

LICENSING HEARING

Minutes of the meeting held on 4 May 2022 commencing at 10.30 am

Present: Cllr. Layland (Chairman)

Cllrs. Bonin and Edwards-Winser

Also Present:	Scott King	Applicant
	Laura King	Applicant
	Mr Jason Springham	Applicants' Representative
	Cllr MacArthur	SDC Councillor
	Cllr Thornton	SDC Councillor
	Jessica Foley	Senior Licensing Officer (SDC)
	David Lagzdins	Legal Advisor (SDC)
	Andy Binnie	Democratic Services Officer (SDC)
	Charles Hook	Environmental Health Officer (SDC)
	Jonathan Evans	Representor
	Jessica Mauve	Representor
	Jane Morgan	Representor
	Victoria Bryden	Representor

10. Appointment of Chairman

Resolved: That Cllr Layland be appointed as Chairman of the sub-Committee

(Councillor Layland in the Chair)

11. Declarations of interest

There were none.

12. LICENSING ACT 2003 NEW APPLICATION- 22/00428/LAPRE - Little Elses, Morelys Road, Weald, Sevenoaks TN14 6QX

The Chairman welcomed everyone to the Hearing and introduced those present.

The Hearing gave consideration to the report by the Senior Licensing Officer. A new application had been received for a Premises Licence pursuant to Section 17 Licensing Act 2003 for the premises at Little Elses, Morley's Road, Weald. 16 representations against the application had been made by local residents, 14 representations in support of the application had been made by local residents and 3 representations had been received by Responsible Authorities, Environmental Health and Planning.

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It was noted that the comments made at Appendix E had been withdrawn and would not be considered as part of the hearing. It was also noted that the application had been made at a similar time to a time limited Premises Licence application for the same property. However only comments in relation to the permanent premises application were to be considered as part of the Hearing.

The Applicants and the Applicants' Representative gave an introduction to their proposals. Members were informed of the supplementary information that the applicants had provided to the hearing including complimentary comments made on Facebook regarding the event. The applicants had applied to license more than was necessary for their events and were willing to accept limitations. They had made an application after a survey carried out by the Parish Council indicated that local people would be supportive of more community events. At the events, traffic marshalls and security would be on-site to ensure any parking or public nuisance problems were dealt with.

The Applicants stated that they had no desire to extend the events until 23:00 hours every night as the events were aimed at a family-friendly audience. The applicants expressed they would be content if the events finished earlier but had applied for the maximum durations merely for convenience.

Members asked questions of clarification of the Applicants. Space for Emergency Services would be accommodated upon entry to the site. Ticketing would take place on the main field so as to not disrupt road users.

The Representors were then asked to present their concerns and objections to the Hearing. Concerns were raised as to the scale of the proposed licence as a year-round application. It was noted that the Applicants had not advertised their application online and so the comments found in the Applicants' supplementary information may not be representative. The Parish Council had also not commented on the application formally and so their views may have not been as supportive. It was suggested that the licence would encourage additional events over 500 people which would cause inconvenience and nuisance to the surrounding neighbours.

Members asked questions of clarification of the Officers present. It was confirmed that once a licence had been granted it would be able to be transferred to new people should licence holders leave. It was also confirmed that any issues with the licence could be called up for review to the Licensing Partnership.

The Environmental Health Officer then presented the concerns laid out in his representation to the Hearing. The Officer recommended a condition for a dedicated noise consultant to monitor the noise levels and ensure it did not breach standards.

Members asked questions of clarification of the Officer. The sound limits were measured and calculated from the closest domestic property to monitor noise levels and ensure that noise did not exceed 15 decibels over background noise.

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The Representatives were invited to ask clarifying questions of the applicants and applicants' representative. Concerns were raised as to the possibility of inebriated attendees leaving the property and disturbing local residents. It was confirmed that a controlled environment would be created by event security to ensure that no alcohol was brought onto the property and alcohol was not served to inebriated individuals.

Some concern was raised as to the space for taxis to be called. It was confirmed by the applicants representative that a paddock for taxis would be made available and dedicated traffic officers would ensure that taxis would be informed and correctly directed to ensure exit from the premises was not interrupted. Special flooring would also be put down should the land be affected by heavy rain. An updated traffic management plan would also be completed.

It was suggested that dedicated and manned contact numbers be made available to the relevant parties before and during the events should there be any concerns. It was confirmed that a Temporary Event Notice could be applied for in addition to the Premises Licence should the licence be limited. It was confirmed by Officers that an occasion would qualify as an event if licensable activities were to take place.

The Environmental Health Officer recommended that the licence be restricted to 12 days per year for events over 500 people as a reasonable suggestion.

Officers answered questions of clarification.

At 11:49am the sub-Committee was adjourned for informal discussions to take place between the parties. Members withdrew accompanied by the Democratic Services Officer.

At 12:25pm Members and the Democratic Services Officer returned to the Council Chamber.

The Legal Advisor confirmed that an informal agreement had been reached between the parties. It had been agreed that:

- i) The licence should be amended to apply to only 12 days per year for any number of attendees.
- ii) There should be no less than 13 days between events (although events may carry over more than one day)
- iii) 3 of the 12 days may be for the exhibition of films for open-air cinema until 22:00 hours
- iv) the other 9 additional events should terminate at 21:30 hours
- v) Environmental Health's suggested conditions should apply to events with over 500 attendees
- vi) contact details should be made available to the Parish Council and Local Residents upon request.

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The meeting was adjourned at 12:32pm and the Hearing Members withdrew to consider the application and agreed terms accompanied by the Legal Advisor and Democratic Services Officer.

At 12:43pm the Hearing Members, Council Legal Advisor and Democratic Services Officer returned to the Council Chamber.

The Chairman confirmed that the full detailed decision would be made and provided to the interested parties thereafter by the Notice of Determination within 5 working days. It was noted that the agreement reached by the parties was based on assurances provided by the applicant to the interested parties and there was concern, particularly from interested parties, should the licence be transferred in the future.

The Chairman advised the Hearing that the Sub-Committee had come to the conclusion that the Premises Licence be granted subject to the conditions agreed by the parties and conditions given by Environmental Health with the addition of an alteration that the applicant must inform Environmental Health of tickets available for sale (rather than tickets sold).

Resolved: That the Licence be granted subject to minor amendments in proposed conditions for the purpose of enforceability and the informative with the full reasoning as detailed in the Notice of Determination as attached as an appendix to these minutes.

THE MEETING WAS CONCLUDED AT 12.44 PM

CHAIRMAN