

PETERBOROUGH

Meeting of the Licensing Act 2003 Sub-Committee
held at the Town Hall, Peterborough on Monday, 13 April 2015

RECORD OF PROCEEDINGS

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| 1. Apologies for Absence | There were no apologies for absence received. |
| 2. Declarations of Interest | There were no declarations of interest. |
| 3. Application | Anglia Ruskin University Higher Education Corporation, Guild House, Oundle Road, Peterborough |
| 3.1 Application Reference | 070954 |
| 3.2 Sub-Committee Members | Councillor (Chairman) Thacker Councillor Davidson Councillor Khan |
| 3.3 Officers | Terri Martin, Regulatory Officer – Licensing Colin Miles, Lawyer – Legal Advisor to the Sub-Committee Pippa Turvey, Senior Democratic Services Officer – Clerk to the Sub-Committee |
| 3.4 Applicant | Anglia Ruskin University Higher Education Corporation |
| 3.5 Nature of Application | <p><u>Application Type</u></p> <p>Application for a new premises licence.</p> <p><u>Authorisations and Times Applied For</u></p> <ul style="list-style-type: none"> • Sale of alcohol for consumption <u>on & off</u> the premises Monday to Sunday 11.00 to 23.00 • Hours premises are open to the public Monday to Sunday 24 hours <p>AUTHORISATIONS AND TIMES APPLIED FOR AFTER MEDIATION</p> <ul style="list-style-type: none"> • Sale of alcohol for consumption for <u>on</u> the premises only Monday to Sunday 11.00 to 23.00 • Hours premises are open to the public Monday to Sunday 24 hours <p><u>Summary of New Premises Licence Application</u></p> <p>In accordance with the Licensing Act 2003, following the submission of an application for a new premises licence for Anglia Ruskin University Higher</p> |

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| | <p>Education Corporation, Guild House, Oundle Road, Peterborough, which had attracted representations in objection to the application, the Licensing Authority was required to hold a hearing.</p> <p>A summary of the issues raised by persons objecting to application included:</p> <ul style="list-style-type: none"> • Residents believe that granting an alcohol licence in the residential area and near to schools would lead to street drinking in the area and associated anti-social behaviour. • If a licence is granted there would be an increase in alcohol related incidents which the overstretched Police resources would have to deal with. • Close proximity to 2 primary schools, a place of worship and in an area of an 'aged community'. • A risk that school children may be witness to or victims of public disorder due to street drinking. • An increase in noise related disorder from music being played whilst the licence is in operation which would lead to the demise of local resident's peace and quiet. • An increase in parking issues in the surrounding area. |
| <p>3.6 Licensing Objective(s) under which representations were made</p> | <ol style="list-style-type: none"> 1. The Prevention of Crime and Disorder 2. The Prevention of Public Nuisance 3. The Protection of Children from Harm 4. Public Safety |
| <p>3.7 Parties/Representatives and witnesses present</p> | <p><u>The Licensing Authority</u></p> <p>The Regulatory Officer, who presented the case on behalf of the Licensing Authority.</p> <p><u>Applicant's Representative</u></p> <p>The Designated Premises Supervisor, Jay Broome, and the Applicant's Representatives, Robert Jordan.</p> <p><u>Ward Councillor</u></p> <p>Councillor Thurlbourn</p> <p><u>Other Persons</u></p> <p>S Riseley, Gareth Evans, Hazel McCall, and Sandra Fisher.</p> |
| <p>3.8 Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters</p> | <p>There were no pre-hearing considerations.</p> |
| <p>3.9 Oral representations</p> | <p>The Regulatory Officer addressed the Sub-Committee and outlined the main points with regards to the application. The key points raised in her address included were the representation submitted against the application by 17 local residents. Amended conditions had been included in the report, following mediation.</p> <p><u>Ward Councillor - Thurlbourn</u></p> <p>Councillor Thurlbourn addressed the Sub-Committee. The key points raised</p> |

during their address, and following questions from the Sub-Committee were as follows:

- This application, if granted, would be the 17th or 18th premises licence in a square mile.
- There had been issues in the area around crime and disorder, all alcohol related and close to the local school.
- Guild House was embedded into a housing estate and the area around the building was populated mainly by pensioners.
- Councillor Thulbourn had attempted to open a dialogue with the University on several occasions, with no success.
- Issues were raised in relation to car parking in the area. There were car parks next to Guild House, however students rarely used this as it charged. Residents were worried that people attending events at the University would park in the surrounding area and cause congestion in the evening.
- The locality was home to many families and pensioners and the potential for music to be played late into the evening was troubling. It was suggested that residents' quality of life would decrease.
- Councillor Thulbourn believed that it would be more appropriate to hold University events in existing community facilities. This would move concern away from the elderly residents and would improve community relations.
- It was suggested that, if approved, the premises licence was limited to end at 7.00pm.

Other Persons – S Riseley

S Riseley addressed the Sub-Committee. The key points raised during their address, and following questions from the Sub-Committee were as follows:

- She had great difficulty find a parking space in order to visit her elderly father. Concern was expressed that this problem would be exacerbated with the granting of a premises licence.
- Parking problems also gave rise to concerns about highway safety.
- It was suggested that nearby local facilities could be used for University functions, which would be better for the community.
- People in the area were worried that drinking on the site would be a disturbance to the elderly residents.
- It could not be stated, certainly, that all the cars parked in the surrounding streets were students, as local residents used permits and parking wherever possible. There had been trouble in the past with ambulances not being able to access the road.

