

# AGENDA

## LICENSING ACT 2003 COMMITTEE MEETING



Date: Monday 16 November 2015

Time: 11.00 am

Venue: Town Hall, High Street,  
Maidstone

Membership:

Councillors Mrs Blackmore, Mrs Joy and Springett

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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 Head of Housing and Community Services -  
Application to vary a premises licence under the Licensing Act  
2003 for Queen Anne Public House, 11 Queen Anne Road,  
Maidstone, Kent ME14 1HA 1 - 44

**Continued Over/:**

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**Issued on Friday 6 November 2015**

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**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 15/03082/LAPRE**

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

**Date: 3 NOVEMBER 2015**

**Report Title: QUEEN ANNE PUBLIC HOUSE  
11 QUEEN ANNE ROAD  
MAIDSTONE  
KENT  
ME14 1HA**

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

**Report Author: Lorraine Neale**

- Summary:**
1. The Applicant – Admiral Taverns Ltd
  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	
E)	Live Music (Indoors)	Mon - Sun	11:00-23:30	Sun- Thurs Fri & Sat	11:00- 01:00 11:00- 03:00
F)	Recorded Music (Indoors)	Mon - Sun	11:00-23:30	Sun- Thurs Fri & Sat	11:00- 01:00 11:00- 03:00
G)	Performance of dance (Indoors)	Mon - Sun	11:00-23:30	Sun- Thurs Fri & Sat	11:00- 01:00 11:00- 03:00
H)	Anything of a similar nature to (e),(f) or (g) (Indoors)	Mon - Sun	11:00-23:30	Sun- Thurs Fri & Sat	11:00- 01:00 11:00- 03:00
I)	Late Night Refreshment (Indoors)	Mon - Sun	23:00-01:30	Sun- Thurs Fri & Sat	23:00- 01:00 23:00- 03:00
M)	Supply of alcohol (On & Off the premises)	Mon - Sun	11:00-01:00	Sun-Thurs Fri & Sat	11:00- 01:00 11:00- 03:00
O)	Opening Hours	Mon - Sun	11:00-01:30	Sun-Thurs Fri & Sat	11:00- 01:30 11:00- 03:30
	Non standard timings	When hours of sale of alcohol are extended on Bank Holidays these hours are also extended to operate between 10:00 and 01:00		Additional hour to the standard/non standard times on the day British summertime begins.  To include the standard hours plus 1 extra hour for: All Bank Holidays Christmas Eve	

**Affected Wards:** High Street

**Recommendations:** **The Committee is asked to determine the application and decide whether to vary the premises 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 appropriate to consider the rights of both the applicant and other parties, such as “**responsible authorities**” and/or “**other persons**” (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: [lorryneale@maidstone.gov.uk](mailto:lorryneale@maidstone.gov.uk) – tel: 01622 602028

## Agenda Item No. 1

**Report Title:** Queen Anne Public House, 11 Queen Anne Road, Maidstone, Kent, ME14 1HA

**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 A), made by Admiral Taverns Ltd for Queen Anne Public House, 11 Queen Anne Road, Maidstone, Kent, ME14 1HA (Appendix B) in respect of which 35 objections have been received from other persons by means of a petition (Appendix C).

### Issue to be Decided

Members are asked to determine whether to 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 a notice displayed on the premises for the required period.
3. There were no representations received from responsible authorities.
4. 35 representations were received from other persons.

The table below illustrates the relevant representations which have been received

<b>Responsible Authority /Interested Party</b>	<b>Licensing Objective</b>	<b>Associated Documents</b>	<b>Appendix</b>
Mr & Mrs A J & J E Langley	Crime & Disorder Public Nuisance	Petition	C
M Wheeler	Crime & Disorder Public Nuisance	Petition	C
E M Pyke	Crime & Disorder Public Nuisance	Petition	C
P Stock	Crime & Disorder Public Nuisance	Petition	C
S Tribe	Crime & Disorder Public Nuisance	Petition	C
J Gatland	Crime & Disorder Public Nuisance	Petition	C

