

## **MAIDSTONE BOROUGH COUNCIL**

### **Licensing Act 2003 Sub Committee**

#### **MINUTES OF THE MEETING HELD ON TUESDAY 7 JUNE 2016**

**Present:**            **Councillor Grigg (Chairman) and  
Councillors Joy and McLoughlin**

12.    DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

13.    DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

14.    TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE  
BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION

**RESOLVED:** That the items on the agenda be taken in public as proposed.

15.    REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES -  
APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT  
2003 FOR PARTS OF MOTE PARK, MAIDSTONE

The Chairman requested all those participating to identify themselves, as follows:

Councillor Grigg	- Chairman and Member for Loose Ward
Councillor Joy	- Member for High Street Ward
Councillor McLoughlin	- Member for Marden and Yalding Ward
Jayne Bolas	- legal advisor
Poppy Collier	- committee clerk
Chris Ingham	- Spirit of Rock Ltd, Festival Director
Mesh Rupparella	- Spirit of Rock Ltd, Health and Safety
John O'Sullivan	- Spokesperson for the applicant and Spirit of Rock Ltd, Director

It was noted that the objectors to the application were not in attendance, two having indicated they would not be attending and no response from the third. The sub-committee decided to proceed as the objector's representations were in the papers and it was not necessary in the public interest to adjourn the meeting.

The Chairman confirmed that all parties were aware of the sub-committee hearing procedure and that each had a copy of the hearing procedure document.

The sub-committee members confirmed that they had pre-read all the papers and any other documents contained in the report regarding the hearing.

Mr O'Sullivan, spokesperson for the applicant, advised that no draft conditions had been agreed between the applicant and any other party.

The legal advisor provided a brief outline of the application and all representations received.

The Chairman invited Mr O'Sullivan to provide opening remarks.

Mr O'Sullivan advised that Spirit of Rock Ltd purchased the name of the Ramblin Man Fair after the liquidation of the company which had organised the event the year previously. Mr O'Sullivan had twenty five years' experience in producing classic rock and progressive rock awards. Mr Ingham had published classic rock and metal magazine brands. Spirit of Rock Ltd had worked to rebuild relationships with companies which had been involved in the festival previously, and to involve the local community by employing students from Mid Kent College. The festival had engaged the services of the same suppliers, security firm and traffic management company as previously used. The classic rock audience was described as being between the ages of 35 to 60 years old. Mr O'Sullivan had acted as a licensing officer on behalf of a local authority for a festival held in London targeted at the same audience, and witnessed no issues.

The Chairman invited questions from sub-committee Members.

In response to questions Mr O'Sullivan explained that:

- The cleaning firm employed for the upcoming Ramblin Man Fair was also used for the Glastonbury Festival. Side streets would be checked for litter.
- The senior management team would be staying on site during the festival in order to be responsive to any issues that might arise.
- The Directors had worked previously with festivals held within residential areas in Hackney and Tower Hamlets, and so were experienced in noise management and communication with residents.
- Households in the vicinity of Mote Park would be leafleted with information in advance of the festival. The organisers were working with the council to agree the areas that should receive the leaflet. A manned phone line would be provided throughout the festival for residents enquiries.
- A pre-Safety Advisory Group (SAG) meeting had been held. A shared folder containing all documents relating to the festival, including noise reports, had been made accessible to members of SAG. No issues were raised by responsible authorities following the festival

held in 2015, and no issues were raised in the pre-SAG meeting. SAG's approval would be required in order for the festival to be licensed.

Mr O'Sullivan advised the sub-committee that the objectors' representations had been taken into consideration, and the following was put forward:

- That in order to avoid blocking areas of Mote Park off to dog walkers, the surrounding fence to the site could be moved by 10 feet.
- That only live music produced by two acoustic guitars would be allowed in the glamping site after 11.00 p.m. on Friday and Saturday, and that all music would stop at 00.00 a.m. on Sunday in the glamping site.
- That the relevant Ward Members would be communicated with.

There were no further questions from the sub-committee, and no further matters to be raised or resolved before the hearing could be closed.

The Chairman declared that the sub-committee would retire to private session to consider the application. The meeting stood adjourned at 10.58 a.m., and reconvened in public at 12.01 p.m.

During the declaration of the determination Mr O'Sullivan clarified a point regarding the manning of the phone lines.

The sub-committee was adjourned at 12.08 p.m. and reconvened in public at 12.12 p.m.

**RESOLVED:** That the application be granted subject to modified conditions appropriate for the promotion of the licensing objectives:

Conditions:-

- All consistent with the operating schedule and relevant mandatory conditions.

Conditions imposed by Members:-

- 1) The final time for the glamping area be reduced to 00:30 hours on Friday and Saturday and 00:00 on Sunday for all regulated entertainment.
- 2) After 23:00 on all days of the licence there will be no films ,no organised recorded music and live music shall be limited to a maximum of two guitars/vocals, unamplified in the glamping area.

- 3) Festival staff shall monitor and manage the glamping area after 23:00 hours to 01:00 hours daily to ensure respect for local residents in terms of noise.
- 4) Information shall be provided to residents,( which includes contact telephone numbers, for the whole of the time of licensable activities) to a distance agreed with the Council's environmental noise team.
- 5) There shall be a minimum of 3 contact telephone numbers for this contact purpose only, manned during licensable activities.
- 6) Notices shall be erected at the entrances/exits to the licensed site displaying contact numbers for residents.
- 7) The licence holder shall co-operate with the Safety Advisory Group in supplying information and agreeing requirements for safety, traffic, noise and all other matters relevant to the licensable activities.

Informatives:-

Members understand that the fence line for the glamping area will be reduced to allow passage of walkers in the long valley, as agreed with the Council. No movement other than this to the licensed plan should take place.

The licence holder should provide information to ward Members as well as residents.

Reasons for determination:

Members of the sub-Committee carefully considered the information in the report and evidence given at the hearing by the applicant's representatives and the representations received in four letters on the papers.

Members noted that there were no responsible authority objections and despite the level of residents in the area there were four representations from three people/families. Having balanced the issues raised in relation to noise, general nuisance, litter and behaviour the Members were satisfied that the licensing objectives of prevention of crime and disorder, prevention of public nuisance and public safety can be promoted appropriately and proportionately by applying additional conditions to the licence applied for. Behaviour and littering off site is a matter for the personal responsibility of those attending and the licensee is responsible only in the immediate area of the licensed premises.

Members carefully balanced the position of those who would attend the event, local residents and objectors and found any further steps would be disproportionate to issues which appeared likely to arise on the basis of the evidence. Providing clear contact for residents during licensable activities and reducing the terminal hours of and controlling the nature of

entertainment in the glamping area was considered proportionate and appropriate to alleviate any issues.

16. DURATION OF MEETING

10.01 a.m. to 12.13 p.m.