

# LICENSING ACT 2003 SUB COMMITTEE MEETING

Date: Thursday 18 February 2021

Time: 10.00 am

Venue: Remote Meeting: The public proceedings of the meeting will be broadcast live and recorded for playback on the Maidstone Borough Council Website.

Membership:

Councillors Garten, Mrs Grigg, Hinder (Substitute Member) and Joy

*The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.*

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## AGENDA

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Election of the Chairman
4. Disclosures by Members and Officers
5. Disclosures of Lobbying
6. To consider whether any items should be taken in private because of the possible disclosure of exempt information
7. Application to vary a premise licence under the Licensing Act 2003 for The Green Room, 32 – 34 Earl Street, Maidstone, Kent, ME141PS 1 - 58

## **ALTERNATIVE FORMATS**

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact Democratic Services** on [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) or **01622 602899**.

To find out more about the work of the Committee, please visit [www.maidstone.gov.uk](http://www.maidstone.gov.uk)

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**Issued on Wednesday 10 February 2021**  
**Over/:**

**Continued**

*Alison Broom*

**Alison Broom, Chief Executive**

# Agenda Item 7

Agenda Item No: 1 - Summary of Report

Licence Reference: 20/02943/LAPRE

Report To: LICENSING SUB – COMMITTEE  
(UNDER THE LICENSING ACT 2003)

Date: 8<sup>th</sup> February 2021

Report Title: THE GREEN ROOM, 32 – 34 EARL STREET, MAIDSTONE, KENT, ME141PS

Application for: A premises licence to be varied under the Licensing Act 2003

Report Author: Lorraine Neale

- Summary:
1. The Applicant – Unity Parties Limited
  2. Type of authorisation applied for: To vary a premises licence under the Licensing Act 2003. (Appendix A)
  3. Licensable Activities and hours:

		Current Hours		Hours: New Application	
A)	Plays	-	-	Mon – Sun (Indoors)	08:00 – 04:00
B)	Films	-	-	Mon – Sun (Indoors)	08:00 – 04:00
C)	Indoor Sporting Events	-	-	Mon - Sun	08:00 – 04:00
D)	Boxing or Wrestling	-	-	Mon – Sun (Indoors)	08:00 – 04:00
E)	Live Music	Mon - Sun	11:30 - 00:30	Mon – Sun (Indoors)	08:00 – 04:00
F)	Recorded Music	-	-	Mon – Sun (Indoors)	08:00 – 04:00
G)	Performance of Dance	Mon - Sun	11:30 - 00:30	Mon – Sun (Indoors)	08:00 – 04:00
H)	Anything similar to (e), (f) or (g)	Mon - Sun	11:30 - 00:30	Mon – Sun (Indoors)	08:00 – 04:00
L)	Late Night Refreshment	Mon – Sat Sun	23:00 - 00:30 23:00 – 00:00	Mon – Sun (Indoors)	23:00 – 04:00
M)	Supply of alcohol (On the premises)	Mon -Sat Sun	10:00 – 00:00 12:00 – 23:30	Mon – Sun (On & Off the Premises)	08:00 – 04:00
O)	Opening Hours	Mon – Sat Sun	10:00 – 00:30 12:00 – 00:00	Mon – Sun	08:00 – 04:00

The variation also seeks to remove the following conditions from the licence: -

- Alcohol may be sold or supplied for one hour following the hours set out above and on Christmas Day, between 3pm and 7pm to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

- Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary thereto.

- No draught beer to be sold or consumed on the premises.

<b>Affected Wards:</b>	High Street
<b>Recommendations:</b>	<b>The Committee is asked to determine the application and decide whether to vary the premises licence.</b>
<b>Policy Overview:</b>	The decision should be made with regard to the Secretary of State's Guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from Policy or Guidance the departure must be directed solely at the attainment of the licensing objectives, and that such departure be supported by proper reasons.
<b>Financial Implications:</b>	Costs associated with processing the application are taken from licensing fee income.
<b>Other Material Implications:</b>	<p><b>HUMAN RIGHTS:</b> In considering this application it is appropriate to consider the rights of both the applicant and other parties, such as “<b>responsible authorities</b>” and/or “<b>other persons</b>” (objectors). The procedure for determining licences has a prescribed format to ensure fair representation of the relevant facts by all parties.</p> <p><b>LEGAL:</b> Under the Licensing Act 2003 the <b>Licensing Authority</b> has a duty to exercise licensing control of relevant premises.</p>
<b>Background Papers:</b>	Licensing Act 2003 DCMS Guidance Documents issued under section 182 of the Licensing Act 2003 as amended Maidstone Borough Council Statement of Licensing Policy
<b>Contacts:</b>	Mrs Lorraine Neale at: <a href="mailto:lorryneale@maidstone.gov.uk">lorryneale@maidstone.gov.uk</a> – tel: 01622 602528

## Agenda Item No. 1

**Report Title: THE GREEN ROOM, 32 – 34 EARL STREET, MAIDSTONE, KENT, ME141PS**

**Application to:** Vary a premises licence under the Licensing Act 2003.

### Purpose of the Report

The report advises Members of an application to vary a Premises Licence under the Licensing Act 2003 (Appendix 1), made by Unity Parties Limited for The Green Room, 32 – 34 Earl Street, Maidstone, Kent, ME141PS in respect of which 5 responses have been received from other persons (Appendix 3).

### Issue to be Decided

Members are asked to determine whether to:

Grant the application as applied for, or

Grant the application and modify conditions of the licence, or

Reject all or part of the application.

### Background

1. The relevant sections are Part 3 S13 and 34 – 36 of The Licensing Act 2003 and section 4 of The Licensing Act 2003 in particular the Licensing Objectives:

The prevention of crime and disorder;  
Public Safety  
The prevention of public nuisance; and  
The protection of children from harm

2. The application has been correctly advertised in the local press and notices displayed on the premises for the required period.
3. There were no representations received from responsible authorities.
4. 5 responses were received from other persons.
5. The table below illustrates the relevant responses which have been received

	Responsible Authority /Interested Party	Licensing Objective	Associated Documents	Appendix
	<b>Objections</b>			
1	Dmitry Livchak	Crime & Disorder Public Nuisance Public Safety	E-mail	3
2	Mr Robert Jones	Crime & Disorder Public Nuisance Public Safety Children from Harm	E-mail	3
3	Kerry King	Crime & Disorder Public Nuisance	E-mail	3
4	Bulent Turgut	Crime & Disorder		3

		Public Nuisance		
5	Ms Anne Bryson-Payne	Crime & Disorder Public Nuisance Public Safety Children from Harm	E-mail	3

The objectors are concerned that this application represents a substantial change to activities in an area which is currently predominantly dominated by restaurants. In offering routine late-night hospitality and an increase in hours of operation for certain licensable activities at the Green Room will encourage in visitors and could have significant adverse disturbance effect on nearby residents and increase crime and disorder and public nuisance for the Town Centre. There are also public safety concerns around the increase to late night traffic and the potential to drink drive in an area which is pedestrianised and the danger that poses to families with children visiting the area.

The premises have a current licence, Appendix 5 and current plans Appendix 6. The current licence holder is the applicant.

- 6.** The current licence hours are as per the licence attached at appendix 5 and set out at 3 of the summary above. The application. also seeks to remove the conditions: -
- Alcohol may be sold or supplied for one hour following the hours set out above and on Christmas Day, between 3pm and 7pm to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
  - Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary thereto.
  - No draught beer to be sold or consumed on the premises.
- 7.** On the 8.1.21 the applicant confirmed that they agreed to the additional conditions requested by the Police on the 8.1.21 (Appendix 4) being attached to the licence which are: -
- (1) CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.
    - a. Cameras shall encompass all ingress, egress and include all areas to which the public have access, including fire escapes, stairwells and where the supply of alcohol occurs (with the exception of areas agreed by the Police, for example toilet cubicles).
    - b. The CCTV shall be recording at all times that the premises are open to the public.
    - c. Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 31 days and handed to Police upon reasonable request.
    - d. The Premises Licence Holder must ensure at all times a DPS or appointed members of staff is capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.

- e. The Police or local authority will be given a copy of the CCTV in a suitable format within 48 hours of any reasonable request.
- (2) At least one member of staff with a personal licence will be on duty at all times that the premises are open for the sale of alcohol.
- (3) Toughened or polycarbonate glass will be used at the premises. All drinks will be supplied in polycarbonate or suitably toughened glass. This condition will not apply to the ground floor restaurant area or the Whisky Room except when events in this location are taking place.
- (4) The DPS will be responsible for the maintaining of an incident book at the premises and this book will log all incidents which are “out of the ordinary” whether police are called or not.
- (5) All persons that sell or supply alcohol to customers must have licensing training.
  - a. Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place.
  - b. Refresher training should be repeated a minimum of every six months or earlier if required due to changes of legislation.
  - c. Training records must be kept on the premises and shall contain the nature, content and frequency of all training.
  - d. Records must be made available for inspection by Police, Police Licensing Officer and authorised officers from the Local Authority upon request either electronically or hard copy.
- (6) The premises will undertake the “Challenge 25” Scheme which will be advertised within the premises by way of sufficient posters to make the public aware.
- (7) All staff involved in the sale or supply of alcohol will be trained in the “Challenge 25” Scheme and such training will be recorded.
- (8) The only proof of age that will be accepted by staff will be a photographic driving licence, a passport or a ‘PASS’ marked proof of age card.
- (9) The premises shall produce a full Risk Assessment to cover the running of events at the premises. All events whether run as “in house” or by outside organisers will comply with that Risk Assessment unless a separate Risk Assessment is completed for that particular event. The risk assessment will be sent to/shared with Kent Police 120 hours prior to the event taking place.

