customers and liaising with management/security staff to assist where necessary. All welfare interventions and outcomes to be logged in the welfare log. The welfare officer shall be equipped with a body worn camera.
9. Notices shall be displayed within the premises warning visitors about personal thefts; and to be vigilant.
10. Notices shall be displayed within the premises advising visitors about CCTV recording.

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11. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other responsible authorities upon request.
12. When the service of door supervisors is required during events where licensable activities are provided, the door staff shall be employed to a ratio of 1:150.
13. A door supervisors register shall be updated on occasions when door supervisors are employed for any occasion on the premises. The register is to be made available for inspection by the Police and/or responsible authorities within 48 hours of reasonable request. Details to show:-
 - Full name;
 - Date of birth;
 - SIA registration number;
 - Date and hours worked; and
 - Contact telephone number and email address within 48 hours of reasonable request.
14. A coloured photocopy of each door supervisors' SIA badge shall be taken by the DPS or a responsible person and retained at the premises:- within 48 hours of reasonable request.
15. The door supervisors shall wear high visibility jackets or vests or high visibility arm bands whilst working at entry/exit points and around the exterior of the building.
16. The door supervisors shall remain on duty for half an hour after the close of the venue to ensure all patrons are dispersed peacefully from the area.
17. In line with the recommendation of any risk assessment carried out for an event, a determined number of SIA registered supervisors shall wear body worn cameras. Recordings shall be retained for a period of 31 days and be available for inspection by the Police/Local Authority or responsible authority officers within 48 hours of request.
18. A duty manager, head door and core staff working during the event shall stay 30 minutes after close to actively help with dispersal and to ensure that the premises is completely devoid of members of the public.
19. The premises licence holder shall host a quarterly meeting inviting local residents and businesses to attend, which can be cancelled by mutual agreement if there is no business for discussion at that meeting.
20. A mobile number shall be provided to residents that shall be manned during operating hours of the venue. Details of any calls received shall be logged

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and a note subsequently made of the action(s) taken. Details to be made available upon request to responsible authorities.

21. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
22. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
23. Where any illegal substance is found within the premises then a record shall be made in the incident book by a duty manager. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site, and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book by a duty manager.
24. Police must be called to incidents of violence and /or disorder.
25. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other responsible authorities upon request.
26. The licensee shall ensure that staff are trained as appropriate, in respect of relevant licensing law, crime scene best practice as well as preventing the sale of alcohol to drunks and underage persons. This training is to be clearly documented and signed and any training for future staff must also be organised at the appropriate time. Refresher training shall be carried out every 6 months and details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.
27. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved and or recommended by the Police.
28. All security staff and management shall be connected by a secure-channel handheld radio system or similar communications device.
29. All security personnel shall be trained in counter terrorism awareness. All S.I.A must be counter terrorism trained.

Public Safety

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30. There will be both a standing live Event Management Plan and individual Event Management Plans.
31. The live Event Management Plan and site plan shall be reviewed each year and updated for continuous development and improvement.

The live Event Management Plan shall include the following as a minimum: -

- a. Event management structure
- b. Event description and profile
- c. Crises communication plan/policy with neighbouring licensed premises
- d. Service management plan
- e. Capacity and expected audience
- f. Programme of event
- g. Extreme weather plan
- h. Emergency evacuation plan (Fire Drills)
- i. Traffic management plan/Car Free Zone
- j. Security and stewarding plan
- k. Crowd/Queue management plan
- l. Entry search and eviction policy
- m. Fire risk assessment
- n. First Aid plan (Training and refresher courses)
- o. Welfare and sanitation plans
- p. Alcohol and drugs policy
- q. Lost child policy
- r. Incident reporting systems
- s. Noise management plan
- t. Community communication and engagement policy
- u. Safeguarding policies
- v. Risk assessment for each specialised event.
- w. Facilities for disabled visitors to the premises.

