

LICENSING SUB-COMMITTEE

Minutes of the meeting held at 10.00 am on 11 March 2020

Present:

Councillor Robert Evans (Chairman)
Councillors Gareth Allatt and Kira Gabbert

Also Present:

Councillor Stephen Wells

7 APPOINTMENT OF CHAIRMAN FOR THE MEETING

Councillor Robert Evans was appointed Chairman for the meeting.

8 DECLARATIONS OF INTEREST

No declarations of interest were reported.

9 VARIATION OF THE PREMISES LICENCE AT KENT COUNTY CRICKET GROUND, BECKENHAM, BR3 1RL

1. SUMMARY OF THE DECISION

The Licensing Sub-Committee having carefully considered the application for a variation of the premises licence at **KENT COUNTY CRICKET GROUND BECKENHAM BR3 1RL**

The Licensing Sub-Committee has made the following decision having regard to:

- the four licensing objectives,
- the Council's current Statement of Licensing Policy
- Guidance issued under the Licensing Act 2003; The Secretary of State Guidance issued under Section 182 of the Licensing Act 2003 (As amended),
- Written and oral representations by the Applicant,
- Written and oral representations by Local Resident (s),
- Written and oral representations by Public Health(s),
- Written and oral representations by the Ward Councillor(s),

The decision of the Licensing Sub-Committee was as follows:

The **Licensing Sub- Committee decided to Grant** the application for a variation of the premises licence subject to the agreed amendments at the Hearing on the 11th March 2020.

2. THE APPLICANT'S CASE:

The representative for the applicant - Kent County Cricket Club (KCCC) Alan Hilliker (Licence Holder), mentioned that the applicant had been a licence holder for 10 years and had been with the KCCC for 15 years. Two other staff of KCCC attended the hearing and assisted when explanation or clarification was required.

The Licence Holder gave a brief history of the KCCC (see also paragraph 7 below), and mentioned that the application was beyond the cricket activities of the Club. In addition to the original application, a document with a summary of a revision to the application was submitted by the applicant before the meeting. The summary document was circulated to all parties.

The KCCC licence holder stated that in Canterbury, KCCC had a similar varied licence, which had been implemented successfully; this was echoed by their CEO, who mentioned that KCCC was celebrating 150 years of operations. The proposed changes like those in the variation were part of the Club's plan for ongoing growth.

Kent Country Cricket Club requested 6 outdoor concerts/films/plays per year, on a maximum of 2 consecutive nights (which was an amendment from the application: 4 music concerts to include 2 films / plays).

That the events would be finished by 22:30 (amendment from the application from 23:00).

A discussion followed regarding the sale of alcohol and the applicant mentioned that ideally they would prefer to have a 22:30 finish time for the events and for the sale of alcohol.

The applicant listened and responded to questions from various parties, and endeavoured to try and find a way forward in addressing some of the objectors' concerns. The applicant agreed to the suggested amendments at the hearing.

3. OBJECTIONS AND SUPPORT TO THE LICENCE:

There were written and oral representations from local residents and oral representation from three local residents.

It was noted that there were no objections from the Metropolitan Police.

The Council's Public Health Team as a responsible authority objected to the application, on the grounds that an Events Management Plan had not been submitted by the applicant. The applicant agreed to submit the plan after the hearing. The plan would address the various technical points relating to noise nuisance; and how to manage noise in outdoor events.

A resident mentioned his support for the Club, and mentioned that he understood some of the dispersal constraints it may face.

4. LOCAL RESIDENTS' REPRESENTATION:

Three local residents spoke at the hearing. One of the residents had not registered to speak; the Chairman in his discretion allowed the resident to speak. The discussion can be summarised as follows:

Residents raised their concerns regarding a possible increase in noise nuisance, parking, longer opening hours, littering, dispersal delays at the end of an event, and anti-social behaviour.

Prior to closure of the Hearing the Chairman asked all the parties if they had anything else they would like to mention before the Licensing Sub-Committee members deliberated. No further points were raised and each party summed up their points.

5. THE WARD COUNCILLORS' COMMENTS:

There were objections to the application from Ward Councillors, and one Ward Councillor spoke at the Hearing.

The amendments to the application were welcomed by the Ward Councillor, and by some of the residents, noting that the applicant had made a good effort to listen to the various objections and concerns from the residents.

