

AGENDA

LICENSING ACT 2003 SUB COMMITTEE MEETING



Date: Friday 14 October 2011

Time: 10.00 am

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors FitzGerald, Naghi and Mrs Parvin

Legal Representative: Mrs Jayne Bolas

Page No.

1. Disclosures by Members and Officers
2. Disclosures of Lobbying
3. To consider whether any items should be taken in private because of the possible disclosure of exempt information
4. Report of the Democratic Services Manager - Application for a Premises Licence under the Licensing Act 2003 to be granted for 6 Pickering Street, Maidstone, ME15 9RS 1 - 58

Continued Over/:

Issued on 6 October 2011

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 LORRAINE NEALE on 01622 602028**. To find out more about the work of the Committee, please visit www.maidstone.gov.uk

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

Agenda Item 4

Agenda Item No: 1 - Summary of Report

Licence Reference 11/02270/LAPRE

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

Date: 30TH SEPTEMBER 2011

Report Title: 6 PICKERING STREET
MAIDSTONE
KENT
ME15 9RS

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

Report Author: Lorraine Neale

Summary:

1. The Applicant – Robin Smallbone
2. Type of authorisation applied for: a premises licence under the Licensing Act 2003, S17.
3. Proposed Licensable Activities and hours:

The proposed licensable activities for the licence are as follows:-

M) Supply of alcohol

Monday to Sunday 09:00 – 17:00 Off the premises only
--

Affected Wards: South Ward

Recommendations: **The Committee is asked to determine the application and decide whether to grant a licence.**

Policy Overview: 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.

Financial Implications: Costs associated with processing the application are taken from licensing fee income.

Other Material Implications: **HUMAN RIGHTS:** In considering this application it is necessary to consider the rights of both the applicant and other parties, such as “**responsible authorities**” and/or “**interested parties**” (objectors). The procedure for determining licences has a prescribed format to ensure fair representation of the relevant facts by all parties.

LEGAL: Under the Licensing Act 2003 the **Licensing Authority** has a duty to exercise licensing control of relevant premises.

Background Papers: Licensing Act 2003
DCMS Guidance Documents issued under section 182 of the Licensing Act 2003 as amended
Maidstone Borough Council Statement of Licensing Policy

Contacts: Mrs Lorraine Neale at: lorraineneale@maidstone.gov.uk – tel: 01622 602028

Agenda Item No. 1

Report Title: 6 PICKERING STREET, MAIDSTONE, KENT, ME15 9RS

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

Purpose of the Report

The report advises Members of an application for a Premises Licence to be granted under the Licensing Act 2003, made by Robin Smallbone, in respect of the premises 6 Pickering Street, Maidstone, Kent, ME15 9RS (Appendix A) in respect of which 9 representations were received from Interested Parties (Appendix D) there were no representations received from a Responsible Authority.

Issue to be Decided

1. Members are asked to determine whether to i) grant subject conditions consistent with the operating schedule modified to such extent as considered necessary for the promotion of the licensing objectives and any mandatory condition, ii) grant excluding any of the licensable activities applied for, iii) grant refusing to specify a premises supervisor, or iv) reject the application.

Background

2. The relevant sections are Part 3 ss 18, 19, 19A, 21 and 23 - 24 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
3. The application has been correctly advertised in the local press and a notice displayed on the premises for the required period.
4. 9 representations were received from Interested Parties
5. The table below illustrates the relevant representations which have been received

Responsible Authority/Interested Party	Licensing Objective	Associated Documents	Appendix
D. Masters & A.Bourne	Crime & Disorder Public Safety Public Nuisance	Letter	D
Mr & Mrs Smith	Crime & Disorder Public Safety Public Nuisance	Letter	D
Mr W Neaves	Crime & Disorder Public Safety Public Nuisance	Letter	D
B.A. & P.M. Westbrook	Public Safety Children from Harm	Letter	D

S Rance	Public Safety Children from Harm	Letter	D
Mr J Hawker	Public Safety Public Nuisance	E Mail	D
Mr & Mrs Gardner	Public Safety	Letter	D
Mr & Mrs Robbins	Public Safety	Letter	D
North Loose Residents Association	Public Safety Public Nuisance Children from Harm	E Mail	D

4. **Members are advised that applications cannot be refused in whole or in part, or conditions attached to the licence unless it is necessary to do so to promote the licensing objectives.;**
5. **The Operating Schedule submitted by the Applicant has addressed the licensing objectives in the following manner:**
- a) **General – all four licensing objectives**
- PREMISES ARE INTENDED FOR STORAGE ONLY. NO ON SALES. ALL SALES ARE MADE OFF SITE.*
- b) **The prevention of crime and disorder**
- LOCKED AND SECURE PREMISES, NO ACCESS TO THE PUBLIC*
- c) **Public safety**
- LOCKED AND SECURE PREMISES, NO ACCESS TO THE PUBLIC*
- d) **Prevention of public nuisance**
- NO VOLATILE EMISSIONS, NO NOISE EMITTED*
- e) **The protection of children from harm**
- LOCKED AND SECURE PREMISES, NO ACCESS TO THE PUBLIC. ALL SALES TO TRADE ONLY*
9. **Relevant sections of The Guidance issued under section 182 of The Licensing Act 2003;**
- Chapters 8 & 9 Premises Licences & Determining Applications**
- Chapter 10 Conditions**
- Annex D**
- part 1 Pool of Conditions relating to Crime & Disorder**
- part 2 Pool of Conditions relating to Public Safety**
- part 4 Pool of Conditions relating to Public Nuisance**
- part 5 Pool of Conditions relating to Children from Harm**