- (10) The licence holder shall produce risk assessments that must have proper regard to the Health and Safety Executive guidance 'The Event Safety Guide: A guide to health, safety and welfare at music and similar events'. It must address but is not limited to risks specific to the nature of the proposed event and its potential to undermine the licensing objectives. The risk assessments must be submitted in writing either by post or electronically to Police Licensing Team ([west.division.licensing@kent.police.uk](mailto:west.division.licensing@kent.police.uk)), the local Licensing Authority and Environmental Health a minimum of 31 days prior to the event taking place.
- (11) A refusal register will be in operation at the premises. All staff involved in the sale of alcohol will be fully trained in the system and it will record the following:
- a. Item refused.
  - b. Name of description of the person refused.
  - c. Reason for refusal.
  - d. Name of staff member making refusal.
- (12) The register will be available for inspection to any Police Officer, Local Authority Licensing Officer or Trading Standards Officer at any reasonable time.
- (13) No persons under the age of 18 will be permitted in the building unless accompanied by an adult with the exception of staff members working at the time.
- (14) Door Supervisors conducting security activities as a condition of any premises licence shall be registered with the Security Industry Authority (SIA) and shall display or be able to display at least one of the following articles upon request by the Licensing Authority, the Police, a responsible authority, and/or any other relevant authorities including the Security Industry Authority (SIA):
- i. A Security Industry Authority (SIA) name badge;
  - ii. Proof of registration to the Security Industry Authority (SIA) scheme allowing them to carry out security activities at licensed premises.
- (15) A minimum of 3 SIA registered door staff will be employed at the premises, these staff will be on duty from 2000hrs until 30 minutes after the premises closes to the public. In addition to this a further one door supervisor per 100 customers.
- (16) If premises is open on Christmas Eve and/or New Years Eve then at least 3 door supervisor will be employed from 20:00hrs until close of business.
- (17) On any Sunday preceding a Bank Holiday at least 3 door supervisors will be employed from 20:00hrs until close of business.

- (18) There will be a door control policy that outlines clear instruction and understanding of the door supervisor's responsibilities at the premises. This policy will contain
- i. How door staff prevent overcrowding
  - ii. Supervise the queue to ensure that it is managed in a way that avoids rowdy, unpleasant behaviour and to keep customers quiet as to not disturb neighbours in the vicinity
  - iii. A procedure for door staff engaged in searching persons as a condition of entry
  - iv. To ensure the dispersal of patrons from the curtilage and grounds of the licensed premise immediately after the end of licensable activities
  - v. Prevent patrons from leaving the premises with open containers and bottles.
  - vi. To provide evidence by written statement to police in any criminal investigation as and when required.
  - vii. The toilets shall be regularly monitored.
- (19) The premises shall have a written drug policy, this will detail the strategies to minimise the use and supply of illegal drugs within the premises. This will entail an agreed procedure for the handling and retention of any article seized. Where premises consider a drug's safe to deposit drugs found, there will be a clear policy for the handling and packaging of seized items. For premises with a suitable 'drug safe' the items secured within the safe would not be considered as being in possession. For premises that do not have a drug safe they must have a written agreement with police as to a procedure in the collection or delivering drugs to police.
- (20) To allow the use of IONTRACK. (Drug testing Machine), within the premises, (or curtilage of the premises), as a condition of entry, at the request of, and after consultation with Police. To allow swabbing for detection of drugs use when deemed necessary by Police.
- (21) When the venue is operating more than just the ground floor restaurant then door staff will be employed as per condition 15.

The Police confirmed the withdrawal of their representation on 12.1.21 (Appendix 4)

- 8. Members are advised that applications cannot be refused in whole or in part, or conditions attached to the licence unless it is appropriate to do so to promote the licensing objectives.**
- 9. Relevant sections of The Guidance issued under section 182 of The Licensing Act 2003.**

## **Chapter 10 Conditions.**

### **Relevant policy statements contained in the Licensing Authority's Statement of Licensing Policy:**

Relevant policy statements contained in **the Licensing Authority's Statement of Licensing Policy:**

**17.10 Crime and Disorder**

**17.19 Public Safety**

**17.22. Prevention of Public Nuisance**

**17.26 Children from Harm**

### **CONDITIONS TO PROMOTE THE PREVENTION OF CRIME AND DISORDER.**

17.10 Under the Act the Licensing Authority has a duty to promote the licensing objectives, and, a further duty under the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the borough.

17.11 Wholesale of alcohol. Since 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face a criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses.

17.12 Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC.

17.13 The applicant will be expected to detail in their operating schedule how they will prevent crime and disorder on and close to the premises. Such detail should reflect the licensable activities on offer, location and character of the area, the nature of the premises use and the range of customers likely to use the premises.

These may include, but are not limited to, the following:

- Prevention of disorderly conduct and anti-social behaviour
- Prevention of underage drinking
- Prevention of sales of alcohol to intoxicated customers
- Prevention of drunkenness both on and in the vicinity of the premises
- Prevention of drug use and drug dealing
- Restriction to responsible drinks promotions
- Use of safety glass
- Inclusion of a wind-down time following alcohol sales period
- Adequate seating to discourage "vertical drinking"
- The offer of food and snacks or other entertainment or occupation to discourage persistent drinking

17.14 In busier premises the Licensing Authority would usually expect to see a short (e.g.30 mins) 'wind down' or 'drinking up' period allowed for after the cessation time of entertainment and alcohol sales as this is effective in assisting in a reduction in noise and exuberance of customers before leaving the premises.

- 17.15 Applicants will be expected to seek advice from the Police and the Licensing Authority will give appropriate weight to requests by the Police for premises to be protected by SIA registered door staff subject to the provision of relevant evidence. Where the Licensing Authority determines after consultation with the police that a premises is one that warrants additional security and monitoring it would expect applicants to include the provision of SIA approved door staff at the premises at appropriate times. Relevant premises are usually those used mainly for drinking alcohol, have later opening hours and are situated within the Town Centre night time economy area.
- 17.16 Where appropriate, applicants for licences in the Town Centre areas providing mainly alcohol, music and dancing would be expected to consider inclusion of a provision of safety glasses to prevent a risk of injury on the rare occasion that a glass may be used as a weapon.
- 17.17 The use of CCTV should be considered where appropriate or on the advice and recommendations of the Police and to a quality and standard approved by the Police for evidential purposes. Licensees will be expected to fully comply with the requirements of the Information Commissioners Office and the Data Protection Act 1998 in respect of any surveillance equipment installed at a premises.
- 17.18 In any application resulting in hearing the sub-committee will consider each application on its individual merits and determine the imposition of conditions that are appropriate to promotion of the licensing objectives.

#### **CONDITIONS TO PROMOTE PUBLIC SAFETY.**

- 17.19 The applicant will be expected to show how the physical safety of persons attending the premises will be protected and to offer any appropriate steps in the operating schedule to promote this.
- 17.20 Such steps will not replace the statutory obligation on the applicant to comply with all relevant legislation under the Health and Safety at Work etc. Act 1973 or under the Regulatory Reform (Fire Safety) Order 2004.
- 17.21 Applicants will be expected to have carried out the necessary risk assessments to ensure safe occupancy levels for the premises. Where a representation from the Fire Authority suggests that for the promotion of the Public Safety objective a maximum occupancy should be applied, the Licensing Authority will consider adding such a limit as a licence condition.

Where appropriate an operating schedule should specify occupancy limits for the following types of licensed premises:

- (i) High Volume Vertical Drinking e.g. premises that provide mainly stand up drinking facilities with limited seating/table space and the primary activity is the sale of alcohol.
- (ii) Nightclubs
- (iii) Cinemas
- (iv) Theatres
- (v) Other premises where regulated entertainment is likely to attract a large number of people.
- (vi) Where conditions of occupancy have arisen due to representations received.

## **CONDITIONS TO PROMOTE THE PREVENTION OF PUBLIC NUISANCE.**

- 17.22 The applicant will be expected to detail any appropriate and proportionate steps to prevent nuisance and disturbance arising from the licensable activities at the premises and from the customers using the premises.
- 17.23 The applicant will be expected to demonstrate that they have considered the following and included steps to prevent public nuisance:
- (i) Proximity of local residents to the premises
  - (ii) Licensable activities proposed and customer base
  - (iii) Hours and nature of operation
  - (iv) Risk and Prevention of noise leakage from the premises from equipment, customers and machinery
  - (v) Prevention of noise from customers leaving the premises and customer pick up points outside premises and from the Car Park.
  - (vi) Availability of public transport to and from the premises
  - (vii) Delivery and collection times and locations.
  - (viii) Impact of external security or general lighting on residents.
  - (ix) History of management of and complaints about the premises.
  - (x) Applicant's previous success in preventing Public Nuisance.
  - (xi) Outcomes of discussions with the relevant Responsible Authorities.
  - (xii) Impact of location, noise and contamination from outside smoking areas on neighbours and other customers
  - (xiii) Collection of litter arising from the premises
- 17.24 Steps to prevent public nuisance may include a range of options including noise limiting devices, sound insulation, wind down periods, acoustic lobbies, management of smoking areas etc.

17.25 Steps will differ depending on the individual premises and activities and it is for the applicant to ensure that reasonable, effective and appropriate steps are included within the operating schedule.

## **CONDITIONS TO PROMOTE THE PROTECTION OF CHILDREN FROM HARM.**

- 17.26 Applicants will be expected to detail any appropriate and proportionate steps to protect children at the premises from any harm. The Licensing Authority recognises the right of licensees (serving alcohol) to allow accompanied children into their premises. The Licensing Authority would not seek to restrict access by children (above that specified in the Act) unless it is necessary for the prevention of physical, moral or psychological harm.
- 17.27 Steps to protect children from harm must be carefully considered for inclusion where:
- (i) There is entertainment or services of an adult nature provided.
  - (ii) There have been previous convictions for under age sales of alcohol.

- (iii) There has been a known association with drug taking or dealing.
- (iv) There is a significant element of gambling on the premises.
- (v) There is a presumption that children under 18 should not be permitted entry such as to nightclubs (apart from when specific events are held for under 18's).
- (vi) Outcomes of discussions with relevant Responsible Authorities suggest such steps are applicable.

17.28 Nothing in the Licensing Act prevents licensees from excluding children from a licensed premises and no condition can be added to require the admission of children.

17.29 Where there are no matters that give rise to concern in respect of children at premises the Licensing Authority would expect to see the relevant box on an application form completed to specify NONE.

## 10. **Options**

Legal options open to members -

Grant the variation application as applied for., or

Grant the variation and modify conditions of the licence, or

Reject all or part of the application.

Members of the Licensing Act 2003 – Licensing Sub – Committee are reminded of their duty under section 17 of the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the Licensing Authority's responsibility to co – operate in the reduction of crime and disorder in the Borough.

Section 17 of the Crime and Disorder Act 1988 states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can prevent, crime and disorder in its area".

## 12. **Implications Assessment**

The decision should be made with regard to the Secretary of State's Guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal/challenge is increased.

## 13. **Human Rights**

While all Convention Rights must be considered, those which are of relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to Fair Hearing

- Article 10 – Freedom of Expression

The full text of each Article is given in the attached Appendices.

#### 14. Conclusion

Members must ensure that the application is considered on its merits, as well as against the relevant guidance, policy and statutory framework.

