

LICENSING SUB-COMMITTEE

20 MAY 2025

LATE MATERIAL

The following material has been received since the publication of the agenda for this meeting:

**Licensing Application: All Saints Church Lawns, Market Place, Appendix B
Kingston, KT1 1JP (New)**

Legal submission and letters of support

Kingston Upon Thames Council
Application for a premises licence – submitted 01/04/2025 Licensing Act 2003
Applicant: Seventa Events Limited
Applicant's written submission in response to representation

Introduction

This application is to obtain a licence to allow the provision of licensable activities so that events may take place at All Saints Church Lawns, Market Place, Kingston Upon Thames.

In particular, this application is for a seasonal "Christmas" event to take place each year from 1st November to 31st January, in the grounds of the church, with the live event itself in operation from mid November to late December

The committee will be familiar with the nature of a Christmas event, but for the avoidance of doubt the activities provided are general commercial activities from small stalls, and of more relevance to this application, the operations of bars to sell alcohol, and the provision of regulated entertainment in the form of films, live and recorded music (both indoors and outdoors).

Background

The applicant, Seventa Events Limited, is a leading independent promoter of live entertainment across the UK for over 14 years, and in particular promoting Christmas Markets in Bournemouth and Cambridge.

The site has previously enjoyed the benefit of a premises licence when it operated as both a craft market and Christmas bar which sold alcohol both on and off the premises.

The legal considerations

When an application for a premises licence is made under the Licensing Act 2003 (LA2003), there is a presumption that the application will be granted, which is confirmed at paragraph 9.2 of the current Statutory Guidance issued under section 182 of the Licensing Act 2003 (the Guidance).

In cases in which no valid representations are received, the licence must be granted at the end of the 28-day consultation period subject only to such conditions as are consistent with the operating schedule.

As has occurred in this case, the proposed conditions etc have been amended following mediation with Responsible Authorities (see below).

This application has attracted representations from a single local resident, and despite attempts by the local authority and the applicant to engage with the representor, no response has been received, and therefore the representation has not been withdrawn, and a hearing before the licensing sub-committee must therefore take place.

Under the Guidance, a local authority should generally take its lead from the relevant responsible authority. By way of example, paragraph 9.12 confirms that:

“The police should usually therefore be the licensing authority’s main source of advice on matters relating to the promotion of the crime and disorder licensing objective”

The representation

As mentioned above, in this case the applicant has successfully mediated with all responsible authorities, to agree revisions to the application.

This mediation process has resulted in the updated conditions which form part of the agenda pack, and for ease of reference has resulted in an amendment to the time for regulated entertainment take place, with the proposed hours having been reduced from a terminal hour of 23:00 to 22:30.

As the above-mentioned matters were agreed, the relevant proposed representations from Responsible Authorities were all withdrawn and consequently there are now no existing representations from any responsible authority within the licensing authority.

The remaining representation is from a local resident, and relates to concerns in respect of the licensing objectives of Prevention of Public Nuisance and the Prevention of Crime and Disorder.

In the interests of balance, the applicant has received two expressions of support from local organisations – All Saints Church, on whose grounds the event will operate on and from Kingston First Business Improvement District

The Licence Application itself

As members will be aware, it is not appropriate to include very detailed conditions regarding the running of events within the Operating Schedule of the application.

Nonetheless, significant conditions have been offered as part of the application, in addition to the undertaking for a more detailed event management plan (“EMP”) to be prepared (as would be the case with any responsible event promoter).

The EMP will of course be considered by the local Safety Advisory Group in due course, and there would be expected to be dialogue between the responsible authorities and the promoter as part of that process.

Of relevance to this application are the conditions offered by the applicant in relation to noise emanating from the site – a dedicated sound contractor will monitor from the music system, and access will be given to Kingston Upon Thames Environmental Health Department to assist in sound level measurement should the need arise.

In addition, the application includes a detailed alcohol management plan which details how all four licensing objectives will be upheld.

The Representation

The relevant issues from the representation are as follows:

Prevention of Public Nuisance

- Risk of disturbance to neighbouring residents from amplified sound and raised voices, particularly during the summer months.
- Previous events have led to excessive noise and inconvenience.

Prevention of Crime and Disorder

- Outdoor entertainment may attract increased foot traffic, alcohol consumption and congregation of people in outdoor areas, particularly at closing time, which, it is said, has the potential to contribute to antisocial behaviour (shouting, littering, and vandalism as attendees leave the premises).
- It is also said that this could lead to groups “lingering” leading to late night disturbances or confrontations.

Taking in each objective in turn:

Public Nuisance

The reference to and emphasis on summer months is concerning. This is a time limited licence from November to January inclusive, and that this vital detail has been disregarded is concerning.

In any event, and as per the offered conditions, all external sound will be managed by a specialist contractor and in a way so as to avoid a nuisance to neighbouring properties.