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

- 20. Prevention of Crime and Disorder**
- 21. The Promotion of Public Safety**

22. Prevention of Public Nuisance
23. Protection of Children from Harm

20. Prevention of Crime and Disorder

Concerns

The applicant should consider factors arising from the premises or the activities of their customers within the vicinity of the premises that may impact on the prevention of crime and disorder. These may include:

- Underage drinking
- Drunkenness on premises
- Public drunkenness
- Drugs
- Violent behaviour
- Anti-social behaviour

Additional Steps

The following examples of additional steps are given as examples for applicants to consider in addressing the above concerns in the preparation of their Operating Schedule, having regard to their particular type of premises or activities:-

- Effective and responsible management of premises.
- Training and supervision of staff.
- Adoption of current best practice guidance (some examples are Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit, and other voluntary codes of practice, including those relating to drinks promotions e.g. The Point of Sale Promotions published by BBPA).
- Acceptance of accredited 'proof of age' pass cards or 'new type' driving licences with photographs, passports or an official identity card issued by H M Forces.
- Provision of effective CCTV in and around premises.
- Employment of Security Industry Authority licensed door staff. (If two or more are employed there must be at least one male and one female).
- Provision of toughened or plastic glasses.
- Provision of secure deposit boxes for confiscated items ('sin bins').
- Provision of litterbins, security measures, e.g. lighting, outside premises.
- Membership of a Pub Watch scheme.
- The current 'Chill Out Hour' operating at the late night venues in the Borough of Maidstone which is the agreement whereby late night venues cease to sell alcohol yet continue to provide music and dancing for a further hour (at a reduced volume and with the heavy bass beat removed) has proved to be a success in reducing late night crime and disorder.
- Membership of Maidsafe (Nite Net).

21. The Promotion of Public Safety

The Licensing Authority wishes to ensure the safety of everyone on licensed premises.

Concerns

Capacity

Where existing legislation does not provide adequately for the safety of the public, club members or guests, the occupancy capacity for premises and events (to include performers and staff) may be an important factor in promoting public safety. Subject to the requirements of the following paragraph the Licensing Authority will expect the issue of occupancy capacity and adequate controls of the numbers of persons on premises or attending an event to be considered by an

applicant when completing an Operating Schedule. Where a relevant representation is received in respect of capacity the Licensing Authority will consider setting capacity limits in consultation with the Kent and Medway Fire and Rescue Authority for the following premises:

- Nightclubs
 - Cinemas
 - Theatres
 - Other premises where regulated entertainment within the meaning of the Act is being provided.
- The Applicant might also consider the following concerns when assessing the appropriate capacity for premises or events in the Maidstone area. These could include:-
- The design and layout of the premises.
 - The nature of the premises or event.
 - The nature of the licensable activities being provided.
 - The provision or removal of temporary structures, such as a stage or furniture.
 - The number of staff available to supervise customers both ordinarily and in the event of an emergency.
 - The customer profile (e.g. age, disability).
 - The attendance by customers whose first language is not English.
 - Availability of suitable and sufficient sanitary accommodation.
 - The nature and provision of facilities for ventilation.
 - The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.

Where capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to consider the arrangements that will be put in place to ensure that the capacity of the premises is not exceeded.

Additional Steps

The following examples of additional steps are given for applicants to consider in the preparation of their Operating Schedule, having regard to their particular type of premises or activities:-

- Suitable and sufficient risk assessments.
- Effective and responsible management of premises
- Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons.
- Appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons.
- Adoption of best practice guidance.
- Provision of effective CCTV in and around premises.
- Provision of toughened or plastic non disposable glasses/bottles.
- Implementation of crowd management measures.
- Regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety.

22. Prevention of Public Nuisance

Licensed premises can cause adverse impacts on communities through public nuisance. The Licensing Authority wishes to maintain and protect the amenity of residents and other businesses from any nuisance caused by the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.

The Licensing Authority will interpret 'public nuisance' in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.

Concerns

When addressing the issue of prevention of public nuisance, the applicant should consider those factors arising from the premises or the activities of their customers within the vicinity of the premises that may impact on the likelihood of public nuisance. These may include:-

- The location of the premises and their proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship.
- The hours of operation, particularly if between 23.00 and 07.00.
- The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises.
- The design and layout of premises and in particular the presence of noise limiting features.
- The occupancy capacity of the premises.
- Last admission time.
- The steps the applicant has taken or proposes to take to ensure that staff leave the premises quietly.
- The steps the applicant has taken or proposes to take to prevent disturbance by patrons arriving or leaving the premises.
- Whether routes to and from the premises, on foot or by car or service or delivery vehicles, pass residential premises within the vicinity of the Premises.
- Whether other measures have been taken or are proposed such as the use of CCTV or the employment of registered door supervisors.
- The arrangements made or proposed for parking by patrons, and the effect of this parking on local residents.
- The likelihood of any violence, disorder or policing problems arising if a licence were granted.
- Whether taxis and private hire vehicles serving the premises are likely to disturb local residents.
- The siting of external lighting, including security lighting that is installed inappropriately.
- Whether the operation of the premises would result in increased refuse storage or disposal problems or additional litter in the vicinity of the premises and any measures or proposed measures to deal with this.
- The history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licensees.

Additional Steps

The following examples of additional steps are given as examples for applicants to consider in the preparation of their Operating Schedule, having regard to their particular type of premises or activities:-

- Effective and responsible management of premises.
- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance.
- Control of operating hours for all or parts (e.g. garden areas) of premises, including such matters as deliveries.
- Adoption of best practice guidance (e.g. Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by Institute of Acoustics).
- Installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices.
- Management of people, including staff, and traffic (and resulting queues) arriving and leaving premises.
- The incorporation of measures for ensuring the safe and swift dispersal of patrons away from premises and events without causing nuisance or public safety concerns to local residents.
- Effective ventilation systems to prevent nuisance from odour.