#### 15. List of Appendices

Appendix 1	Application Form
Appendix 2	Plan of Premises
Appendix 3	Representations –Other persons
Appendix 4	Applicants Agreement/Police withdrawal of reps
Appendix 5	Current Premises Licence
Appendix 6	Current Plans
Appendix 7	Plan of area
Appendix 8	Human Rights Articles
Appendix 9	Order of Proceedings

#### 16. Appeals

**The applicant or any other person(objector) may appeal the Licensing Act 2003 Sub Committee’s decision within 21 days beginning with the day on which the Appellant is notified. All/any appeals must be lodged with the Magistrates’ Court. Parties should be aware that they MAY incur an Adverse Costs Order should they bring an appeal.**

Contact: Email:	<b>Senior Licensing Officer</b> <a href="mailto:lorraineneale@maidstone.gov.uk">lorraineneale@maidstone.gov.uk</a>
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## The Licensing Partnership

### Application to vary a Premises Licence

Sevenoaks District Council, Tunbridge Wells Borough Council, Maidstone Borough Council and London Borough of Bexley have a Licensing Partnership to process and issue licensing applications.

Licensing Officers are located at each local licensing authority, together with admin support to deal with people visiting the Gateways and Tunbridge Wells Town Hall.

Thank you for using the Licensing Partnership self service. Before completing the form, please be aware of the following information:

#### Form Submission:-

When you have completed the application form please submit it. When you submit the application, you will receive an electronic response which will be sent directly to the email address provided in the application.

#### Payment:-

If you are submitting an application which requires a payment, please have your credit or debit card to hand as payment can be made upon submitting your application form. Applications requiring a payment will only be validated once payment is confirmed.

#### General Information:-

If you have any problems with completing the form please contact [licensing@sevenoaks.gov.uk](mailto:licensing@sevenoaks.gov.uk)

#### For Official Use Only

Title	Customer Name	Form Filename	<input type="text"/>
<input type="text"/>	Unity Parties Limited	Form Reference	Unity Parties Limited/
DOB	NINO	Notes	Caps Reference
TEL	016223 95456		
Email	management@thegarden-project.co.uk		
Customer Address	32 - 34 Earl Street Maidstone Kent ME14 1PS		
Date Form Started	21/12/2020 13:51:02		
Date of E-signing	<input type="text"/>		
Date Submitted	<input type="text"/>		
Validation Ref	<input type="text"/>		
Occupancy type	<input type="text"/>		
Advisor Name (who started form)	<input type="text"/>		
Advisor Department	Self-Service		

Licensing Authority:

Ref:

**Application to vary a Premises Licence under the Licensing Act 2003**

Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form.  
Use the blank page at the end of the form to provide further details if necessary.  
When it is complete you can submit the form directly to us - click on the Submit Form button.  
You may wish to print and keep a copy of the completed form for your records.  
For help information about filling in this type of electronic form, click on the help information button.

I/We Unity Parties Limited being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Maldstone Borough Council

[Click here for licence lookup](#)

Premises licence number 20/02307/LAPRE

**Part 1 - Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description <b>32 - 34 Earl Street Maldstone Kent ME14 1PS</b>	
	Post code

Telephone number at premises (if any)	<u>01622 395456</u>
Non-domestic rateable value of premises	<u>£ 82500.00</u>

**Part 2 - Applicant Details**

Title	<u>Mr</u>		
Surname	<u>Adams</u>		
Firstnames	<u>Daniel Unity Parties Limited</u>		
Daytime contact telephone number	<u>01622 395456</u> [Redacted]		
Email address (optional)	[Redacted]		
Current postal address if different from premises address	[Redacted]		
Post Town	[Redacted]	Postcode	[Redacted]

**Part 3 - Variation**

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

**We would like to:**

- Remove certain conditions
- Extend trading hours ①
- ~~Add payment to licence~~
- ~~Add additional~~

**Floor Layouts:**

**Basement:** Overflow for main restaurant and private hire

**Ground Floor:** Whisky Room at front of property and restaurant at rear of property.

**First Floor:** Record Shop at front of property and Multi Function room at rear of property.

**Second Floor:** Members Only Cocktail Bar / Private Hire at four of property.

**Third Floor:** Office space, radio station and second kitchen

① We plan to open at 8am with a breakfast menu to run alongside the radio station that is now based at the venue.  
The 4am variation is for various functions including dance music, comedy and live entertainment

**Part 4 - Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Sale by retail of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

## A

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u></b>	Indoors	X
Day	Start	Finish		Outdoors	
				Both	
Mon	0800	0400	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	0800	0400			
Wed	0800	0400	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Thur	0800	0400			
Fri	0800	0400	<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)</u></b>		
Sat	0800	0400			
Sun	0800	0400			

## B

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u></b>	Indoors	X
Day	Start	Finish		Outdoors	
				Both	
Mon	0800	0400	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	0800	0400			
Wed	0800	0400	<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur	0800	0400			
Fri	0800	0400	<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</u></b>		
Sat	0800	0400			
Sun	0800	0400			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3)  <b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)  <b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Day	Start	Finish	
Mon	0800	0400	
Tue	0800	0400	
Wed	0800	0400	
Thur	0800	0400	
Fri	0800	0400	
Sat	0800	0400	
Sun	0800	0400	

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both - please make selection with an "x"</b> (please read guidance note 2).	Indoors	X
Day	Start	Finish		Outdoors	
Mon	0800	0400	Both		
Tue	0800	0400			
Wed	0800	0400			
Thur	0800	0400			
Fri	0800	0400			
Sat	0800	0400			
Sun	0800	0400			

## E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</b>	Indoors	X
Day	Start	Finish		Outdoors	
Mon	0800	0400	Please give further details here (please read guidance note 3)	Both	
Tue	0800	0400			
Wed	0800	0400	State any seasonal variations for performance of live music (please read guidance note 4)		
Thur	0800	0400			
Fri	0800	0400	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0800	0400			
Sun	0800	0400			

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</b>	Indoors	X
Day	Start	Finish		Outdoors	
Mon	0800	0400	Please give further details here (please read guidance note 3)	Both	
Tue	0800	0400			
Wed	0800	0400	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	0800	0400			
Fri	0800	0400	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0800	0400			
Sun	0800	0400			

## G

Performance of dance Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</b>	Indoors	X
Day	Start	Finish		Outdoors	
Mon	0800	0400	<b>Please give further details here</b> (please read guidance note 3)	Both	
Tue	0800	0400			
Wed	0800	0400	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur	0800	0400			
Fri	0800	0400	<b>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Sat	0800	0400			
Sun	0800	0400			

## H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>  <b>To permit similar entertainment that will take place in the presence of an audience</b>		
Day	Start	Finish	<b>Will the entertainment take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</b>	Indoors	X
				Outdoors	
Mon	0800	0400	<b>Please give further details here</b> (please read guidance note 3)	Both	
Tue	0800	0400			
Wed	0800	0400	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Thur	0800	0400			
Fri	0800	0400	<b>Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Sat	0800	0400			
Sun	0800	0400			

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment be indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).	Indoors	X
Day	Start	Finish		Outdoors	
Mon	<del>0000</del> 2300	0400	Please give further details here (please read guidance note 3)	Both	
Tue	<del>0000</del> 2300	0400			
Wed	<del>0000</del> 2300	0400	State any seasonal variations for provision of late night refreshment (please read guidance note 4)		
Thur	<del>0000</del> 2300	0400			
Fri	<del>0000</del> 2300	0400	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	<del>0000</del> 2300	0400			
Sun	<del>0000</del> 2300	0400			

## J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption please make selection with an "x" (please read guidance note 7).	On the premises	
Day	Start	Finish		Off the premises	
	<b>0800</b>	<b>0400</b>			<b>X</b>
Mon					
Tue	<b>0800</b>	<b>0400</b>	<u>State any proposed seasonal variations for the</u> supply of alcohol (please read guidance note 4)		
Wed	<b>0800</b>	<b>0400</b>			
Thur	<b>0800</b>	<b>0400</b>			
Fri	<b>0800</b>	<b>0400</b>			
Sat	<b>0800</b>	<b>0400</b>	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sun	<b>0800</b>	<b>0400</b>			

## K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

**None**

## L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	<b>0800</b>	<b>0400</b>	
Tue	<b>0800</b>	<b>0400</b>	

**L**

Wed	0800	0400	<b>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Thur	0800	0400	
Fri	0800	0400	
Sat	0800	0400	
Sun	0800	0400	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

**- Alcohol may be sold or supplied for one hour following the hours set out above and on Christmas Day, between 3pm and 7pm to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.**

**- Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary thereto.**

**-No draught beer to be sold or consumed on the premises.**

*Please make selection with an "x"*

I will enclose the premises licence with the declaration

I will enclose the relevant part of the premises licence with the declaration

Neither of above

**X** If checking this box please fill in reasons for not sending the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

**I do not have a copy of the current licence**

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General - all four licensing objectives (b,c,d,e)** (please read guidance note 9)

**We have considered the proposed impact of this variation and do not consider that there will be any adverse effect on the promotion of the licensing objectives. No further steps will be necessary to promote the licensing objectives and the existing measures will continue.**

**The premises will be used as an events centre that will operate to provide different forms of entertainment during the opening hours stated in this application. This includes a restaurant and bars located on various floors. The premises will provide events for persons of all ages including family use and provision of events for mixed age groups.**

**b) The prevention of crime and disorder**

**- CCTV to be located wherever licensable activities take place.  
-Each event will be risk assessed to determine the amount of door staff required.**

**c) Public safety**

**Existing legislation applies that it is not necessary to duplicate in this licence. A site specific fire risk assessment has been prepared for the use at the premises and is with this application.**

**d) The prevention of public nuisance**

**A noise dispersal policy will be prepared to arrange a steady dispersal after an event. This will also include confectionary handed out at the end to keep the customers noise levels to a minimum while leaving the building.**

**e) The protection of children from harm**

**Challenge 25 applies. No harm to children has been identified.**

Please make selection with an "x"

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

**I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMMOUNT**

**Part 5 - Declaration** (please read guidance note 10)

**Confirmation of applicant or applicant's solicitor or other duly authorised agent.** (See guidance note 11) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation

Name  Date

Capacity

**For joint applications confirmation of 2nd applicant or 2nd applicant's solicitor or other authorised agent.** (please read guidance note 12) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation

Name  Date

Capacity

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 13)

Name

Address

Post Town

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

**For Official Use Only**

Form Filename: \_\_\_\_\_ Submission Ref: \_\_\_\_\_

Applicant Name: **Unity Parties Limited/** Date Submitted: \_\_\_\_\_

**Use this page if there is any other information that you think we should know about.  
Information entered on this page will be sent to us, along with the data on the rest of the form when you use the "Submit" option.**

A large, empty rectangular box with a thin black border, occupying most of the page below the instructions. It is intended for users to provide additional information.

## Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.**

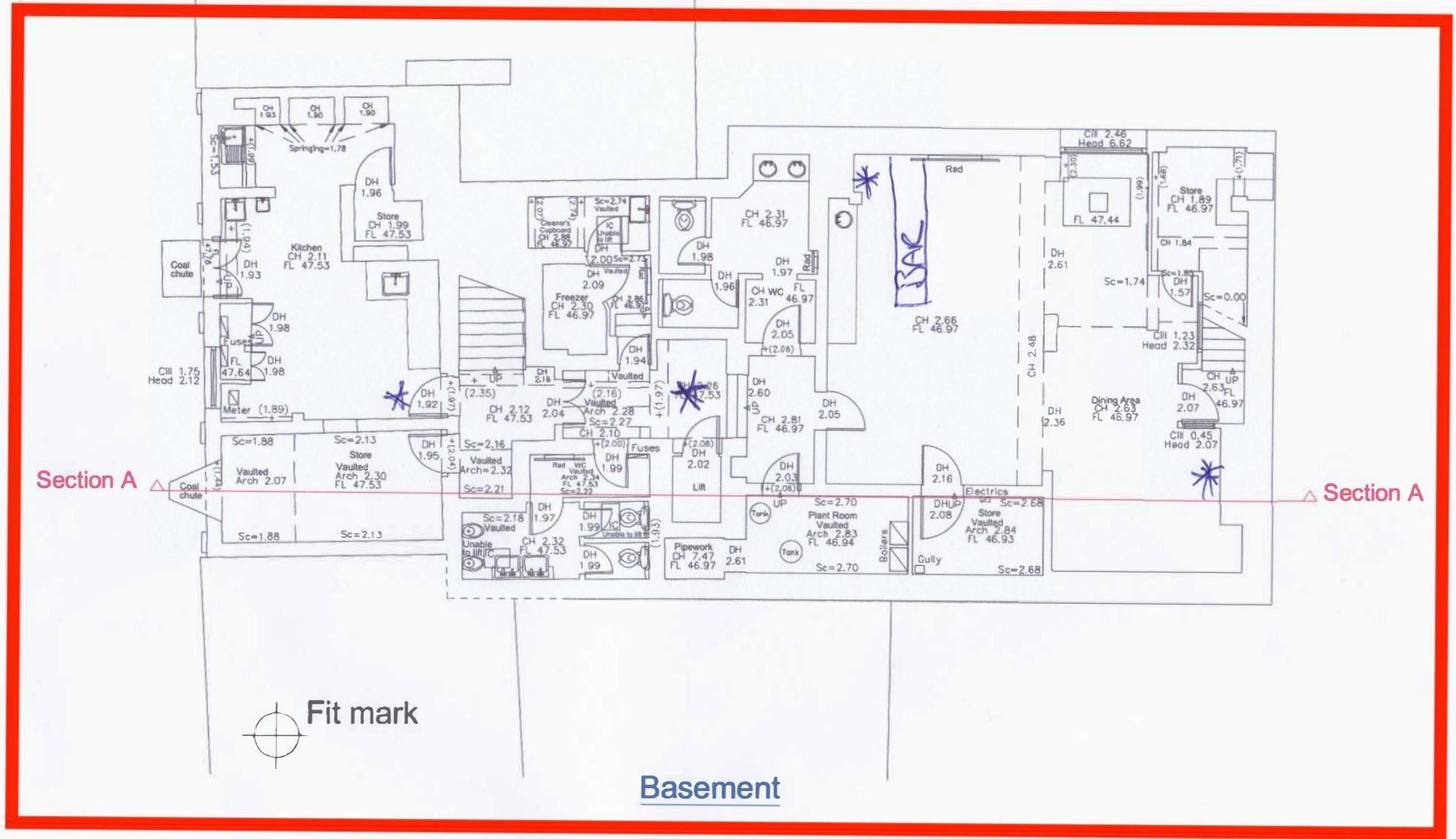
## Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



\* Fire Extinguishers.

