

Brent Council
Application for a premises licence – submitted 17/12/2024 Licensing Act 2003
Applicant: Magic Sound Limited
Applicant's written submission in response to representations

Introduction

This application is to obtain a licence to allow the provision of licensable activities so that events may take place at Northwick Park.

In particular, this application is required for the planned MIK Festival, which is to be the only event to take place under this licence this year.

MIK Festival is a two day festival style event, with no overnight camping, with each day effectively operating as a stand alone concert. The event will take place within a secure arena, with all guests standing, and with access to a range of concessions, and facilities.

The music genre is K-Pop – popular music originating from South Korea, which has come to international prominence in recent years.

Background

The applicant, Magic Sound Limited, together with its even management partner “The Event Umbrella” is a leading independent promoter of live entertainment in the UK and Europe, benefitting from significant industry.

In particular, Event Umbrella is a specialist events production company specialising in delivering event production solutions across a variety of sectors, from music and live entertainment to sporting and public events, and of particular relevance to this application including The Notting Hill Carnival, and managing events for Ealing Council, and so has considerable experience in delivering large, high quality, and well managed events in urban and suburban locations in London.

The legal considerations

When an application for a premises licence is made under the Licensing Act 2003 (LA2003), there is a presumption that the application will be granted, which is confirmed at paragraph 9.2 of the current Statutory Guidance issued under section 182 of the Licensing Act 2003 (the Guidance).

In cases in which no valid representations are received, the licence must be granted at the end of the 28-day consultation period subject only to such conditions as are consistent with the operating schedule.

As has occurred in this case, the proposed conditions etc have been amended following mediation with Responsible Authorities (see below). This application has attracted representations from a significant number of local residents which have not been withdrawn and a hearing before the licensing sub-committee must therefore take place.

Under the Guidance, a local authority should generally take its lead from the relevant responsible authority. By way of example, paragraph 9.12 confirms that:

“The police should usually therefore be the licensing authority’s main source of advice on matters relating to the promotion of the crime and disorder licensing objective”

The representations

As mentioned above, in this case the applicant has successfully mediated with all responsible authorities, to agree revisions to the application. In the process, the applicant has also heeded concerns expressed by local residents, particularly regarding the Public Nuisance licensing objective, and specifically how the noise generated by the event will impact local residents, and how the local transport infrastructure will be impacted.

This mediation process has resulted in the amalgamated conditions which form part of the agenda pack.

As the above-mentioned matters were agreed, the relevant representations from Responsible Authorities were all withdrawn and consequently there are now no existing representations from any responsible authority within the licensing authority.

The remaining representations are all from interested parties but no information has been provided about where any individual resident lives.

The role of the safety Advisory Group (“SAG”)

Members will of course be aware that the plans for any substantial event are referred to a SAG for scrutiny. The SAG is made up of officers of the Licensing Authority, the Police, Fire Authority, the Ambulance Service, Environmental Health, Legal Department and the Highway Authority.

The role of the SAG is to scrutinise not only the licence application itself but the detailed event planning for each event and to advise/approve the plans.

The scrutiny continues even during and beyond the events themselves, principally to ensure the safety of not just those attending but also local residents and its remit extends beyond simply the four licensing objectives.

A considerable number of documents have been submitted to the SAG – please refer to the “Document Schedule” for details. In connection with this application, we have provided copies of the relevant documents to the Licensing Authority for circulation to all those who have made representations and to members. I trust that we may be forgiven for not having included every single document – quite apart from the fact that the total number of pages far exceeds 1,000, some contain sensitive information (such as specific details of security arrangements) and others are only of peripheral relevance to the four licensing objectives.

The Licence Application itself

As members will be aware, it is not appropriate to include very detailed conditions regarding the running of events within the Operating Schedule of the application.

The salient point is that the proposed conditions require details to be scrutinised by members of the SAG, whom, with all due respect to members, have far greater expertise to consider whether the Event Management Plan ("EMP") and all of its appendices are both appropriate and sufficient.

Compliance with the EMP then becomes a condition of the licence.

It is submitted that this approach is correct and that members should take great comfort from the fact that the EMP has been scrutinised (and continues to be) by not only responsible authorities as defined by the Licensing Act but also by others

The Representations

The relevant issues from these representations largely fall under the licensing objectives of the Prevention of Public Nuisance, being potential noise pollution, Public Safety, being the logistics of event attendees using the local transport infrastructure to and from the event, and the Prevention of Crim, being how an event could attract thievery, drug use and antisocial behaviour..

Given the suburban location, it is anticipated (and experience shows) that the majority of attendees to the event will use the public transport system. Discussion are underway with TfL to identify which station assets should be used, and whilst the final plan has not at this stage completed, the committee can be assured that TfL do not envisage any difficulties in this regard, and it is anticipated that the primary transport hub will be Harrow on the Hill. Northwick Park station would not be used for event attendees and this would be promoted on all pre event literature and through train and station announcements on live days.

Similarly, there is a detailed noise management plan and conditions relating to noise have been presented to the relevant officers, and discussions as to the final details of that plan are nearing completion.

Representatives from the applicant, and others concerned with specific elements of the event planning will attend the hearing to answer any questions that members or other attendees might have.

We should like to make it clear that from the representations received from local residents, the applicant and its team fully appreciate and understand the sense of pride and value that local residents have in Northwick Park and its immediate surrounding area, and are understandably concerned that a prized community asset is properly safeguarded.

The applicant is confident that the conditions agree with the responsible authorities to date, and the ongoing engagement with the SAG members will result in a well run event which meets the highest standards and addresses the concerns raised by local residents.

Summary and Conclusion

Being able to draw on decades of experience in the industry, the applicant and those engaged by it to plan the proposed events well understand the potential concerns of residents and the responsible authorities.

This is why the applicant has worked with the responsible authorities to tailor the application to minimise the impact of the event on local residents and, in particular, to include further conditions specifically designed to promote the licensing objectives as perceived by the relevant responsible authorities.

No evidence has been adduced to suggest otherwise and none of the responsible authorities have any outstanding representations.

Whilst we are confident that if the application were to be granted no issues would arise, might we take the opportunity to remind all concerned that should any of the licensing objectives (i.e. the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm) be undermined once any event takes place, any of the responsible authorities and any other interested party (including of course local residents) will be at liberty to make an application at any time (and without having to pay any fee) to have the licence reviewed.

Should such an application be made and should the Licensing Authority find that the premises failed to uphold any of the licensing objectives, it has a wide range of powers including ultimately revoking the licence.

Finally, the applicant is eager to both work with and re-assure local residents of its intentions for the operation of any event.

We therefore invite the sub-committee to grant this application.

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