N.B. Where relevant representations are received which the Licensing Sub Committee consider material particular consideration will be given to the impact on residential amenity of proposals for the provision of late night refreshment where these are either located in, or encourage people to move through, residential areas.

23. Protection of Children from Harm

A mandatory condition will be applied requiring access to be restricted to those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification or in specific cases the Local Authority.

The relaxation in the Licensing Act giving accompanied children greater access to licensed premises is seen as a positive step, which may bring about a social change in family friendly leisure but the risk of harm to children remains the paramount consideration. Clearly, this relaxation places additional responsibilities upon licence holders as well as upon parents and others accompanying children.

The protection of children from harm includes the protection of children from moral, psychological and physical harm and, in relation to the exhibition of films, the transmission of programmes by video or DVD. This includes the protection of children from exposure to strong language, sexual imagery and sexual expletives.

In the event of an unclassified film, then it is expected that the Licensing Authority will view the film before it is shown in the Council's area.

In certain circumstances children are more vulnerable and their needs will require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example, the unpredictability of their age and the lack of understanding of danger.

The body of the Local Authority recognises as being confident to advise on matters relating to the protection of children from harm is Kent Social Services, Brenchley House, County Hall, Maidstone, Kent ME14 1RX.

Concerns

The applicant should consider those factors arising from the premises or the activities of their customers within the vicinity of the premises that may impact on the prevention of children from harm. These may include the potential for children to:-

- purchase, acquire or consume alcohol
- be exposed to drugs, drug taking or drug dealing
- be exposed to gambling
- be exposed to activities of an adult or sexual nature
- be exposed to incidents of violence or disorder
- be exposed to environmental pollution such as noise
- be exposed to special hazards such as falls from a height

Additional Steps

The following examples of additional steps are given to assist applicants. The Licensing Authority considers them to be important matters that applicants should take account of in the preparation of their Operating Schedule, having regard to their particular type of premises and/or activities:-

- Effective and responsible management of premises.
- Provision of a sufficient number of people employed or engaged to secure the protection of children from harm.
- Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm.
- Adoption of best practice guidance (Public Places Charter).
- Limitations on the hours when children may be present, in all or parts of the premises.
- Limitations or exclusions by age when certain activities are taking place.
- Imposition of requirements for children to be accompanied by an adult.

- Acceptance of accredited 'proof of age' cards, 'new type' driving licences with photographs, passport, an official identity card issued by HM Forces or by an EU country bearing the photograph and date of birth of bearer.

N.B. In exceptional circumstances, where necessary, and only where the licensing authority has received relevant representations, it may impose conditions restricting access or excluding children from premises or part of licensed premises:-

- a) at certain times of the day, or
- b) when certain licensable activities are taking place, or
- c) to which children aged under 16 years should have access only when supervised by an adult, or
- d) to which unsupervised children under 16 will be permitted access.

Examples of premises where these conditions may be considered include those where:-

- a) There have been convictions for serving alcohol to minors or where there is some evidence of under-age drinking.
- b) There is a known association with drug taking or dealing.
- c) There is a strong element of gambling on the premises.
- d) Entertainment of an adult or sexual nature is commonly provided.
- e) There is a presumption that children under 18 should not be allowed (e.g. to nightclubs, except where under 18 discos are being held)
- f) Licensable activities are taking place during times when children under 16 may be expected to be attending compulsory full-time education.

The Licensing Authority commends the Portman Group Code of Practice on the naming and packaging of alcoholic drinks. See www.portman-group.org.uk for further information.

10. **Options**

Legal options open to members -

- a) GRANT the licence subject to such conditions as are consistent with the operating schedule accompanying the application; MODIFIED to such extent as the Licensing sub-committee considers necessary for the promotion of the licensing objectives and any relevant mandatory condition
 - b) EXCLUDE from the licence any of the licensable activities applied for.
 - c) REFUSE to specify a person in the licence as premises supervisor
 - d) REJECT the application.
11. 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 particular 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 A	Application Form
Appendix B	Plan of Premises
Appendix C	Photos of the Premises
Appendix D	Representations (Interested Parties)
Appendix E	Plan of area
Appendix F	Human Rights Articles
Appendix G	Order of Proceedings

16. Appeals

The applicant or any interested party (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:

Senior Licensing Officer
lorryneale@maidstone.gov.uk

Sec'd 19/8/11
 Last Rep: 18/9/11.
 Hearing by 15/10/11

11/02270/LAPRE

£100 chq to MBC

Maidstone Borough Council

The Licensing Partnership
 PO Box 182
 Sevenoaks
 Kent
 TN13 1GP

**Application for a premises licence to be granted
 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.
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
 You may wish to keep a copy of the completed form for your records.

~~I/We~~ **MR. ROBIN SMALLBONE**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
6, PICKERING STREET MAIDSTONE KENT ME15 9RS			
Post town	MAIDSTONE	Post code	ME15 9RS
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 1000	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
 Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)

- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname SMALLBONE			First names ROBIN CHRISTOPHER		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	9	2017

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note1)

OUT BUILDING 5.2M X 2.2M CONSTRUCTED USING BREEZE BLOCKS WITH RENDERED OUTSIDE WALLS. FLAT ROOF CONSTRUCTION. PLEASE FIND ATTACHED FILE WITH PICTORIAL DETAIL.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- 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 entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Supply of alcohol (if ticking yes, fill in box M)

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>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</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			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					
Sun					

F

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

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the 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</u> (please read guidance note 5)</p>		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors ☐ Outdoors ☐ Both ☐
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	0900	1700						
Tue	..	..				
Wed	..	..				
Thur				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)		
Fri	..	..				
Sat	..	..				
Sun	..	..				