29



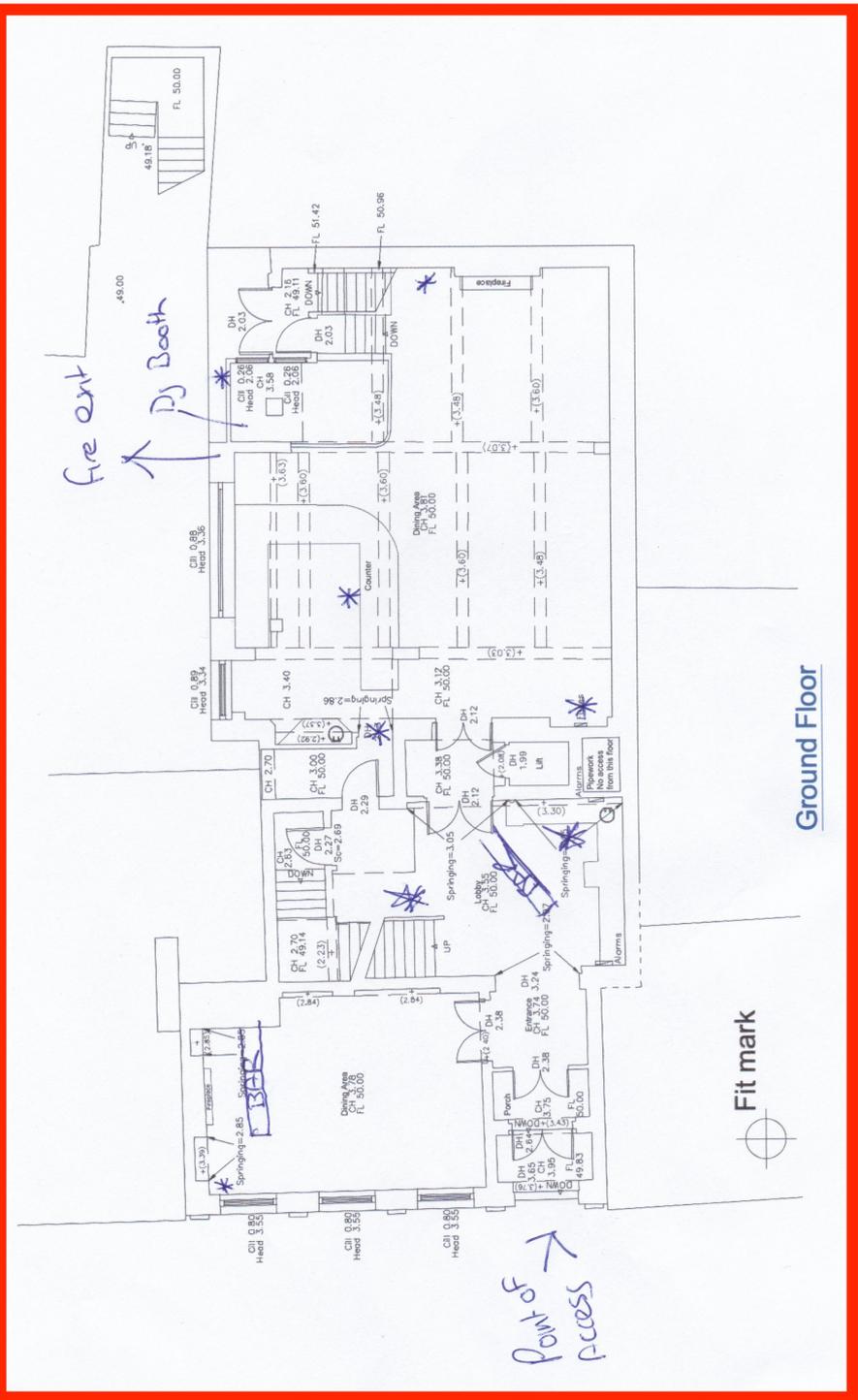
Section A

Section A

Fit mark

Basement

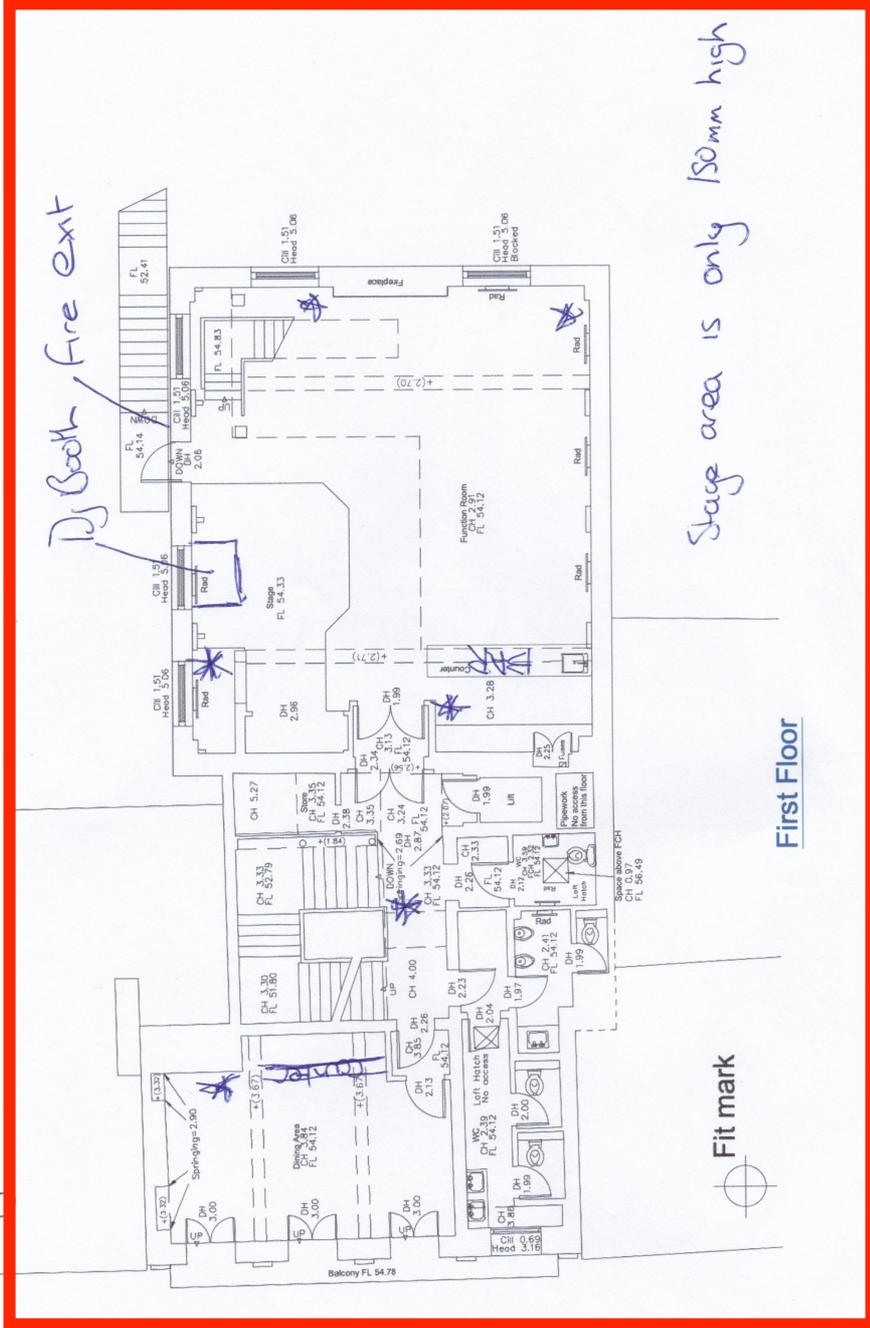
\* Fire Extinguishers



Ground Floor

~~\*~~ Fire Extinguishers

DJ Booth Fire exit

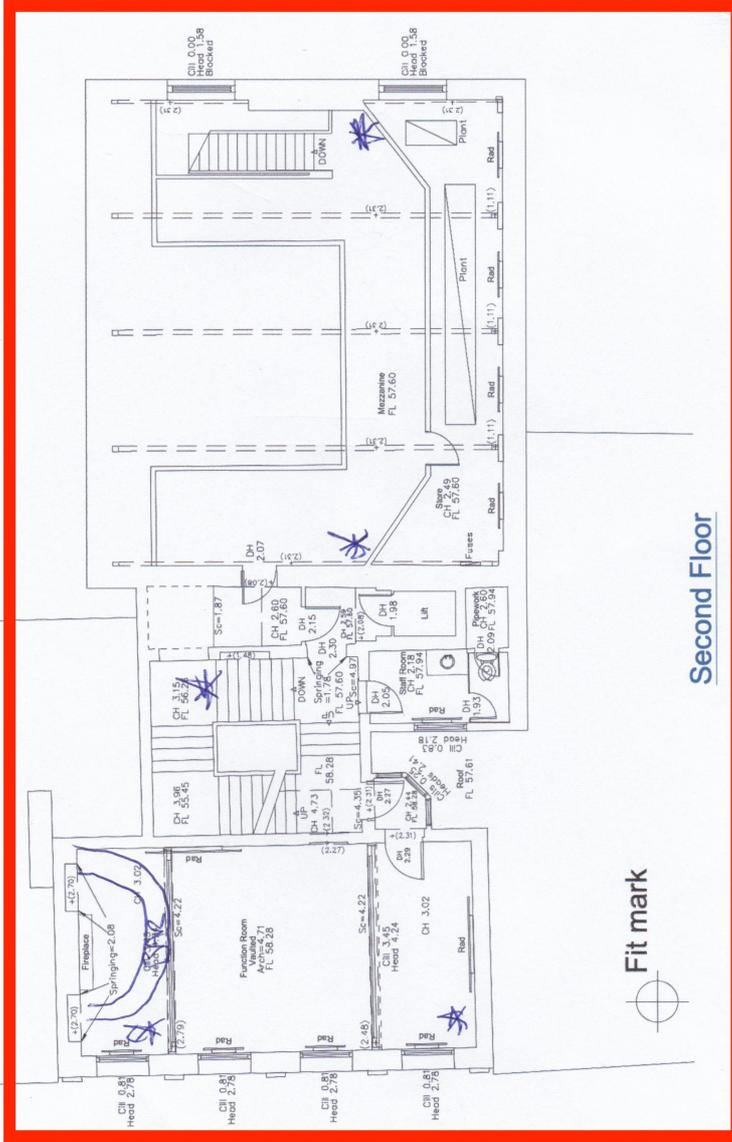


Stage area is only 150mm high

First Floor



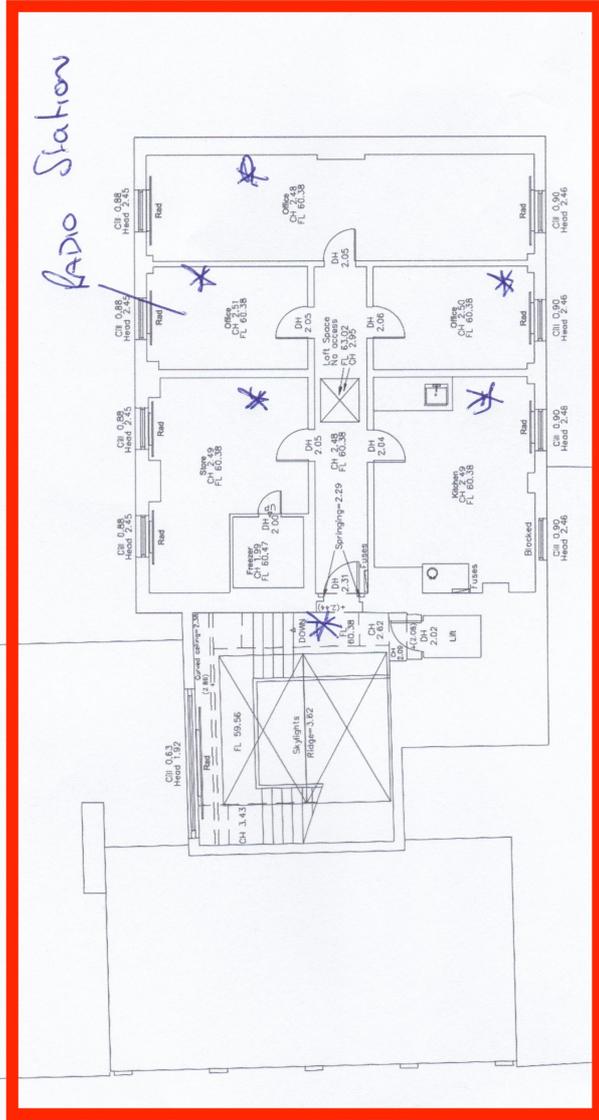
Fire extinguishes



Second Floor

\* fire extinguishes

RADIO Station



Fit mark



Third Floor

**From:** Dmitry Livchak  
**Sent:** 06 January 2021 12:47  
**To:** Licensing <[licencing@sevenoaks.gov.uk](mailto:licencing@sevenoaks.gov.uk)>  
**Subject:** Ref: 20/02943/LAPRE

**EXTERNAL EMAIL:** Do not click links or open attachments unless you recognize the sender and know the content is safe.

The Green Rooms 32 - 34 Earl Street Maidstone Kent ME14 1PS

Dear sir/Madam licensing committee

We would like to object to the proposed license applications for The Green Rooms Earl Street ME14 1PS

We object to these license applications for the following reasons:

- we do not believe they are suited to a predominantly residential area with Earl Street having mainly family restaurants.
- we are concerned about the extra traffic they will generate on Earl Street especially and the knock on effect this will have on other businesses and residents.
- we are concerned about the potential for drink driving and the dangers this brings not only to our community, but the wider area
- we are concerned about the potential increase in anti social behaviour this will ultimately bring to the heart of the community. The proposals fall within the shopping area of Maidstone and a night club with a huge capacity will bring potential trouble to the surrounding family restaurants and businesses, it is a very busy place with young families, children and older people and we believe that Maidstone already has a serious problem with drugs being produced, brought and sold in the area, this will make the problem worse. Maidstone has many vulnerable adults who suffer with alcohol and drug addictions, it is not a suitable place for these establishment and in approving these licenses, the council will be ignoring their social responsibility!

Kind regards  
Mr Dimitry??

Sent from my Huawei phone

**From:** publicaccess@sevenoaks.gov.uk <publicaccess@sevenoaks.gov.uk>  
**Sent:** 17 January 2021 09:36  
**To:** Lorraine Neale <LorraineNeale@maidstone.gov.uk>  
**Subject:** Comments for Licensing Application 20/02943/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 9:35 AM on 17 Jan 2021 from Mr Robert Jones.

### Application Summary

**Address:** 32 - 34 Earl Street Maidstone Kent ME14 1PS  
**Proposal:** Premises Licence  
**Case Officer:** Lorraine Neale  
[Click for further information](#)

### Customer Details

**Name:** Mr Robert Jones  
**Email:**  
**Address:**

### Comments Details

**Commenter Type:** Neighbour  
**Stance:** Customer objects to the Licensing Application  
**Reasons for comment:**

- Crime Objections
- Noise Disturbance
- Opening Hours
- Parking
- Prevention of Public Nuisance
- Protection of Children from Harm
- Public Safety
- Traffic

**Comments:** 9:35 AM on 17 Jan 2021 Objection to Earl Street 32-34 Earl Street license application late night

I live nearby to the proposed night club application which will cause a lot of late-night noise and disruption. I live in a listed building with single glazed windows and this will have a negative effect on my mental health and working life + my toddler. There is already enough traffic going through Earl Street, even though it is a pedestrianized area. If the night club is allowed to go ahead this will only intensify the situation. Please do not

allow the night club to be opened. I had moved to this part of the town centre deliberately to be out of the way of late night clubs/bars & noise disturbance. I do not want to live in a rough part of town where crime could potentially begin existing after people leave the venue.

**From:** Kerry King  
**Sent:** 18 January 2021 10:05  
**To:** Licensing <[licencing@sevenoaks.gov.uk](mailto:licencing@sevenoaks.gov.uk)>  
**Subject:** ref:20/02943/LAPRE

**EXTERNAL EMAIL:** Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear sir/madam

I write to object to the licence application made for the green rooms 32-34 Earl street maidstone ME14 1PS

I object to the following grounds

1: the green room is located fairly and squarely in the middle of a densely populated residential and restaurant area.

The playing of either recorded or live music to as late as 4:01 am each and every night/morning 7 days a week will have an intrusive effect on the residents living nearby.

already we endure excessive noise from the town. I'm sure neither other local residents nor us nor those in between wish to have their sleep interrupted by such intrusion

2: sale of alcohol there is already far too much drunkenness and disorder in the town center and the surrounding streets. We certainly don't need any more

3: sale of late night refreshments and alcohol each day from 8:00 am to 4:00am in the morning we all in week street have to put up with obnoxious drunks billowing across our gardens and through our houses

**WE DON WANT OR NEED ANY MORE FROM ANY MORE PREMISES**

your sincerely  
kerry king

**From:** Bulent Turgut  
**Sent:** 19 January 2021 13:27  
**To:** Licensing <[licencing@sevenoaks.gov.uk](mailto:licencing@sevenoaks.gov.uk)>  
**Subject:** The Green Rooms 20/02943/LAPRE

**EXTERNAL EMAIL:** Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Counsellors

I would like to object to licensing applications REF: 20/02943/LAPRE

The reasons for my objection are;

1) Crime and disorder

We already have a problem in The Town Centre with crime and disorder related to people returning home after visiting the other bars in Maidstone. The Increasing the number of establishments with this license and now extending the time of a family restaurant (previously Pizza Express) till 4:00am will increase the number of people in the area drinking late, party goes from London returning home even later and in turn disorder and the potential for serious crime and drug abuse.

