

ROYAL BOROUGH OF GREENWICH
LICENSING REVIEW SUB-COMMITTEE
WEDNESDAY 16 OCTOBER 2023 AT 2.30PM
MINUTES

PRESENT:

Members:

Councillors Ann-Marie Cousins (Chair) and Matthew Morrow

Officers

Solicitor (Prosecutions & Licensing), Licensing Officer and Committee Services Officer x2

Item

No.

1 Apologies for Absence

Apologies for absence were received from Councillor Nas Asghar.

2 Urgent Business

There was no urgent business.

3 Declarations of Interest

The Chair stated that none of the Councillors present were at the Summer Sounds event referred to in Item 5.

Resolved –

That the list of Councillors' memberships as Council appointed representatives on outside bodies, joint committees and school governing bodies be noted.

4 Minutes

Resolved -

That the Minutes of the meeting of the Licensing Review Sub-Committee held on 26 July 2023 be agreed and signed as a true and accurate record.

5 Old Royal Naval College, King William Walk, London, SE10 9NN.

In attendance -

Applicant for Review	Phil Harding (Trinity Laban Conservatoire of Music and Dance)
In support of Review	Daniel Bygrave (Community Protection Team); Dr Susan Blackall (local resident).
Licence Holder	Joel Smith (VP IMG UK Limited), Linda Burford (Operations Director), Kate Miners (Director of Public Engagement & Commercial), Mark Hosea (Director of Estates and Conservations), Simon Joynes (Joynes Nash Acoustic Consultants)

The Chair welcomed all parties and ensured that introductions were made, all papers had been received and all parties were made aware of their right to be represented.

The Sub-Committee considered an application made by the Trinity Laban Conservatoire of Music and Dance to review the premises licence of the International Management Group (UK) Limited, for the Old Royal Naval College, King William Walk, London, SE10 9NN in relation to the licensing objective for the Prevention of Public Nuisance.

The Licensing Officer gave an illustrated introduction to the report.

The Sub-Committee was addressed by the applicant for review. He explained the reason for the review was because of the disturbance and disruption to essential teaching and other activities at Trinity Laban's premises caused by the Summer Sounds festival. He related the Conservatoire's communications with the event organisers. Trinity Laban

requested that in future the event organisers agree with them the arrangements for festivals so that they did not disrupt educational activities.

In response to questions from the Sub-Committee, the applicant for review suggested that if it was not possible for suitable event dates to be agreed then the Conservatoire requested an amendment be made to the event's noise management strategy recognising that the Conservatoire was a noise sensitive premises and that noise levels should be agreed with the Conservatoire. It was also requested that the event organiser make a modest contribution to the student hardship fund in recognition of impact caused by disrupted teaching. He confirmed that noise levels had been exceeded during the festival; as a result, teaching either had to be relocated or rescheduled.

The Sub-Committee was addressed in support of the review by an Officer from the Royal Borough of Greenwich's Community Protection Team, who spoke to his written representation.

In response to questions from the Sub-Committee, the Officer from the Community Protection Team suggested that better communication prior to the event would have helped.

The Sub-Committee was addressed in support of the review by a local resident. She commented that not everyone in the area, particularly the elderly, would have known the process for making complaints about noise from an event. It was accepted that the festival was important, but it was felt a balance had to be struck.

The Sub-Committee was addressed by the representatives of the licence holder. It was contended that they had upheld the conditions of their licence, and that there was no attested breach of noise limits. It was expressed that there been extensive communication with Trinity Laban. They had also written to local residents giving them contact details. The measures taken with regard to the sound set up were explained, and it felt that an acceptable balance was achieved. Future dates of events for the next four years had been shared with Trinity Laban.

In response to questions from the Sub-Committee, the representatives of the licence holder explained that it might be financially unviable to hold the event at a later date, and it would also depend on the availability of the acts. The noise levels were set by the acoustics team in agreement

with the licence holder, and it was the licence holder which then had discussions with the Conservatoire; it was felt that such a one line, back and forth, communication was better than multiple people speaking.

There was a discussion of the matter.

The applicant for review stated that Trinity Laban was not opposed to a music festival, they just wanted it to be when term time was concluded. He confirmed that they had been notified of the events for the next four years, but they were all in term time.

The representative of the licence holder reiterated that holding the event at a later date might make it commercially unviable. The commercial viability of the event was essential to their operations as a charity in conserving the buildings and keeping them open to the public. It was felt other options such as to do with sound check times were possible.

The Sub-Committee with the Solicitor (Prosecutions and Licensing), and Committee Services Officer withdrew to allow the Sub-Committee to deliberate at 3.27pm. The decision of the Sub-Committee was communicated to all parties after deliberation.