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name	MR. ROBIN CHRISTOPHER SMALLBONE
Address	6, PICKERING STREET MAIDSTONE KENT ME15 9RS
Postcode	ME15 9RS
Personal Licence number (if known)	
Issuing licensing authority (if known)	

N

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

O

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

P Describe the steps you intend to take to promote the four licensing objectives:

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

Premises intended for storage only.
No On Sales → All sales made
off site.

b) The prevention of crime and disorder

locked and Secure Premises, no
access to Public.

c) Public safety

locked and Secure premises no
access to Public

d) The prevention of public nuisance

No volatile emissions, No noise
emitted.

e) The protection of children from harm

locked and secure premises no
access to Public.
All sales to trade only.

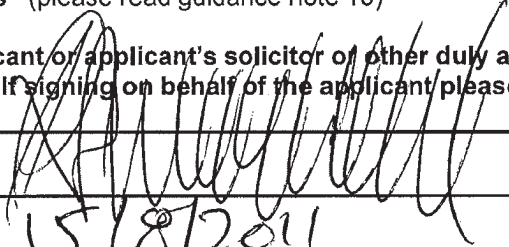
Please tick yes

- 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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	15/8/2011
Capacity	

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

Signature	
Date	
Capacity	

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

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Maidstone Borough Council

The Licensing Partnership
PO Box 182
Sevenoaks
Kent
TN13 1GP

Consent of individual to being specified as premises supervisor

1 MR ROBIN CHRISTOPHER SMALLBONE
[full name of prospective premises supervisor]

of
6, DICKERING STREET
MAIDSTONE
KENT
ME15 0RS

.....
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

ALCOHOL LICENCE PREMISES
[type of application]

by

MR. ROBIN CHRISTOPHER SMALLBONE
[name of applicant]

relating to a premises licence

.....
[number of existing licence, if any]

for

MR. ROBIN CHRISTOPHER SMALLBONE
6, DICKERING STREET
MAIDSTONE
KENT
ME15 0RS

.....
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

MR. ROBIN CHRISTOPHER SMALLBONE
[name of applicant]

concerning the supply of alcohol at

MR. ROBIN CHRISTOPHER SMALLBONE
61 PILKERING STREET
MAIDSTONE
KENT
ME15 9RS

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

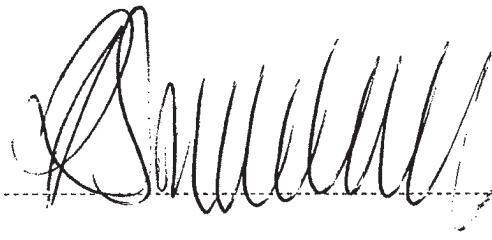
Personal licence number

INTEND TO APPLY.
[insert personal licence number, if any]

Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

MR. ROBIN CHRISTOPHER SMALLBONE

Date

9/8/2011

Licensing Act 2003

Notice of application to vary a Premises Licence

Notice is hereby given that Robin Christopher Smallbone has applied to Maidstone Borough Council on 22 August 2011 for the grant of a premises licence to use the premises at 6 Pickering Street, Maidstone, Kent ME15 9RS for: the off sale, by retail, of alcohol. Namely: Monday to Sunday 09:00 to 17:00. Any person who wishes to make a representation in relation to this application must give notice in writing of his/her representation by 18 September 2011 stating the grounds for making said representation to: Maidstone Borough Council Licensing Office, Maidstone House, King Street, Maidstone, Kent ME15 6JQ. The Register of Record of Application can be viewed by members of the public during office hours at Maidstone Borough Council Licensing Office, or accessed online by visiting www.digitalmaidstone/licensing. Representation shall be made in writing. It is an offence knowingly or recklessly to make a false statement in connection with an application for a premises licence. The maximum fine for which a person is liable on summary conviction for the offence is £5,000.

Smallbone, Robin

From: Claire Procter <claire.procter@downsmail.co.uk>
Sent: 16 August 2011 09:41
To: Smallbone, Robin
Subject: RE: Public notice

Many thanks

Claire Procter
Mail Publications Ltd
01622 630330 ext 230
www.downsmail.co.uk

-----Original Message-----

From: Smallbone, Robin [mailto:Robin.Smallbone@delphi.com]
Sent: 16 August 2011 08:27
To: Claire Procter
Subject: RE: Public notice

Claire, there are no correction to be applied; please proceed.

Thanks in advance for your collaboration.

Best Regards
Robin

-----Original Message-----

From: Claire Procter [mailto:claire.procter@downsmail.co.uk]
Sent: 15 August 2011 16:48
To: Smallbone, Robin
Subject: FW: Public notice

Hi Robin

Please find attached a proof of your advert. Please let me know if you are happy for this to run or if corrections are required.