2) Prevention of nuisance

The location of this property establishment requesting licenses are in the centre of a family restaurant street and of homes that would be greatly disturbed by the noise from loud music going on till 4am 7 days a week. There would be an increase in footfall and vehicle traffic which is also noisy at night, especially with a capacity of nearly 1000 persons. There would also be increased noise and commotion of people leaving and entering under the influence of alcohol. The proximity to residents home is too close to consider this and many homes are family homes with children whose sleep could be disturbed.

It would be of best interest if this would be kept in line with the other properties and remain a family restaurant. Don't change the concept of Earl Street and please leave a place in town for families can feel safe and enjoy eating out.

I would be grateful if you would listen to our concerns.

Regards

Bill

**From:** publicaccess@sevenoaks.gov.uk <publicaccess@sevenoaks.gov.uk>  
**Sent:** 20 January 2021 15:31  
**To:** Lorraine Neale <LorraineNeale@maidstone.gov.uk>  
**Subject:** Comments for Licensing Application 20/02943/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 3:30 PM on 20 Jan 2021 from Ms Anne Bryson-Payne.

## Application Summary

**Address:** 32 - 34 Earl Street Maidstone Kent ME14 1PS

**Proposal:** Premises Licence

**Case Officer:** Lorraine Neale

[Click for further information](#)

## Customer Details

**Name:** Ms Anne Bryson-Payne

**Email:**

**Address:**

## Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Licensing Application

**Reasons for comment:**

- Crime Objections
- Noise Disturbance
- Opening Hours
- Prevention of Public Nuisance
- Public Safety

**Comments:** 3:30 PM on 20 Jan 2021 I Anne Bryson-Payne object the application for a late premises license at 32-34 Earl Street Maidstone. I do not wish to hear the noise from the venue which I have seen proposes to have a music venue space till the early hours of the morning located above the ground floor or higher. This will add to the flow rate of incidents occurring near my property where people will be leaving the venue in the early hours and passing by on the way to train stations/taxi ranks causing an unnecessary racket. Earl Street should be left as a desirable/attractive space which it has been for decades not a late night spot for people to damage. It is very improper that such a location should be open till 4am in the morning causing us local residents grief & safety.

**From:** James Williams PC 46011187  
**Sent:** 12 January 2021 10:47  
**To:** management@thegarden-project.co.uk; Licensing West Division Kent <west.division.licensing@kent.police.uk>; Lorraine Neale <LorraineNeale@maidstone.gov.uk>; Louise Davis <LouiseDavis@Maidstone.gov.uk>; licensing@sevenoaks.gov.uk  
**Subject:** FW: Police Reps

All concerned,

Kent Police are willing to withdraw their representation in relation to this application subject to the conditions forming part of the new licence.  
Please can the following be amended as per agreement.

**3. Toughened or polycarbonate glass will be used at the premises. All drinks will be supplied in polycarbonate or suitably toughened glass. This condition will not apply to the ground floor restaurant area or the Whisky Room except when events in this location are taking place.**

**21. When the venue is operating more than just the ground floor restaurant then door staff will be employed as per condition 15.**

Regards,

James

*James Williams*

**Police Constable 11187**  
**Maidstone Licensing Officer**

**From:** [management@thegarden-project.co.uk](mailto:management@thegarden-project.co.uk) <[management@thegarden-project.co.uk](mailto:management@thegarden-project.co.uk)>  
**Sent:** 08 January 2021 14:44  
**To:** James Williams PC 46011187 <[management@thegarden-project.co.uk](mailto:management@thegarden-project.co.uk)>  
**Cc:** Licensing West Division Kent <[west.division.licensing@kent.police.uk](mailto:west.division.licensing@kent.police.uk)>; Louise Davis <[louisedavis@maidstone.gov.uk](mailto:louisedavis@maidstone.gov.uk)>; Lorraine Neale <[lorraineneale@maidstone.gov.uk](mailto:lorraineneale@maidstone.gov.uk)>; Licensing <[licencing@sevenoaks.gov.uk](mailto:licencing@sevenoaks.gov.uk)>  
**Subject:** Re: Police Reps

**EXTERNAL EMAIL:** Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi All

We are happy to agree to all the terms requested by PC James Williams

We do request a side note to be added if possible that glassware can be used when people are sat eating in the restaurant and during none events in the whiskey room.

Can you confirm the security from 20.00 is only on event days or 7 days a week as mentioned when talking to you 90% of the time the site will only be a restaurant on the ground floor with a limited capacity of 80 and to have 3 door staff for 2/3 hours seems a little excessive.

I look forward to working with you all and a better year ahead

Kind Regards

Daniel Adams

DPS

# PREMISES LICENCE



The Licensing Act 2003  
Schedule 12, Part A

Premises Licence Number	20/02928/LAPRE
-------------------------	----------------

## Part 1 – Premises Details

### Postal address of premises , or if none, ordnance survey map reference or description, including Post Town & Post Code

The Green Room  
32 - 34 Earl Street  
Maidstone  
Kent ME14 1PS

Telephone number 01622 395456

### Where the licence is time limited the dates

Not Applicable

### Licensable activities authorised by the licence

Live music  
Performances of dance  
Anything of a similar description to the activities of live music, recorded music or the performance of dance  
Sale or Supply of Alcohol  
Late Night Refreshment

### Times the licence authorises the carrying out of licensable activities

Live music

Every Day 11:30 - 00:30

Performances of dance

Every Day 11:30 - 00:30

Anything of a similar description to the activities of live music, recorded music or the performance of dance

Every Day 11:30 - 00:30

Sale or Supply of Alcohol

Monday to Saturday 10:00 - 00:00

Sunday 12:00 - 23:30

*Good Friday and Christmas day 12.00 hours to 23.30 hours. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day*

Licence Number: 20/02928/LAPRE  
Issue Date: 08/01/2021

Page 1 of 5

Licence issued by:  
The Licensing Partnership P.O. Box 182 Sevenoaks Kent TN13 1GP  
Telephone number: 01732 227004

Late Night Refreshment

Monday to Saturday 23:00 - 00:30  
Sunday 23:00 - 00:00

Good Friday and Christmas Day 23:00 hours to 00:00 hours. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**The opening hours of the premises**

Monday to Saturday 10:00 - 00:30  
Sunday 12:00 - 00:00

**The non-standard opening hours of the premises**

Good Friday and Christmas Day 12:00 hours to 00:00 hours. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

Alcohol is supplied for consumption on the premises.

**Part 2**

**Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence**

Unity Parties Limited  
5A Tonbridge Road  
Maidstone  
Kent ME16 8RL  
Email address: management@thegarden-project.co.uk

**Registered number of holder, for example company number, charity number (where applicable)**

Registered Business Number 11998539

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Daniel Adams

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence Number: 20/02729/LAPER  
Licence Authority: Maidstone Borough Council



**John Littlemore**  
**Head of Housing and Community Services**  
**Maidstone Borough Council**

Licence Number: 20/02928/LAPRE  
Issue Date: 08/01/2021

Page 2 of 5

Licence issued by:  
The Licensing Partnership P.O. Box 144 Sevenoaks Kent TN13 1GP  
Telephone number: 01732 227004

## Annex 1 – Mandatory conditions

### The supply of alcohol

- Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

- (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### Mandatory conditions in force from 28 May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1-

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) "permitted price" is the price found by applying the formula—  $P = D + (D \times V)$

where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### **Mandatory Conditions in force from 01 October 2014**

1.— (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.— (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that—

(a)where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i)beer or cider: ½ pint;
- (ii)gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii)still wine in a glass: 125 ml;

(b)these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c)where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

## **Annex 2 – Embedded conditions**

Recorded Music:

Public entertainment by the way of music and singing which is provided solely by the reproduction of recorded sound is permitted without any hour's limitation.

Private Entertainment:

Dancing, music or other entertainment of the like kind which is not a public entertainment but which is promoted for private gain is permitted without any hours limitation.

## **Annex 3 – Conditions consistent with the Operating Schedule**

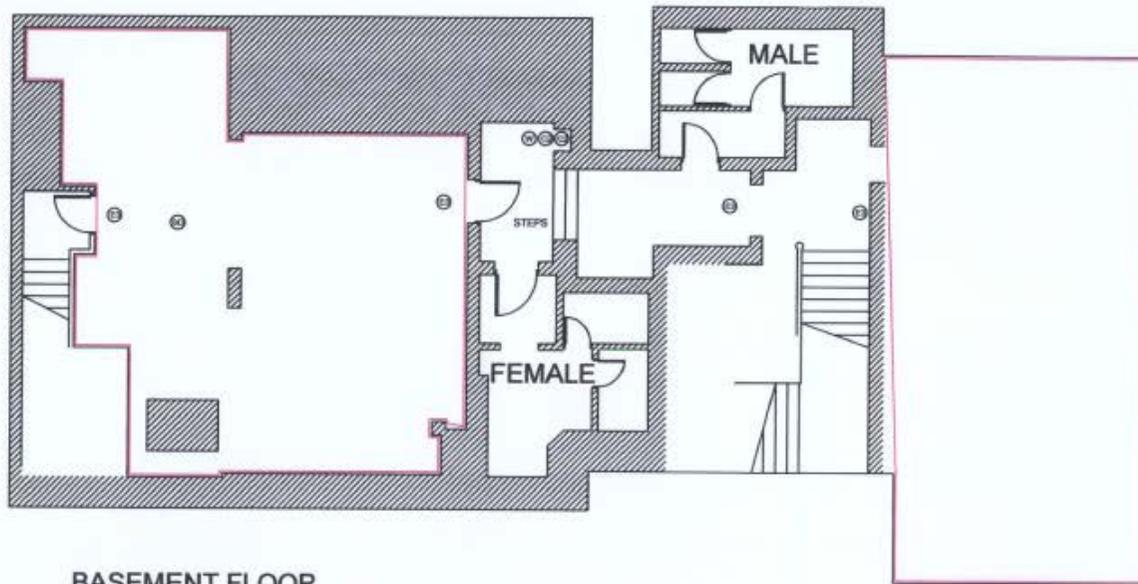
Not applicable

## **Annex 4 – Conditions attached after a hearing by the licensing authority**

Not applicable

## **Annex 5 – Plans**

Please see attached



BASEMENT FLOOR

**KEY**

- ⊙ SMOKE DETECTOR
- ⊙ WATER EXTINGUISHER
- ⊙ CO2 EXTINGUISHER
- ⊙ ILLUMINATED "EXIT" SIGN WITH DIRECTIONAL ARROW

— Alcohol sales & Consumption  
 "Area to be used for sale and for consumption of alcohol, provision of regulated entertainment and supply of late night refreshment"