Whilst the EMP is not finalised, it is planned that the external grounds music is set to background music levels circa 60-70Db, with the internal bar area music ranging from background music levels to increased volume levels circa 60-95Db, which will mean that noise levels will be well with generally accepted parameters – e.g. noise council code of practice.

The scale of this event is such that it is highly unlikely that the noise generated by people conversing will be noticeable by local residents, especially as the time limited nature of the licence means that it is mid-winter, and attendees will be dispersing quickly, and the windows and doors of neighbouring properties will be closed.

That previous events have allegedly caused excessive noise and inconvenience, is of little relevance to this application. This application is for a different event, run by a different (highly experienced) operator. In any event, there is no particularity or evidence of the previous issues which are said to have taken place.

Prevention of Crime and Disorder

Whilst it is true to say that the outdoor entertainment element of this application may attract increased foot traffic to the area (which is of course the intention of a commercial operation), it is incorrect to correlate this with anti-social behaviour and crime and disorder.

Given that this licence is for the winter months, the likelihood of attendees “lingering” after the terminal hour is minimal, due to the cold temperatures and darkness.

The applicant is not aware of any specific evidence linking attendees of Christmas events with a propensity toward anti-social behaviour, but the Applicant’s alcohol management plan will ensure as far as possible that potentially anti-social behaviour will be stopped before it escalates to nuisance levels.

Summary and Conclusion

The Applicant has a proven track record in implementing and delivering events of this nature, and believes that the event will be positive to the local cultural offering and commercial environment.

The committee should take comfort, and take into account that there are no subsisting representations from responsible authorities, and only a single representation from a local resident.

Whilst we are confident that if the application were to be granted no issues would arise with the operation of the event, we take the opportunity to remind all concerned that should any of the licensing objectives be undermined once any event takes place, any of the responsible authorities and any other interested party (including of course local residents) will be at liberty to make an application at any time (and without having to pay any fee) to have the licence reviewed.

Should such an application be made and should the Licensing Authority find that the premises failed to uphold any of the licensing objectives, it has a wide range of powers including ultimately revoking the licence.

We therefore invite the sub-committee to grant this application.

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Solicitors for the Applicant
19th May 2025

Letter of support for Seventa Events Christmas experience at All Saints Church

14 May 2025

To whom it may concern,

I am writing to express my full support for Seventa Events Ltd to deliver a Christmas experience at the All Saints grounds during the festive period, mid November 2025 to the first week of January 2026.

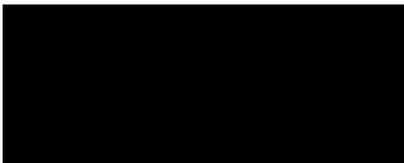
Kingston First have been responsible for providing a welcoming and engaging Christmas experience in the town centre, specifically in the Ancient Market Place and also working with All Saints Church, for many years. It's a crucial period for the hundreds of businesses we support and represent in the town and we're also sensitive to striking a balance for town centre residents too. In order to remain competitive and attract existing and new visitors we have entered an agreement with All Saints to activate their outdoor areas during the Christmas period. We subsequently appointed Seventa Events following a competitive process.

They were by far the stand out supplier with an innovative and creative proposal and bring a strong track record of delivering high quality experiences to town centres for many years.

Given their experience and knowledge of the event location, we are confident they will strike the right balance of providing an excellent event while being considerate to the landlord and local residents. We have already experienced their willingness to be accommodating and flexible to the town and its local communities needs. For example, agreeing to bring forward the closing time to 10.30pm and minimising the impact of any live or recorded music by housing this within a purpose built, indoor structure. We have also been reassured that the music element will be background noise rather than a focal point.

Christmas in Kingston is a key period for creating a successful and thriving town centre that supports its businesses and communities. We hope you agree to the licence request from Seventa to ensure we can position Kingston as a key destination while bringing a positive impact to Kingston's local communities.

Yours sincerely



Kirsten Henly
Chief Executive, Kingston First

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Application: 25/00615/LAPREM

Regulatory Services
Kingston & Sutton Shared Environmental Services
Guildhall 2
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Licensing Team

13/5/2025

Dear Sir or Madam

Re. **Sevanta Events Licence Application for All Saints Church Lawns – short term (38 day) seasonal (November-December).**

Sevanta applied for and revised their premises licence application following representation submitted.

We value our neighbours, understand they live in a unique setting close to a major church, and may have some concerns, and we would always encourage feedback (positive or negative), so that we can all work together to ensure the provision for a seasonal short-term hire works well.

Therefore, we have carefully considered the application, and the proposed Christmas entertainment Sevanta has shared with us for the period in question. With the information provided and reassurance of close liaison with church representatives we support the revised application which has been submitted for a premises licence.

The application needed to be comprehensive due to the offering, however as a church first and foremost, we will be working closely with the Sevanta Team to ensure an enjoyable season for everyone. We feel, should any issues be raised, Sevanta would be pro-active in resolving these swiftly, working in partnership if and as necessary.

Yours sincerely


Jenny Bridges
Operations Manager