The premises shall ensure the following safety inspections are carried out in line with current safety regulations, maintain and retain the certificates for: -

- Firefighting equipment
- Electrical installation
- Fire Alarm
- Emergency electrical installation

32. The individual Event Management Plans for each event will take into account specific risk factors associated with each event. The individual Event Management Plans will be submitted to the Safety Advisory Group at Camden for oversight at least 30 days before the event. The individual Event Management Plans will also outline any departure from standard event management procedures. Changes to the individual Event Management Plan after this time will be subject to the following:

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- a. Minor alterations in line with the provisions of the Licensing Act 2003 (for example to internal site layout, event character, staffing) will be instituted by, and reported to, all relevant event managers prior to event live days. A schedule of minor alterations will be presented to all relevant authorities prior to live days, and where necessary an application for a minor variation shall be submitted to the licensing authority.
 - b. In the event of any significant changes to the EMP, and to ensure swift responses to dynamic situations, the licence holder will consult the relevant Responsible Authorities before the planned change is instituted. "Significant Changes" are those related to Adverse Weather Conditions, Decisive Event Practices, Event Safety and Risk Assessment Strategies where (adopting a reasonable approach) the proposed change could negatively affect the promotion of the licensing objectives.
 - c. Where practicable, by agreement in writing with the Licensing Authority, Met Police and Environmental Health Officer as appropriate.
33. Where glass is being used for the dispensing of alcohol, regular glass collection shall be undertaken by staff.
34. No smoking signs shall be displayed prominently throughout the premises and in the toilets and stairways.
35. Staff shall be fully trained on safety issues, including fire safety, and management shall carry out regular safety inspections of the premises before members of the public are allowed on to the premises and after close of business.
36. For routine safety inspection, Safety Inspection Certificates (which shall be maintained up to date) and be available on site for inspection by Authorised Officers from Mon- Fri, this is not the case for emergency officers.
37. The premises licence holder shall provide Environmental Health with a complete list of catering concessions no later than two weeks prior to the start of the event.
38. All fire detecting and firefighting equipment in the premises shall be serviced regularly and maintained in working condition at all times.
39. There shall be planned regular fire drills to test out the evacuation policy the in the management plan result of such drills shall be recorded and reviewed for any improvement.

Prevention of Public Nuisance

40. The event management team will communicate with the local community of the planned event and provide any contact details to deal with complaints or enquiries. The event management team will communicate with the local

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community of the planned event and provide any contact details to deal with complaints or enquiries. Local residents should be notified in writing at least two weeks prior to an event and provided with a schedule of when amplified music will be taking place. When reasonably possible, local residents should be notified if there are any delays in amplified music performance times, that lead to a prominent departure to the original schedule, and residents should be provided with a revised schedule.

41. No noise shall emanate from the premises such that it is a source of statutory nuisance when witnessed by council officers.
42. The premises shall maintain a complaints log detailing the nature of the complaint, complainant (if known) and any action taken. The log to be made available for inspection by Environmental Health upon reasonable request.
43. During events, signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
44. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
45. The premises' management shall take all reasonable steps to ensure patrons wanting entry to the premises do not cause annoyance or nuisance to any other person living in the vicinity of the premises.
46. The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The policy shall contain measures intended to guide staff to ensure a controlled dispersal. The policy will be reviewed regularly and whenever the licensee becomes aware of issues associated with dispersal.
47. At the end of the event the licence holder will clean the site and remove their rubbish from the site and surrounding areas.
48. Servicing and deliveries (excluding council servicing) shall take place between 08:00 and 20:00 hours Monday to Sunday and Public/Bank Holidays, or in line with planning permission for the venue.

Protection of Children from Harm

49. A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. The only acceptable forms of Identity will be those with photographic identification documents recognised in the

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Home Office guidance, including passports, photocard driving licence, military ID cards or proof of age card bearing the PASS hologram.

50. A Challenge 25 sign shall be displayed at the point of sale for alcoholic drinks.

51. Relevant and appropriate staff shall be trained in:

- a. Relevant age restrictions in respect of age restricted products
- b. Recognising signs of drunkenness and vulnerability
- c. How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
- d. The premises' duty of care policy, understanding and dealing with situations involving vulnerable people and underage persons.
- e. Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
- f. The conditions in force under this licence

52. Training shall be regularly refreshed, at least every 6 months. Training records shall be made available for inspection upon request by a police officer or an authorised officer of the licensing authority.

53. There will be a limit of 20 events permitted to feature amplified music/sounds from a speaker system per year. A maximum of 5 of those events are permitted amplified music/sounds from a speaker system until 9pm. A maximum of 15 of those events are permitted amplified music/sounds from a speaker system sound until 8pm.

ACTION BY: Executive Director, Supporting Communities

8. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no urgent business.

The hearing ended at 8.30 pm.

CHAIR

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MINUTES END