

MAIDSTONE BOROUGH COUNCIL

LICENSING ACT 2003 SUB COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 31 MAY 2016

Present: **Councillor B Mortimer (Chairman), and
Councillors B Mortimer, Mrs Robertson and Springett**

1. **ELECTION OF CHAIRMAN**

RESOLVED: That Councillor B Mortimer be elected Chairman for the Hearing.

2. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members and Officers.

3. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

4. **EXEMPT ITEMS**

5. **RESOLVED:** That all items on the agenda be taken in public as proposed.
**REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES -
APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT
2003 FOR MID KENT COLLEGE OF HIGHER AND FURTHER EDUCATION,
OAKWOOD PARK, TONBRIDGE ROAD, MAIDSTONE, KENT, ME16 8AQ**

The Chairman requested those present to introduce themselves, explained the procedures and Members confirmed that they had read all the papers.

Members were advised that the application was for a full premises licence for Mid Kent College of Higher and Further Education. It was noted that although the premises did have a existing premises licence, the applicant had applied for a new licence rather than varying the existing licence.

The Applicant's Solicitor stated that it was important to note that the premises was first and foremost a College to provide education. The premises would provide a facility for students, their guests, members of the public and other community groups and would help to generate income for the College but it was not seen as the main driver.

It was emphasised that all licensable activities would finish by midnight, apart from New Year's Eve, when the permitted hours would be until 2 a.m.

Members were taken through a site plan of the College by the applicant's Solicitor who advised that:-

- (1) The venue for outside events would essentially be in the College courtyard, which was totally surrounded by brick. If having carried out a risk assessment of an outside event that would give potential for loud music, there would be an option to put up some sound boarding.
- (2) The Auditorium which seats 150, stages plays, recorded music and live music events. Notably the majority of music events would take place in the Auditorium.
- (3) In terms of security, all students would need to show their ID card, all guests would have to sign in and the Challenge 25 would be in operation.
- (4) It was noted that in addition to the 65 car parking spaces, an additional 100 spaces would be provided. The route to and from the car parks is subject to a one way system.

The Applicant's Solicitor advised of a meeting that had been held the previous week with local residents and a local Ward Member, Councillor Willis. During that meeting Councillor Willis had suggested an additional condition could be included which would restrict the College to have 12 outside events a year.

The Objectors, Mr and Mrs Hamilton, were asked if they had any questions that they wanted to ask the Applicant's Solicitor.

Mr Hamilton spoke to confirm that they were fairly new to the area and were not originally aware that the College held an existing premises licence until the meeting last week with other residents. Since that meeting they confirmed that they were fairly relaxed with the situation as they felt a lot of their concerns had been appeased.

Members were then given an opportunity to ask any questions.

Councillor Mrs Springett asked the Applicant's Solicitor how the College were going to enforce the Challenge 25. Mr Thomas stated that the College already use the scheme successfully and ask for ID cards to confirm age. Indeed all students have to sign in and their guests are asked to provide ID.

Councillor Mrs Springett asked if there would be an impact on the other schools on the complex if the college had an event. The Applicant's Solicitor confirmed that he did not envisage any impact.

Councillor Mrs Robertson confirmed that she did not have any questions.

Councillor B Mortimer asked what measures could be taken to ensure that there would not be noise nuisance when live music is playing in the courtyard. The Applicant's Solicitor (Mr Thomas) stated that sound boarding could be used in specific circumstances if a risk assessment found that there could be an issue of noise nuisance.

Mr Thomas also advised that local residents could be given an out of hours contact from the College so they could make a complaint if needed.

All parties were then asked to give their closing remarks.

The Objector, Mr Hamilton stated that he was quite comfortable with the measures that would be put in place should they have an issue whilst an event is happening, in knowing who to contact. However he did request that the objections remain on record.

The Applicant's Solicitor stated that during the meeting the previous week Councillor Willis had made a suggestion of limiting the number of events to 12 per annum.

The Council's Legal Advisor asked the Objector if he felt the condition suggested by Councillor Willis of limiting the number of events to 12 per year should be included. Mr. Hamilton stated that as long as contact details were given to the residents he would be content for that particular condition not to be included.

There were no further questions.

The Chairman adjourned the hearing at 2.45 p.m and declared that the sub-Committee would retire to private session to consider the application.

The hearing was reconvened at 3.15 p.m.

RESOLVED:

That the application be granted subject to modified conditions necessary for the promotion of the licensing objectives which are as follows:-

- 1) The premises will risk assess all outdoor events in advance in order to minimise any impact on local residents and the premises will provide a copy of any relevant risk assessment to any Responsible Authority of Other Person on request.
- 2) The premises will provide an out of hours contact number to local residents on request in order that concerns regarding any event can be raised at the time it occurs.

Reasons for determination:

■ Prevention of Crime and Disorder

Reasons (state in full): The Sub-Committee noted that there was no objection from the Police under this objective and considered that the concerns raised in the written representations were either withdrawn at the hearing or were adequately covered by the operating schedule in the application as applied for.

■ **Public Safety**

Reasons (state in full): The Sub-Committee noted that the concerns raised in the written representations were either withdrawn at the hearing or in the alternative considered that they were adequately covered by the operating schedule in the application as applied for.

■ **Prevention of nuisance**

Reasons (state in full): The Sub-Committee gave full regard to the written representations and oral submissions made by Other Persons under this objective. The Sub-Committee also had regard to the helpful concessions proposed by the applicant.

The Sub-Committee determined that it would be appropriate to add the two conditions detailed above that are consistent with the operating schedule in order to promote this objective.

The Sub-Committee were of the view that proper risk assessment and the ability for residents to communicate with the premises out of hours would provide sufficient protection for residents under this objective.

■ **Protection of children from harm**

Reasons (state in full): The Sub-Committee noted that the concerns raised in the written representations were either withdrawn at the hearing or in the alternative considered that they were adequately covered by the operating schedule in the application as applied for.

6. DURATION OF MEETING

2 p.m. to 3.30 p.m.