REV	DATE	DETAILS



# ROMANS

## Surveyors

4 KING STREET LANE, WIMBORNE, BERKSHIRE, RG41 3AB.  
 TELEPHONE 0118 936 6599

28 THE AVENUE, SOUTHAMPTON, HAMPSHIRE, SO17 1XN.  
 TELEPHONE 0330 880 110

84 HEATH ROAD, TWICKENHAM, MIDDLESEX, TW1 4BW.  
 TELEPHONE 0208 588 0330

E-MAIL: ROMANS@ROMANS.CO.UK  
 WWW. ROMANS.CO.UK

ON BEHALF OF

## Pizza Express

PROJECT TITLE

**32 Earl Street, Maidstone  
 ME14 1PF**

DRAWING TITLE		SCALE	
Basement Floor Plan		1:100 @ A3	
DRAWN		DATE	
TH		29.07.2005	
CHECKED		DWG NO.	
		PE124	
REV			

ROMANS SURVEYORS ARE PART OF THE ROMANS GROUP INCORPORATING:

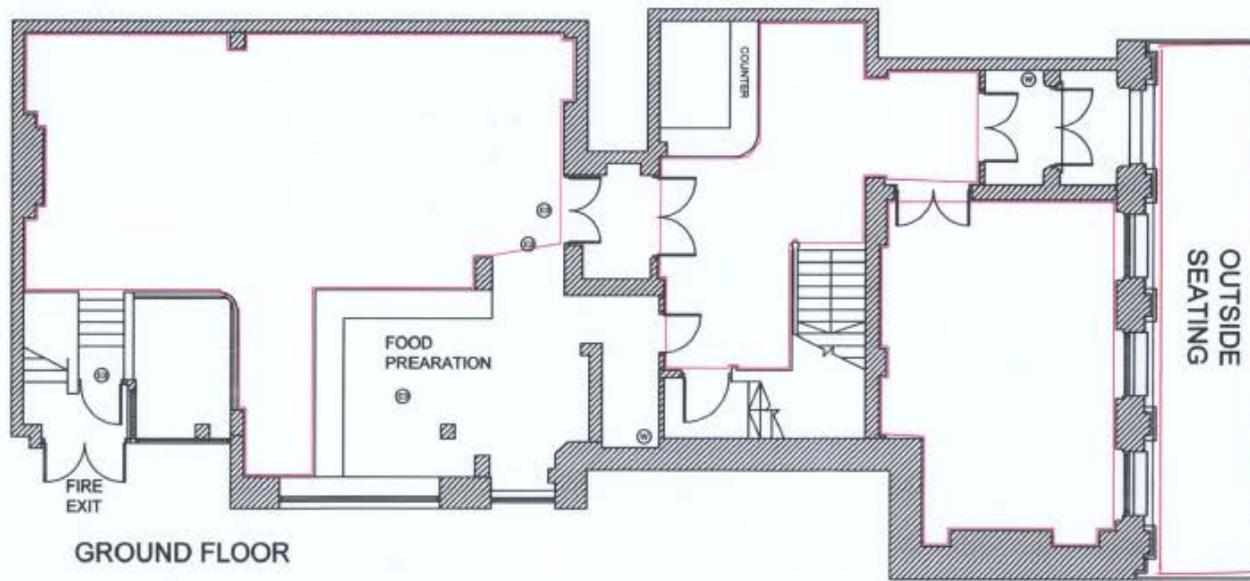
COMMERCIAL LAND & NEW HOMES LETTINGS	SURVEYORS RESIDENTIAL	ARCHITECTURAL FLOWER IFA REGULATIONS
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The **ROMANS** Group

OUTLET NO.  
124

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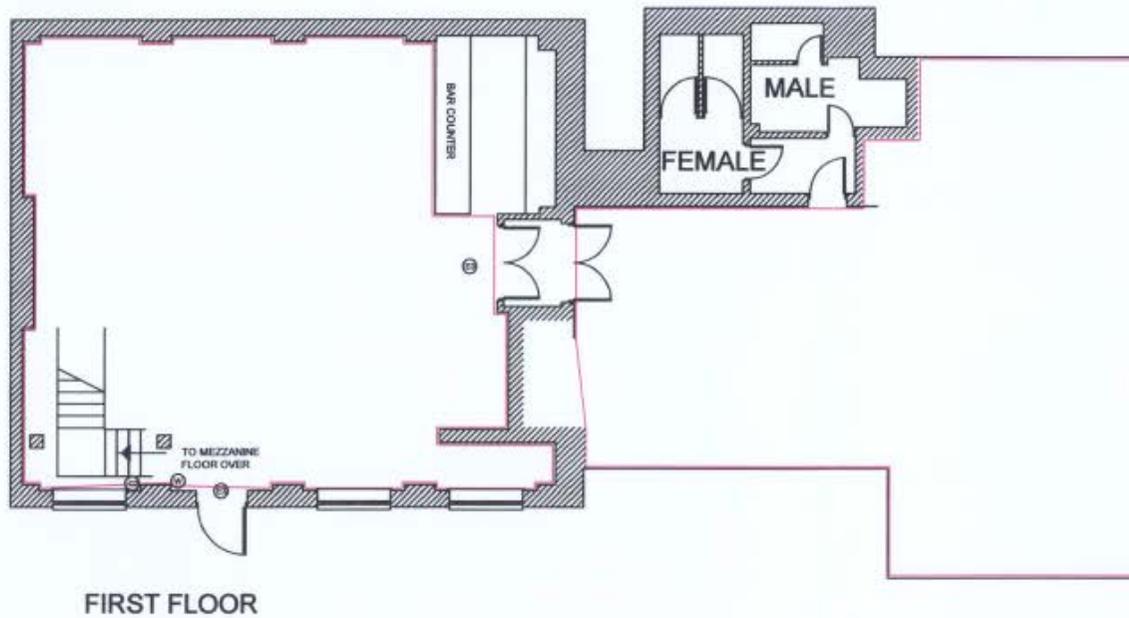
**KEY**

- ⊕ SMOKE DETECTOR
- ⊖ WATER EXTINGUISHER
- ⊙ CO2 EXTINGUISHER
- ⊛ ILLUMINATED 'EXIT' SIGN WITH DIRECTIONAL ARROW

— Alcohol sales & Consumption

"Area to be used for sale and for consumption of alcohol, provision of regulated entertainment and supply of late night refreshment"

REV	DATE	DETAILS
 <b>ROMANS</b> Surveyors		
4 KING STREET LANE, WINNERSH, BERKSHIRE, RG41 5AB. TELEPHONE: 0118 936 6699		
28 THE AVENUE, SOUTHAMPTON, HAMPSHIRE, SO17 1XN. TELEPHONE: 02380 820110		
24 HEATH ROAD, TWICKENHAM, MIDDLESEX, TW1 4BW. TELEPHONE: 0208 288 0330		
E-MAIL: ROMANS@ROMANS.CO.UK WWW. ROMANS.CO.UK		
ON BEHALF OF		
<h2>Pizza Express</h2>		
PROJECT TITLE		
<b>32 Earl Street, Maidstone</b> <b>ME14 1PF</b>		
DRAWING TITLE		SCALE
Ground Floor Plan		1:100 @ A3
		DATE
		10.05.2005
DRAWN	CHECKED	DWG NO.
ESL		PE124
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— Alcohol sales & Consumption

"Area to be used for sale and for consumption of alcohol, provision of regulated entertainment and supply of late night refreshment"

REV	DATE	DETAILS



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4 KING STREET LANE, WIMBORSH, BERKSHIRE, RG41 5AB.  
TELEPHONE: 0118 936 6699

35 THE AVENUE, SOUTHAMPTON, HAMPSHIRE, SO17 1XN.  
TELEPHONE: 02380 930110

84 HEATH ROAD, TOTTENHAM, NORTHERG, TW1 4BW.  
TELEPHONE: 0208 288 0330

E-MAIL: ROMANS@ROMANS.CO.UK  
WWW.ROMANS.CO.UK

ON BEHALF OF

## Pizza Express

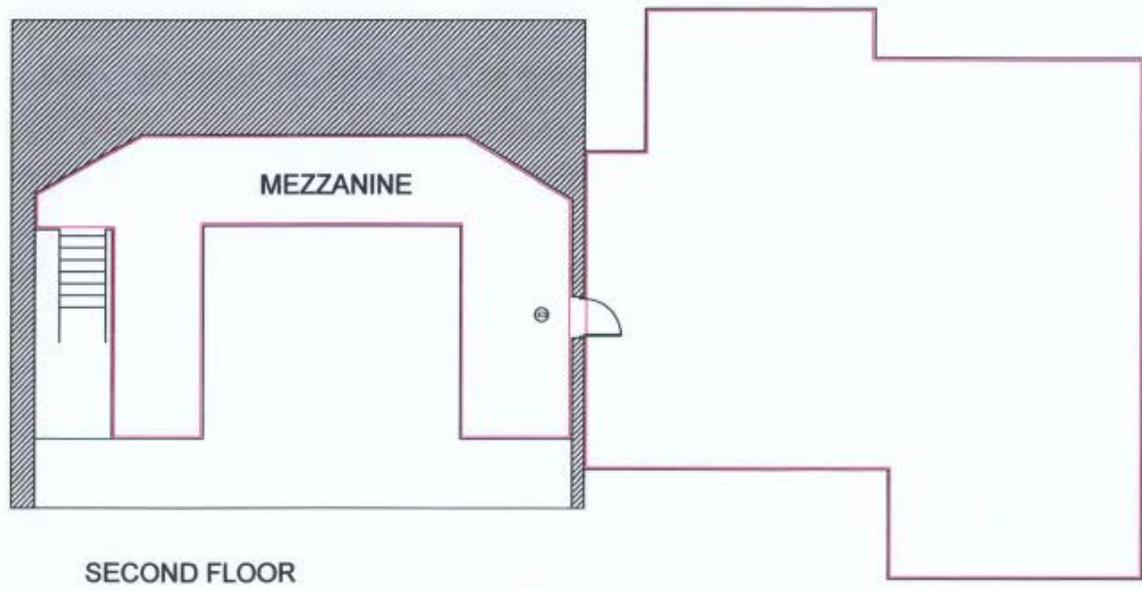
PROJECT TITLE

### 32 Earl Street, Maidstone ME14 1PF

DRAWING TITLE		SCALE	
First Floor Plan		1:100 @ A3	
DATE		DATE	
29.07.2005		29.07.2005	
DRAWN	CHECKED	DWG NO.	REV
TH		PE124	