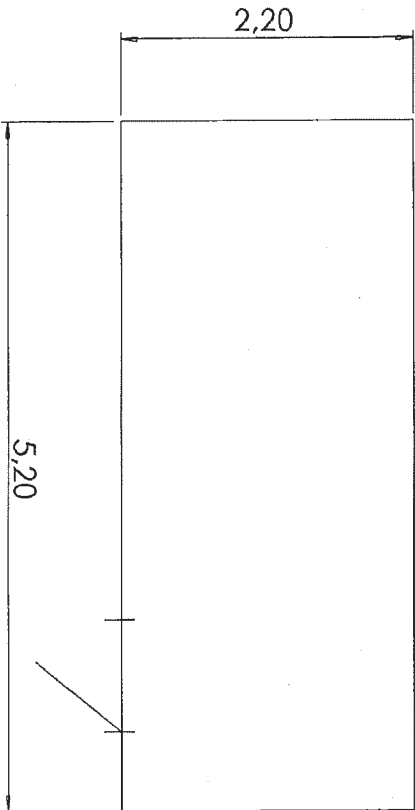
Once you have cleared the copy I will make the A4 sign, and post to you.

Kind Regards

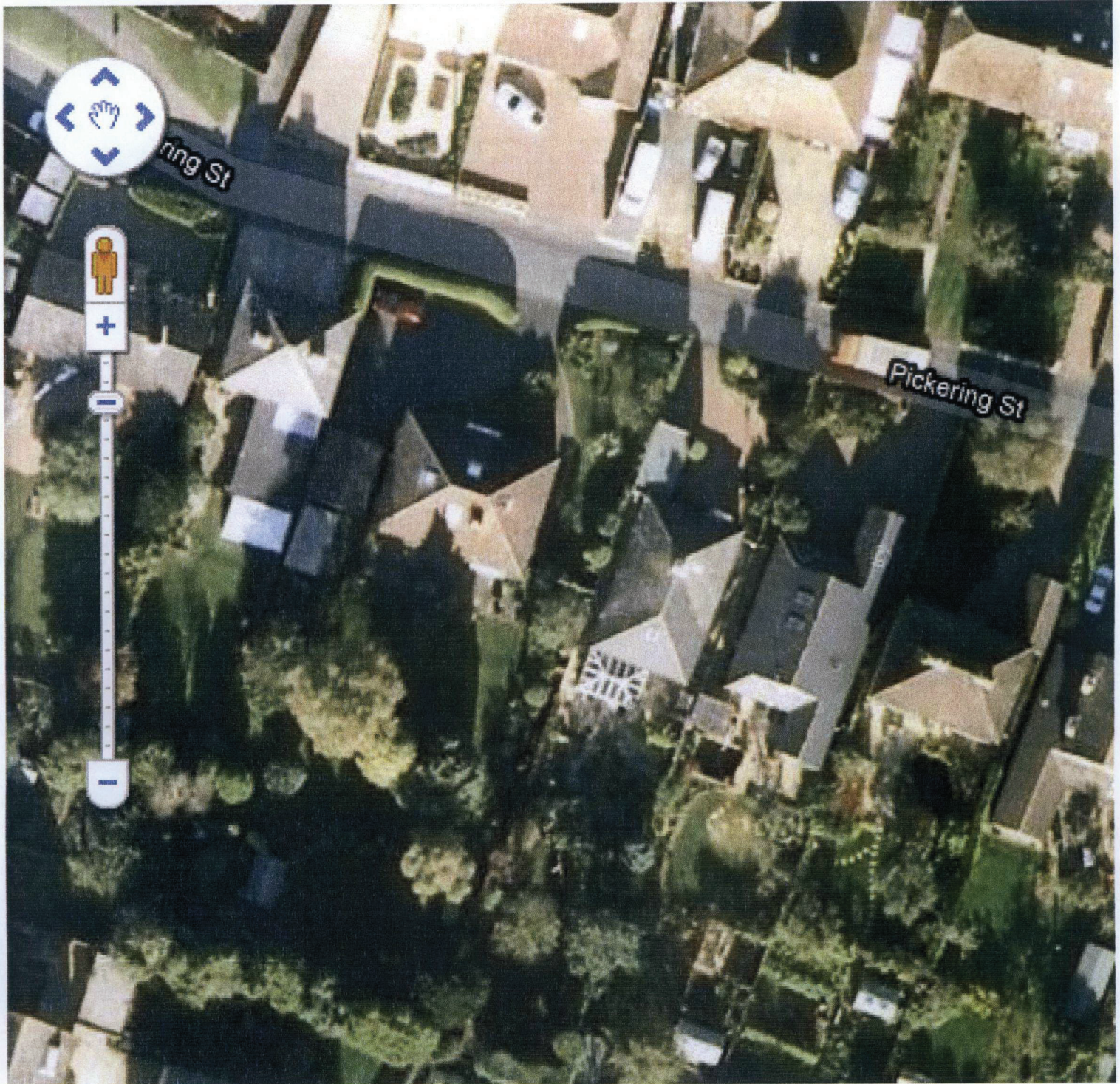
Claire Procter

Mail Publications Ltd
01622 630330 ext 230
www.downsmail.co.uk

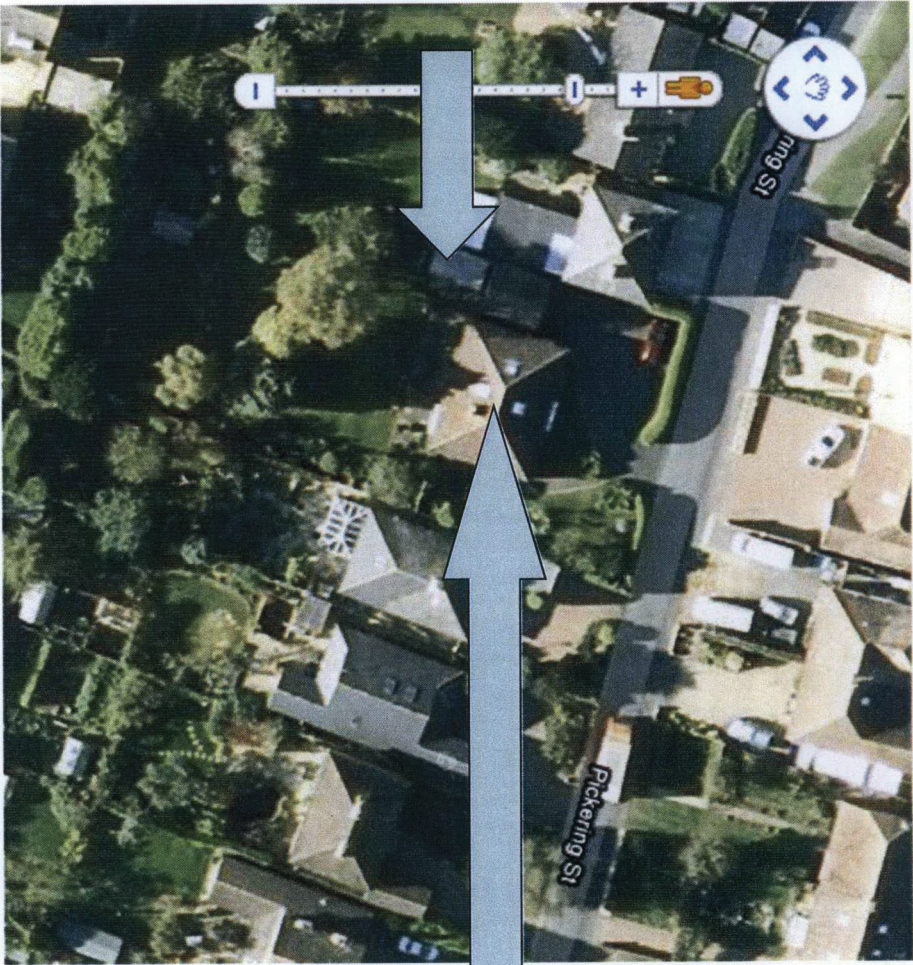
6 PICKERING STREET
FLOOR PLAN LICENSED PREMISES (SALE OF ALCOHOL)



SCALE 50:1
METERS



Proposed
Out Building



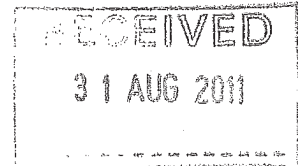
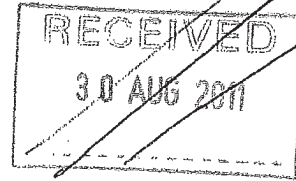
6 Pickering St
Maidstone
Kent ME15
9RS

Size of out building 5.2M X 2.2M, Constructed using Breeze Blocks with rendered out side wall, flat roof construction.



Size of out building 5.2M X 2.2M, Constructed using Breeze Blocks with rendered out side wall, flat roof construction.





Maidstone Borough Council Licensing Office
Maidstone House
King Street
Maidstone, Kent
ME15 6JQ

Dear Sir/Madam,

Application Number 11/02270/LAPRE
6 Pickering Street, Maidstone, Kent

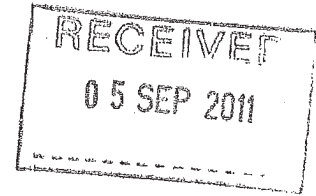
We wish to object to the above application on the following grounds.

- a. Prevention of crime and disorder - Application mentions locked and secure premises – as this is an outbuilding in a residential back garden, surrounded by other homes and gardens, no mention of crime deterrents, i.e. alarm, cctv. Outbuildings can be broken into.
- b. Public Safety – Pickering Street, is a narrow no through road without pavements, very much used by pedestrians (mainly mums, children in pushchairs, children riding bikes and scooters) to local school and playgroups, etc.. Dog walkers, elderly people etc. at other times and busy at week ends. People particularly vulnerable during winter months (notice times 9-5, seven days a week) with no street light to light up this area.
Expect this footfall to increase as the new estate at the top of Pickering Street is being occupied.
