

LICENSING SUB-COMMITTEE

Minutes of the proceedings at a meeting of the Licensing Sub-Committee held in the District Council Chamber, South Lakeland House, Kendal, on Monday, 16 September 2019, at 10.00 a.m.

Present

Councillors

Dave Khan

Helen Ladhams

David Webster

Officers

Peter Adams

Environmental Health Officer

Una Bell

Case Management Team Leader

Karen Partington

Licensing Officer

Josie Smith

Legal, Governance and Democracy Specialist

LS/7 ELECTION OF CHAIRMAN

RESOLVED – That Councillor Dave Khan be elected Chairman for the meeting.

LS/8 APOLOGIES AND RECONSTITUTION OF MEMBERSHIP

There were no apologies and there were no changes in the membership of the Sub-Committee and, therefore, no reconstitution was necessary.

LS/9 DECLARATIONS OF INTEREST

RESOLVED – That it be noted that no declarations of interest were raised.

LS/10 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

RESOLVED – That it be noted that there are no excluded items on the agenda.

LS/11 INTRODUCTIONS

The Chairman made introductions and read out the procedure for the meeting.

LS/12 APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNIVERSITY OF CUMBRIA - AMBLESIDE CAMPUS

The Licensing Officer presented a report which requested consideration of an application for a premises licence in respect of the University of Cumbria, Ambleside Campus in light of representations which had been submitted by interested parties.

The Environmental Health Officer addressed the Sub-Committee and explained that he had been working with the University, following previous enforcement action, and

informed the Sub-Committee Members that improvements had been noted and that there had been a reduction in the number of complaints received. He went on to outline details of the proposed noise management plan and informed Members that it had been recommended that the noise management plan be included in the site management plan, which was being considered by the Lake District National Park planning department and other interested parties.

Mr Chris Hodgson, a local resident and owner of a bed and breakfast, addressed the Sub-Committee. He explained he was not objecting to the application and that he recognised the benefits of clear guidelines when controlling and managing the environment. He went on to raise concerns regarding that fact that there were currently insufficient staff resources on site to control and manage the environment. He highlighted details of the anti-social behaviour previously experienced and acknowledged that there had been a 12 month stable period. However, with the introduction of a new facility, he had further concerns. Mr Hodgson went on to outline his proposals which included a clear resource and site management plan which would ensure no sites were left without a management resource.

Ms Marjorie Waddecar, a local resident and secretary of Greenbank and Castlefield Resident's Association, addressed the Sub-Committee. She informed Members that she was representing 158 households of properties adjacent to the university campus and that the neighbourhood was home to young families and older residents, all of whom were concerned regarding nuisance, noise, lighting and music. She stated that the residents were not objecting to the provision of the licence and that they would feel reassured if respect and consideration was shown to them and the premises was correctly and appropriately supervised. Ms Waddecar went on to outline concerns regarding general supervision of students using the premises and the numbers of security staff currently employed by the university. She acknowledged that the university had worked hard to monitor and supervise activities in recent years and hoped that this would continue.

Ms Emma Bales and John Powell, the joint Applicants, addressed the Sub-Committee and responded to concerns raised by Mr Hodgson and Ms Waddecar during their address and responded to further questions. Mr Powell clarified that the licence application was for the whole of the campus and went on to outline the proposed opening hours and the management and security provision.

The Licensing Officer responded to questions raised by the Sub-Committee.

The joint Applicants responded to questions raised by the Sub-Committee.

In his closing statement Mr Chris Hodgson stated that concerns raised could be mitigated with a detailed resource and management plan to ensure that no areas would be left without a staff presence.

Note – The Sub-Committee passed a resolution to adjourn the meeting to exclude the press and public in making its decision, pursuant to Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 by virtue of the paragraph indicated:-

Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

The Sub-Committee, supported by the Legal, Governance and Democracy Specialist then withdrew to consider the application.

The meeting was reconvened at 11.26 a.m.

The Licensing Officer responded to a further question raised by the Sub-Committee Members.

Note – The Sub-Committee passed a resolution to adjourn the meeting to exclude the press and public in making its decision, pursuant to Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 by virtue of the paragraph indicated:-

Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

The Sub-Committee, supported by the Legal, Governance and Democracy Specialist then withdrew to further consider the application.

The meeting was reconvened at 11.33 a.m. and the Chair of the Sub-Committee communicated the Sub-Committee's decision.

The Sub-Committee considered the application and what had been said carefully and also had regard to the Council's Statement of Licensing Policy and, in particular, paragraph 5.6.

Having regard to the Licensing Objectives, the reasons for reaching the decision were the prevention of public nuisance. The Licensing Sub Committee was satisfied that the conditions imposed would serve to further the licensing objectives contained within the Licensing Act 2003 and the statutory guidance.

RESOLVED – That the application be granted subject to the standard mandatory conditions and to the following conditions:

- (1) The applicant will supply a noise management plan to the Environmental Protection Department which requires the approval in writing of the Environmental Protection Department and be complied with at all times.
- (2) All waste collections should take place between the hours of 8.00am and 7.00pm.

The meeting ended at 11.34 a.m.