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**KEY**

- Ⓢ SMOKE DETECTOR
- Ⓜ WATER EXTINGUISHER
- ⓐ CO2 EXTINGUISHER
- ⓔ ILLUMINATED "EXIT" SIGN WITH DIRECTIONAL ARROW

— Alcohol sales & Consumption

"Area to be used for sale and for consumption of alcohol, provision of regulated entertainment and supply of late night refreshment"

REV	DATE	DETAILS

**ROMANS**  
Surveyors

4 KING STREET LANE, WINNERSH, BERKSHIRE, RG41 9AB.  
TELEPHONE: 0118 926 8899

28 THE AVENUE, SOUTHAMPTON, HAMPSHIRE, SO17 1XN.  
TELEPHONE: 02380 830110

84 HEATH ROAD, TAMESHVAL, MIDDLESEX, TW1 4BW.  
TELEPHONE: 0208 888 0280

E-MAIL: ROMANS@ROMANS.CO.UK  
WWW. ROMANS.CO.UK

ON BEHALF OF

*Pizza Express*

PROJECT TITLE

**32 Earl Street, Maidstone  
ME14 1PF**

DRAWING TITLE		SCALE	
Second Floor Plan		1:100 @ A3	
DATE		DATE	
29.07.2005		29.07.2005	
DRAWN	CHECKED	DWG NO.	REV
TH		PE124	

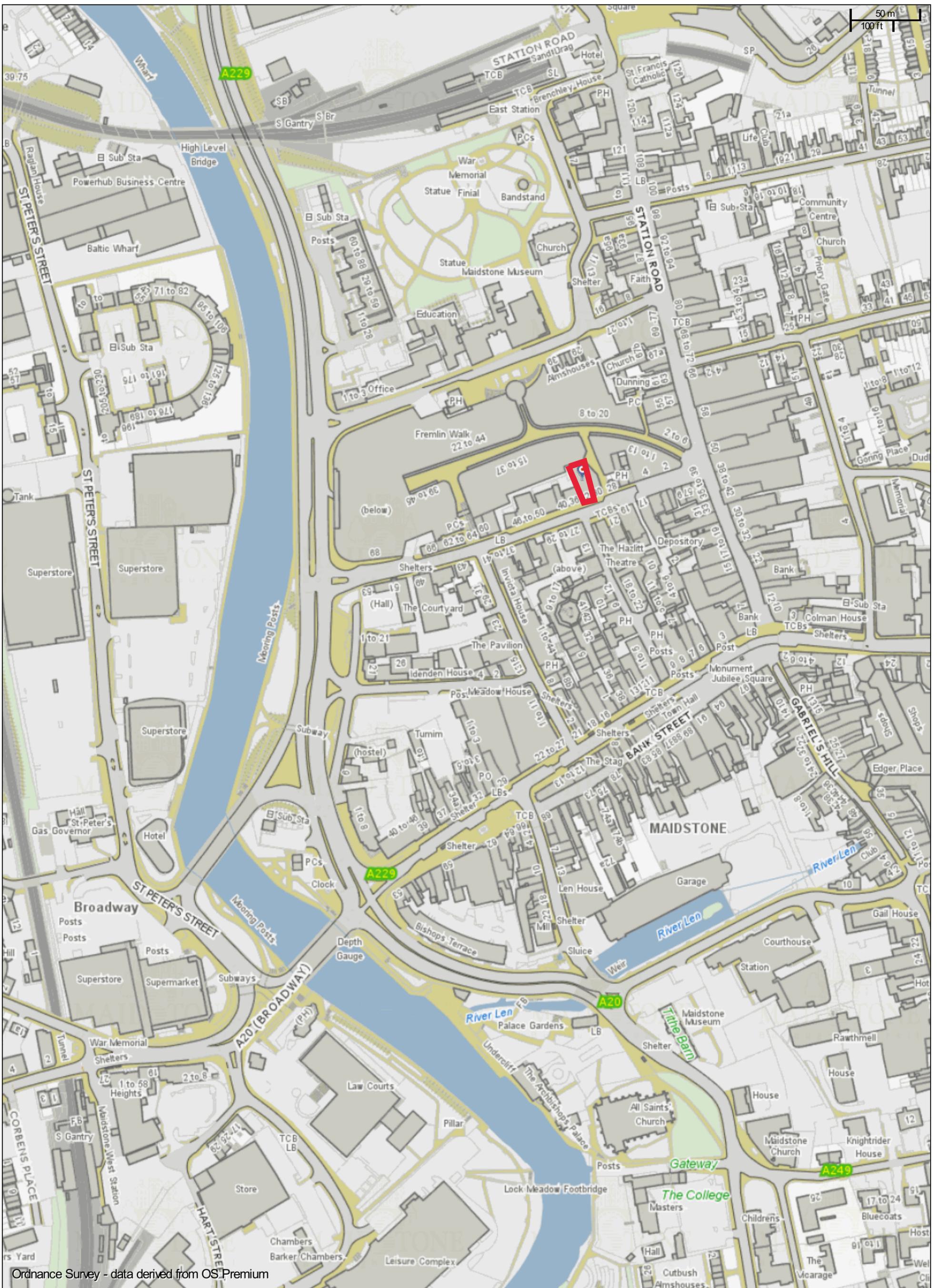
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**OUTLET NO.  
124**

ISO 9001



Ordnance Survey - data derived from OS Premium

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Article 8

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Article 1 of the First Protocol

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Article 6(1)

In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgement shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.

Article 10

3. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
4. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.



## **LICENSING AUTHORITY: MAIDSTONE BOROUGH COUNCIL**

### **Licensing Act 2003 Sub-Committee Hearing Procedure of Applications for New Premises Licences/Club Premises Certificates and Variations to existing licences and certificates**

## **Introduction and Procedure**

### **i) Introductions**

The Chairman will request all those persons participating in the hearing to identify themselves, starting with the:

- Members of the sub-committee (who will, if applicable, declare any personal or prejudicial interests)
- Legal advisor
- Committee clerk
- Maidstone Borough Council licensing officers/managers
- Applicant (and any representative)
- Each responsible authority (and any representative)
- Each interested party (and any spokesperson or representative)

### **ii) Procedural Matters**

- **Procedure**

The Chairman will:

- Confirm that all parties are aware of the sub-committee hearing procedure and that each party has a copy of the hearing procedure document.

- **Submissions**

The Chairman will:

- Explain that the sub-committee will allow all parties to put their case fully and make full submissions, within a reasonable time frame.

- **Discussion and cross-examination**

The Chairman will:

- Explain that the sub-committee procedure shall take the form of a discussion led by the sub-committee.
- Explain that the sub-committee will usually permit cross examination (conducted within a reasonable time frame).

- **Disruptive Behaviour**

The Chairman will:

- Explain that where any person attending the hearing behaves in a disruptive manner, the sub-committee may direct that person to leave the hearing (including temporarily) and thereafter the person may submit to the sub-committee in writing any information which the person would have been entitled to give orally had the person not been required to leave the hearing.

- **Reading of Papers**

The Chairman will:

- Confirm that all sub-committee members have pre-read all the papers and any other documents contained in the report regarding the hearing.

- **Draft Conditions**

The Chairman will:

- Enquire whether draft conditions have been agreed between the applicant and any of the other parties for the sub-committee to consider.

- **Witnesses**

The Chairman will:

- Enquire whether any parties request to have any witnesses give evidence at the hearing; and if so grant the request unless the request is unreasonable.

- Invite the parties, where appropriate, to appoint a spokesperson.

## **The Hearing**

### **Outline of the Application and Representations**

- The Chairman will ask the legal advisor or community services manager to briefly outline the application and all representations regarding the application.

#### **i) The Applicant**

- Opening remarks by the applicant (or their representative).
- Evidence of the applicant and any witnesses.
- After each person has given evidence the person may be questioned by each responsible authority, interested party and sub-committee member.
- If necessary, the applicant (or their representative) may clarify any matter that arose during questioning.

#### **ii) Responsible Authorities (where applicable)**

<b>RESPONSIBLE AUTHORITY</b>	<b>Tick if applicable</b>
Police	
Trading standards	
Environmental Health	
Child Protection (Social Services)	
Planning	
Fire and Rescue	

- Opening remarks by the officer representing the responsible authority (or their representative).
- Evidence of the responsible authority officer and any witnesses.
- After each person has given evidence the person may be questioned by the applicant, each other responsible authority, interested party and sub-committee member.
- If necessary, the officer (or representative) may clarify any matter that arose during questioning.

#### **iii) Interested Parties**

- Opening remarks by the interested party (or spokesperson/representative).
- Evidence of the interested party and any witnesses.

- After each person has given evidence the person may be questioned by the applicant, responsible authorities, each other interested party and sub-committee member.
- If necessary, the interested party (or spokesperson/representative) may clarify any matter that arose during questioning.

## Closing Speeches

In the following order:

- Each Responsible Authority**
- Each Interested Party**
- The Applicant**

## End of Hearing

- The Chairman will ask the members of the sub-committee if they have any final questions for any party to the hearing.
- The Chairman will ask the legal advisor whether there are any further matters to be raised or resolved before the hearing is closed.
- The Chairman will bring the hearing to a close and shall declare that the sub-committee will retire, to private session, to consider the application, all relevant representations, evidence, the relevant extracts of Licensing Authority's Statement of Licensing Policy, the relevant extracts of the National Guidance issued under section 182 of The Licensing Act 2003 and the licensing objectives under the Licensing Act 2003.
- The Chairman shall invite the legal advisor to remain with the sub-committee during its deliberations and ask all other persons to withdraw from the room.

## The Decision

The Chairman shall declare in public session:

- The sub-committee's determination.
- All parties to the hearing will receive a copy of the written Determination Notice regarding the sub-committee's determination.
- All parties may appeal against the sub-committee's decision within 21 days beginning with the day on which the appellant is notified of the Licensing Authority's written determination. Appeals must be lodged with the Magistrates' Court. Parties should be aware that the Magistrates Court may make an order with

respect to costs on any appeal.

The hearing is formally closed.