Noticeable increase in volume of cars since new estate growing, and only one way in and out of the road. **Deliveries of the goods from the premises onto this road obviously will increase risk both to pedestrians and vehicles.**
- c. Prevention of Public Nuisance – as the production of beer made on these premises will obviously be increasing as the idea is to sell to the trade, noise and ancillary activities in connection with the production will increase in line with demand.

Yours sincerely,

D. Masters
A. Bourne

D. Masters and A. Bourne
10 Pickering Street
Maidstone, Kent ME15 9RS



Maidstone Borough Council Licensing Office
Maidstone House
King Street
Maidstone, Kent
ME15 6JQ

3rd September 2011

Application Number 11/02270/LAPRE – 6 Pickering Street, Maidstone, Kent

As next-door to the above bungalow, we wish to object to the above.

Public Safety – Pickering Street is a narrow no through road, no pavements and lots of traffic and pedestrians. This will increase when new estate at top of road is finished. Traffic connected with this business will add to these problems. More dangerous in winter months as very little street lighting and children coming home from school during the operating hours (9-5 seven days a week).

Prevention of Public Nuisance – Beer has been made on these premises for at least the last two years and we know it has been supplied to at least two pubs in the Maidstone area. There are noise issues involved in the production of the beer and we are also concerned about the legal side to this business. It does not seem to be appropriate to a residential area.

Prevention of Crime and Disorder – The premises is in an outbuilding in a back garden. Could easily be accessed through side gate.

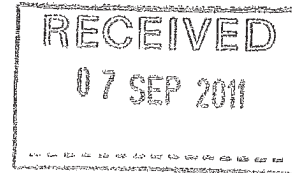
Yours sincerely,

A handwritten signature in black ink that reads "Mr & Mrs R Smith". The signature is written in a cursive, slightly slanted style.