The Ward Councillor raised various issues, including a concern of possible anti-social behaviour, floodlights, lack of disabled toilets and delays in exiting the venue as a result of the sale of alcohol closing time being 22:30, as proposed by the applicant. The Councillor did express an overall positive view of how Kent County Cricket Club was viewed by many of the residents, and the good long term relationship the Club has had with residents.

6. PUBLIC HEALTH:

Written and oral objections were received from the Public Health Team. The main concern raised was the lack of an Events Management Plan, which would address the noise nuisance issue(s), raised by both the residents and the Ward Councillors.

The Licensing Sub-Committee heard representations from the Public Health Team and briefly discussed these with the applicant, the Public Health officers and the Licensing Manager. The discussion included the acceptable decibels and background noise. It was agreed that the details of the plan would be discussed and agreed with the applicant once the Events Management Plan was submitted to the Council. The applicant agreed to be guided by the Public Health Team to produce an acceptable Events Management Plan which would be used by KCCC.

7. THE LICENCE:

(a) THE APPLICATION FOR A VARIATION OF THE PREMISES LICENCE

The details of the application for the variation of the premises licence was noted in the agenda/application bundle.

(b) THE CURRENT LICENCE

The Current Licence is noted on in the agenda/application bundle.

(c) A SUMMARY TO THE APPLICATION FOR A VARIATION OF THE PREMISES LICENCE

Subsequent to the Application to vary the Premises Licence submitted by the applicant, a summary of the varied application was submitted by the applicant a day prior to the hearing and was circulated at the hearing to all parties. The summary reads as follows (please click on the attached document which will be printed with the decision):



Kent Cricket Proposal
for Variation of Premis

(d) AGREED AMENDMENTS TO THE ABOVE APPLICATION AT THE HEARING

The additional summary document submitted by the applicant provided some responses to the objections by residents and Ward Councillors. The Licensing Sub-Committee having heard all representations, deliberated and agreed to the following amendments:

- The Licensing Sub-Committee granted 2 (instead of the 6) outdoor concerts/films/plays per year, on a maximum of 2 consecutive nights, Fridays, Saturdays or Sundays (Following a Bank Holiday)
- All events to finish by 22:00 hours (instead of 22:30)
- Bars to close by 22:00 hours (instead of 22:30)
- The sale of alcohol to finish at 22:00 hours
- A relevant Event Management Plan to be submitted by the applicant taking into consideration the objections submitted and discussed at the hearing by the Public Health Team – The document to be submitted prior to the event and concurrently to the Bromley Borough Safety Advisory Group
- The rest of the application for the variation of the premises licence remained as submitted by the applicant.

8. THE DECISION

The Licensing Sub-Committee decided to **Grant** the licence in relation to the application for a variation of a premises licence, subject to the agreed amendments made at the Licensing Sub-Committee Hearing. The Licensing Sub-Committee when deliberating took into consideration the following:

- a) All the licensing objectives, the relevant licensing policies and guidelines in relation to the above application. It looked at the application as a whole,

and all the steps which the applicant intended to take to promote the licensing objectives.

- b) All points raised by all parties (including those from the responsible authorities) in the application bundle and at the Licensing Sub-Committee hearing.
- c) The Metropolitan Police did not object to the above application.
- d) The applicant agreed to submit an Events Management Plan to be agreed with the Council's Public Health Team. The plan would address the noise concerns raised by the residents and the Ward Councillor.
- e) The applicant agreed to the amendments at the hearing.
- g) That the applicant has agreed to reduce the hours of the sale of alcohol and the closing time of the events.
- h) The applicant has agreed to all the relevant policies and conditions in the licence, and has shown good intention to uphold the licensing objectives and to listen to resident's concerns.
- i) The relevant Licensing Act provides for a review process for any licensing premises which can be utilised whenever it is required.

The Sub-Committee believed that the above reasons, and agreed amendments that are incorporated into the varied premises licence are necessary, in order to uphold all the licensing objectives.

In conclusion the Licensing Sub-Committee, in line with the relevant policies and guidelines, made the decision that the variation to the premises licence application to be **granted with the relevant amendments agreed at the Licensing Sub-Committee Hearing and the above full decision.**