Other Persons – Gareth Evans

Gareth Evans addressed the Sub-Committee. The key points raised during their address, and following questions from the Sub-Committee were as follows:

- With the agreement of all parties, Mr Evans circulated pictures of Wharf Road at 9am, highlighting the parking problems faced in the area.
- Cllr Thulbourn advised that when the University was not open, the parking issues decreased.
- Mr Evans raised concern about the potential for noise disturbance and anti social behaviour mid-week, as a result of a premises licence.

Applicant's Representative

Jay Broome and Robert Jordan addressed the Sub-Committee. The key points raised during their address, and following questions from the Sub-Committee were as follows:

- Robert Jordan advised that if there was a function on at the University, free parking would be provided for those individuals attending the event.
- The capacity of the building was 75 on the first floor and less than 200 on the second floor.
- The car park could house 154 cars. It was stated that no event would be arranged that could not be catered for by the car park.
- It was noted that it was not feasible to host events of the nature intended by the University in local pubs or facilities. A full fire risk assessment had been undertaken for the Guild House.
- Robert Jordan had previously emailed a local Councillor, although not the Ward Councillor in attendance at this meeting, to meeting with residents on site. This invitation was not taken up.
- In line with the revised conditions outlined in the report, the application had been scaled back to two specified internal areas. An Event Management Plan would be put in place for each event. This would need to be approved by the Licensing Authority, who would be notified 28 day prior.
- It was noted that the Chelmsford and Cambridge locations for the University were licensed and it was hoped that residents' fear regarding parking could be allayed.
- Robert Jordan outline all the matters that would be dealt with within an Event Management Plan, which would be undertaken for each separate event.
- The applicant would be opposed to including any additional conditions that were already reflected within the operating schedule.
- Jay Broome was the proposed Designated Premises Supervisor and was contactable at all times, with remote access.
- It was not believed that there was any proof that the licensing objectives were not being met.
- Jay Broome advised that there was expected to be 15 events a year, maximum. The nature of events would be graduation, open evenings, freshers' week events, etc, to promote the University. Security would be located at the entry points and on the floor, which was current procedure.
- The current charge for the car park was £3 all day, free after 5pm and on Saturday.
- It was set out in the conditions that patrols of the area would take place when music / amplified speech was taking place, to ensure no disturbance was created.

Summing Up

All parties were given the opportunity to summarise their submissions.

Other Persons

S Riseley expressed her disapproval in the manner the applicant had chosen to advertise their application. It was noted, however, that the applicant had complied with all legal requirements. It was suggested that communication with residents of the area could have been better.

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| | <p>Ward Councillor</p> <p>Councillor Thulbourn believed that it was vital for the University to provide free parking for students in the available car parks. The building was embedded in a residential area and without available parking, the roads would become congested.</p> <p>Applicant's Representative</p> <p>Robert Jordan advised that the University did email a Ward Councillor, although it was not Councillor Thulbourn. It was suggested that at a meeting could be arranged with Ward Councillors and local residents to discuss any issues that they had with the University.</p> |
| <p>3.10 Written representations and supplementary material taken into consideration</p> | <p><u>Applicant</u></p> <p>Consideration was given to the application for a Premises Licence, attached to the Sub-Committee report.</p> <p><u>Other Persons</u></p> <p>Consideration was given to the written submission attached to the Sub-Committee report from 17 local residents.</p> |
| <p>3.11 Facts/Issues in dispute</p> | <p><u>Issue 1</u></p> <p>Whether the premises licence application would further support the 'Prevention of Crime and Disorder' Licensing Objective.</p> <p><u>Issue 2</u></p> <p>Whether the premises licence application would further support the 'Prevention of Public Nuisance' Licensing Objective.</p> <p><u>Issue 3</u></p> <p>Whether the premises licence application would further support the 'Protection of Children from Harm' Licensing Objective.</p> <p><u>Issue 4</u></p> <p>Whether the premises licence application would further support the 'Public Safety' Licensing Objective.</p> |
| <p>4. Decision</p> | <p>The Sub-Committee listened to all the evidence put before it and also took into account the contents of the application and all representations and submissions made in relation to it. The Sub-Committee found as follows:-</p> <p>The Sub-Committee considered the representations made today and in writing from:</p> <ul style="list-style-type: none"> • The Applicant, the Designated Premises Supervisor and the Applicant's Representative; • Ward Councillor Thulbourn; • S Riseley and Gareth Evans; and • 17 Local Residents in the capacity as 'other persons'. |

The Ward Councillor and objectors raised concerns regarding off site parking; noise emitted from the premises; an increase in drunkenness in the area and associated anti social behaviour.

The Sub-Committee sympathised with residents' concerns about off site car parking but this was outside of this committee's control, and the applicant stated that during organised function, there would be free on site parking for those attending.

The Sub-Committee considered:

- The Council's own Statement of Licensing Policy
- The Government Guidance
- The operating schedule within the application.

It was noted that there were no objections from the police.

The options available to the committee were:

- To grant this licence as applied for,
- To grant with additional conditions, or
- To reject the application.

The Sub-Committee believed that the revised operating schedule and the additional conditions offered during the mediation process satisfied the licence objectives.

Therefore, the application for a licence for the premises, known as Anglia Ruskin University, Guild House, Oundle Road, Peterborough, was granted subject to the additional agreed mediated conditions.

Any party in objection to the decision may appeal to the Peterborough Magistrates Court within 21 days.

The Chairman advised residents that if they were unhappy with the operation of the premises licence they could seek a review of the licence.

Chairman Cllr Thacker M.B.E
Start 1:30pm – 3:07 End pm