In reaching its decision the Licensing Sub-Committee (“LSC”) considered the Council’s Statement of Licensing Policy, the Licensing Act 2003, the Regulations made thereunder, the Guidance issued by the Secretary of State under S.182 of that Act and the Human Rights Act 1988. In discharging its functions, the LSC did so with a view to promoting the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

Having considered all written representations, evidence, and oral submissions, the LSC resolved that the application was granted subject to conditions.

Licensing Officer Steve McNally gave an overview of the application.

Basis of Decision

The LSC considered representations from Philip Harding, Director of the Applicant company Trinity Laban Conservatoire of Music and Dance. Further representations were heard from:

- Daniel Bygrave from RBG Environmental Health (Community Protection Team)
- Doctor Susan Blackhall – local resident
- Simon Joynes - Author of the Noise Management Strategy in Appendix D.
- Linda Burford from International Management Group (UK) Limited
- Kate Miners from International Management Group (UK) Limited

Prevention of Crime and Disorder

The LSC considered 4.6 – 4.20 of the Policy and S.182 guidance (effective from August 2023) at page 10 paragraph 2.1 which states that licensing authorities should look to the police as the main source of advice on crime and disorder.

There were no objections in respect of this objective.

The LSC considered this objective was met.

Prevention of Public Nuisance

The LSC in considered 2.20 and 4.29 - 4.36 of the Policy and S.182 guidance (effective from August 2023) at pages 9 – 10 and paragraphs 2.20-2.26.

Philip Harding made representations broadly reflected what was in the application.

Philip Harding emphasised that the noise referred to in the application disturbed and disrupted teaching and that the licence holder had been to delay the Greenwich Summer Sounds events two weeks until the term was over.

The events clashed with clashed with open days.

RBG had given assurances that their requests would be incorporated into the Noise Management Plan.

Daniel Bygrave made representations which reflected the contents of his email in Appendix F at page 111. There had been no complaints of noise nuisance from residential premises related to the musical events.

Linda Burford from International Management Group (UK) Limited made representations that there was evidence that the licence conditions had been adhered to and that the licence holder was willing to engage with the Applicant.

Simon Joynes made representations to the effect that 65 decibels as quoted in the report IN Appendix D was a target. Further representations from Simon Joynes were reflective of the contents soft the report in Appendix D.

Kate Miners made representations that meetings between both parties had taken place to inform of events and to agree arrangements and that no

evening performances had taken place during the Applicant's open week. The LSC consider 2.20 S.182 guidance and what is appropriate to prevent it in terms of conditions attached to specific premises licences. In promotion of this objective, the LSC focused on the effect of the licensable activities on persons living and working in the area around the premises including the Applicant as those carrying on business. The LCS considered what may be disproportionate and unreasonable. In this regard, the LSC considered striking the right balance between hosting events to be enjoyed by the wider community and having respect for residents and businesses in close proximity.

The LSC considered that the contents of the Noise Management Strategy from Joynes Nash which was commissioned by the Licence holders, IMG (UK) Limited. The LSC considered that this gave guidance which, if adhered to, would enable this objective to be complied with. It was considered that the guidance had been complied with. It was noted that in the Noise Assessment Report commissioned by the Applicant in Appendix B at page 66, it is quoted that '*External noise levels significantly exceeded the 65 decibels noise limit in the licence for the event*'.

In respect of this point, the LSC considered that the reference to 65 decibels referred to in The Noise Management Strategy in Appendix D at page 93, was a target and not a licence condition.

There was no evidence in the Noise Assessment Report of the extent to which the noise was above 65 decibels.

Considering all the representations, the LSC did not determine that the evidence of noise presented what was disproportionate and unreasonable or failing to meet of this objective.

The LSC considered this objective was met.

The LSC commented that all representations were clear and focussed and relevant and thanked all parties for their clarity. It was anticipated that further dialogue may resolve issues.

Public Safety

The LSC in considered 4.21 - 4.28 of the Policy and S.182 guidance (effective from August 2023) at pages 7 – 9 and paragraphs 2.7 – 2.14.

There were no objections in respect of this objective.

The LSC considered this objective was met.

Protection of Children from Harm

The LSC in considered 4.38 - 4.49 of the Policy and S.182 guidance (effective from August 2023) at pages 10 – 12 and paragraphs 2.27 – 2.36.

There were no objections in respect of this objective.

The LSC considered this objective was met.

Having considered all written representations, evidence, and oral submissions, the LSC resolved take no action.

Any party aggrieved by this decision may appeal to the magistrates' court within 21 days.

The meeting closed at 3.50pm

Chair