Mr & Mrs R Smith
8 Pickering Street
MAIDSTONE, Kent
ME15 9RS

12 Pickering Street
Maidstone, Kent ME15 9RS

Maidstone Borough Council Licensing Office
Maidstone House
King Street
Maidstone, Kent
ME15 6JQ



2nd September 2011

Dear Sir,

Application Number 11/02270/LAPRE - 6 Pickering Street, Maidstone, Kent

It is common knowledge that beer is being manufactured on the premises and I understand that no Planning Permission has been granted for the premises to be used for the production and sale of alcohol and that this is being looked into by Planning Enforcement.

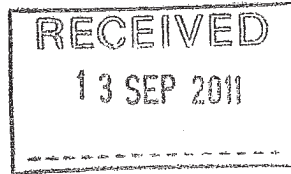
I object to the above for the following reasons.

1. *Public Safety - Pickering Street is a busy, narrow, no through road without pavements and is used by vehicles and pedestrians during the business hours applied for - 9-5 seven days a week. This traffic will obviously increase if the business prospers.*
2. *Prevention of Public Nuisance - Not an appropriate industry for a residential area.*
3. *Prevention of Crime and Disorder - Outbuilding is in back garden, I would have concerns over level of security.*

Yours sincerely,

A handwritten signature in black ink, appearing to read "W Neaves". The signature is fluid and cursive.

Mr W Neaves



14 PICKERING STREET
LOOSE
MAIDSTONE ME15 9RS

12 SEPTEMBER 2011

Maidstone Borough Council Licensing Office
Maidstone House
King Street
Maidstone
Kent ME15 6JQ.

Dear Sirs

APPLICATION 11/02270/LAPRE

We wish to strongly object re the above application for a storage unit for alcohol at No. 6 Pickering Street.

Pickering Street is a residential area and is a narrow road without pavements. We are already subjected to busy traffic from a small estate built recently at the top of the road.

We do not want a business operating in Pickering Street, especially one where vans/lorries will be involved in delivering and taking away goods. A business like this should be run from a small unit. If all sales are made off site why can't storage be combined all in the same place. We also understand from local residents that alcohol is already being produced in the form of beer on the premises.

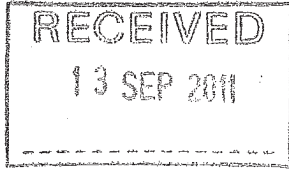
Also Pickering Street is near Loose Primary School and there are families taking their children to school. It is hazardous enough walking down the road without having to negotiate the extra traffic that will be involved.

We sincerely hope you will give our objections consideration and refuse this type of business being carried out in a residential area where there is a certain amount of risk to all pedestrians.

Yours faithfully,

A handwritten signature in cursive script, appearing to read "B.A. & P.M. Westbrook".

B.A. & P.M. Westbrook



3 Pickering St
Loose
Maidstone
Kent ME15 9RS
10.9.11

Re application number 11/02270/LAPRE

Dear Sir

I am writing regarding the above application number for a premises licence at 6 Pickering St and am objecting to this request for several reasons.

Firstly I am concerned about the safety in storing alcohol at this property being in a residential area. Alongside this I have been told that beer is currently made on the premises and this raises further concerns as to how the sale of alcohol will be monitored in the future if a licence is granted. Although the intention at the moment is to purchase alcohol and then to sell on, I am not confident that home made beer may ~~not~~ in time start to be sold

letter sent 15/9

and who indeed would police this after a licence is granted. This is very unfair on the neighbours closest to the property who already tolerate beer being manufactured.

Secondly there is the concern regarding traffic and the intended hours of trading. Pickering Street is very narrow and already very busy as there is a new development that has been built and their only access to and fro is via Pickering Street. Parking is already an issue as the cottages on the main Loose Road use Pickering Street for parking and their cars are left on the road after parked past number 6. With potentially people purchasing alcohol from 0900 hours to 1700 hours 7 days a week this situation will only get worse. Furthermore there are no pavements either side of Pickering Street and school children, people with pushchairs etc have to walk on the road. I do not feel it will be safe for the public if vehicles

are travelling to and from 6 Pickering Street and having to park on the road as the driveway is not big enough.

My final concerns are regarding the amount of alcohol to be stored and how this will be secure enough to stop theft as well as the possibility of selling to individuals in time and maybe those who are underage. I struggle to see how this will be policed once a licence is given.

It is for all the above reasons that I feel the licence should not be granted

Yours faithfully

S Rance

Sally Rance

Comments for Licensing Application 11/02270/LAPRE

Application Summary

Application Number: 11/02270/LAPRE
Address: 6 Pickering Street Maidstone Kent ME15 9RS
Proposal: Premises Licence
Case Officer: Unallocated - Maidstone

Customer Details

Name: Mr John Hawker
Address: 25 Pickering Street, Maidstone, Kent ME15 9RS

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Licensing Application
Comment Reasons:
- Noise Disturbance
- Parking
- Traffic

Comment: 9:03 PM on 13 Sep 2011 Reference Licencing application no 11/02270/LAPRE.

Dear Sirs,

I write to lodge a protest regarding the above application. My objections are as follows:-

a) Pickering Street is a residential area with many young children and as such is not suited to industrial use, being a narrow road with no footpath. The traffic flow is already quite heavy and will increase with the completion of the development on the former Leonard Gould site. The addition of commercial traffic would only serve to make the matter worse., increasing the danger to pedestrians.

Further to this point, No.6 is near to the entrance to Pickering Street where the roadway is narrow. We already have a number of cars parked throughout the day in this area and they already cause problems for vehicles entering or leaving our street.

b) Friends who live nearer to No.6 tell us that there is considerable noise at certain times and that this disturbs the amenity that they regard as normal for a residential area. Also if this undertaking is allowed where will it stop. Others may be emboldened to set up other intrusive enterprises.

c) The applicant has already started to make beer on the premises although, so far as we

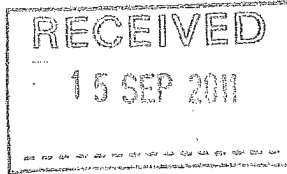
neighbours are aware, there has been no application for permission to undertake such activity. I feel sure that this must render his operation illegal.

I trust that my views will be considered seriously and that the application will be refused..

Yours faithfully,

Maidstone Borough Council Licensing Office
Maidstone House
King Street
Maidstone
Kent
ME15 6JQ

Otterham
Pickering Street
Loose
Maidstone
Kent
ME15 9RH



12 September 2011

Dear Sir

Application No 11/02270/LAPRE
Location – 6 Pickering Street, Maidstone ME15 9RS

I wish to object to the granting of a premises licence at the above residential property for the off sale, by retail, of alcohol.

Pickering Street is a narrow road without foot paths and this property is close to the junction with the Loose Road. The approach to this junction on Pickering street is currently problematic and with additional vehicles parking here during the hours of 09:00 to 17:00 hours will make entering and leaving Pickering Street onto and from Loose Road both more difficult and dangerous.

I also do not think that storing and selling alcohol from a residential property is appropriate.

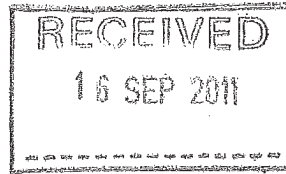
I therefore request that you decline the granting of a premises licence to Mr Smallbone at 6 Pickering Street.

Yours faithfully

P Gardner 

Peter & Pauline Gardner

Mr Mrs Robbins
Rose Villa, 4 Pickering Street
Loose, ME15 9RS



15th September 2011

Application for a premises licence under Licensing Act 2003
6 Pickering Street
Ref no. 11/02270/LAPRE

Dear Sir

Please accept this letter as our written objection for the above application at our neighbour's residential premises.

We are very concerned if a licence is approved the impact this will have on our quite road and the effect upon ourselves and our neighbours.

We feel this application is unacceptable for the following reasons,

- *The breeze block out building being used is directly adjacent to our property, we believe brewing is already in progress and once manufacturing and storage increase noise, hygiene, wastage, beer odour, security, Health and Safety issues, and rodent infestation will all become a very real concern to us.*

- *Pickering street is a very quite, narrow road without pavements, already with parking problems, and together with the current nearby housing development any increase of commercial traffic this business will generate will only add further to the traffic problems.*

- *We do not know if planning permission will be required or if it has been applied for.*

The village of Loose already has an Off-Licence and four public houses.

Will the village benefit from another potential premises being used for storage, production, sale of alcohol

We believe this business venture would be better situated on a more suitable site and not in the garden of a residential property.

Yours faithfully
Carol & David Robbins

A handwritten signature in black ink, appearing to be "Carol & David Robbins". The signature is written in a cursive style and is positioned below the typed name.

APPENDIX D

Lorraine Neale

From: publicaccess@sevenoaks.gov.uk
Sent: 17 September 2011 15:27
To: Lorraine Neale
Subject: Comments for Licensing Application 11/02270/LAPRE

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

Comments were submitted at 3:26 PM on 17 Sep 2011 from Ms Secretary North Loose Residents Association.

Application Summary

Address: 6 Pickering Street Maidstone Kent ME15 9RS
Proposal: Premises Licence
Case Officer: Lorraine Neal
[Click for further information](#)

Customer Details

Name: Ms Secretary North Loose Residents Association
Email: secretary@northloose.co.uk
Address: 57 Mayfair Avenue, Maidstone, Kent ME15 6BY

Comments Details

Commenter Type: Member of the Public
Stance: Customer made comments neither objecting to or supporting the Licensing Application
Reasons for comment:

- Noise Disturbance
- Opening Hours
- Traffic

Comments: 3:26 PM on 17 Sep 2011 The North Loose Residents Association has been contacted by several of our members about this application. We understand from

residents living nearby that Mr Smallbone has been making and storing beer on his premises for some time and there is a great deal of concern that these activities will increase to the detriment of the neighbourhood, which is a quiet residential area with no commercial activities. We contacted Maidstone Borough Council Planning Enforcement to enquire whether this use needed planning consent, and were advised as follows: ".....no breach of planning control has occurred in this instance because due to the level of activity currently the council do not consider there to be a change of use of the property. In six months all beer production will be carried out elsewhere." We are advised that Mr Smallbone has told Planning Enforcement that he has an opportunity to supply his beer commercially and that this will take six months to set up, at which time he will move his business to premises in Aylesford. Whilst we do not wish to discourage a commercial opportunity, we feel that the needs of local residents must also be addressed, so we would ask for the following conditions to be considered: 1. That the licence is limited to a period of 6 months, for the reasons mentioned above. 2. That a condition be made on the size of vehicle used to transport equipment and beer on and off the premises. This is because Pickering Street has no pavements and is heavily used by pedestrians, mainly mothers with children walking to and from school. With the winter approaching, there are safety issues to consider if large lorries are regularly used to access this residential bungalow.

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**6 PICKERING STREET,
MAIDSTONE. ME15 9RS**



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Appendix F

HUMAN RIGHTS

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)

RESPONSIBLE AUTHORITY	Tick if applicable
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.