L Ceesay	Crime & Disorder Public Nuisance	Petition	C
A G Johnson	Crime & Disorder Public Nuisance	Petition	C
R Powell	Crime & Disorder Public Nuisance	Petition	C
J & E Joscelyn	Crime & Disorder Public Nuisance	Petition	C
Mr & Mrs P & G Cordrey	Crime & Disorder Public Nuisance	Petition	C
Ms V Gooding	Crime & Disorder Public Nuisance	Petition	C
G Whitehead	Crime & Disorder Public Nuisance	Petition	C
D Figg	Crime & Disorder Public Nuisance	Petition	C
Mr & Mrs M & G Simpson	Crime & Disorder Public Nuisance	Petition	C
Mr & Mrs B & M Gagne	Crime & Disorder Public Nuisance	Petition	C
M Woollven	Crime & Disorder Public Nuisance	Petition	C
M Marshall	Crime & Disorder Public Nuisance	Petition	C
E Vicoin	Crime & Disorder Public Nuisance	Petition	C
P Leith	Crime & Disorder Public Nuisance	Petition	C
M Rogers	Crime & Disorder Public Nuisance	Petition	C
M A Dowd	Crime & Disorder Public Nuisance	Petition	C
Mr & Mrs P & P Milling	Crime & Disorder Public Nuisance	Petition	C
S Hurst	Crime & Disorder Public Nuisance	Petition	C
J Harrison	Crime & Disorder Public Nuisance	Petition	C
P Priestley	Crime & Disorder Public Nuisance	Petition	C
S Morgan	Crime & Disorder Public Nuisance	Petition	C
J Young	Crime & Disorder Public Nuisance	Petition	C
S Stevens	Crime & Disorder Public Nuisance	Petition	C

The general objections are that the already excessive noise nuisance will continue on longer to an even further unreasonable time of 3:30 and that the removal of the condition from the premise licence of withdrawal of membership from the night net scheme causes concern, however the details of those concerns have not been explained.

5. The premises has a current licence, Appendix D. The current licence holder is the applicant, and the current DPS is Mr Ronald Hall.
6. The current licence hours are as per the licence attached at appendix D and set out at 3 of the summary above.

7. **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.;**
8. **Relevant sections of The Guidance issued under section 182 of The Licensing Act 2003;**

### **Chapters 8 (8.42 onwards) & 9 Premises Licences & Determining Applications**

**Chapter 10 Conditions NB: There is Home Office Supporting Guidance on Pools of Conditions but this is not statutory guidance.**

**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:**

#### **20. Prevention of Crime and Disorder**

#### **22. Prevention of Public Nuisance**

#### **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).

## **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.

## 11. **Options**

Legal options open to members -

- a) MODIFY the conditions of the licence.
- b) REJECT the whole 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 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 Representations –Other persons
- Appendix D Existing Premises Licence
- Appendix E Plan of area
- Appendix F Human Rights Articles
- Appendix G 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:lorryneale@maidstone.gov.uk">lorryneale@maidstone.gov.uk</a>
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# APPENDIX A

LICENSING PARTNERSHIP

25 SEP 2015

SEVENOAKS DISTRICT COUNCIL

## 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. 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 **ADMIRAL TAVERNS LIMITED**

*(Insert name(s) of applicant)*

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

#### Premises licence number

12/00874/LAPRE

#### Part 1 – Premises Details

##### Postal address of premises or, if none, ordnance survey map reference or description

Queen Anne  
11 Queen Anne Road

**Post town** Maidstone, Kent

**Postcode** ME14 1HA

**Telephone number at premises (if any)**

**Non-domestic rateable value of premises**

£18,250.00

#### Part 2 – Applicant details

**Daytime contact telephone number**

01244 321171

**E-mail address (optional)**

**Current postal address if different from premises address**

ADMIRAL TAVERNS LIMITED  
SUITE H3  
STEAM MILL BUSINESS CENTRE  
STEAM MILL STREET

**Post town** CHESTER

**Postcode** CH3 5AN

**Part 3 - Variation**

Please tick as appropriate

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

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

Yes

No

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

The proposed variation will be made to request the extension of opening hours and all other permitted licensable activities until the following times:-

Live Music (Indoors), Recorded Music (Indoors) Performance of dance and Supply of alcohol:-

Sunday – Thursday - 11:00 – 01:00

Friday – Saturday- 11:00- 03:00

Late night refreshments:-

Sunday- Thursday- 23:00- 01:00

Friday- Saturday- 23:00- 03:00

Opening Hours

Sunday- Thursday- 11:00- 01:30

Friday - Saturday- 11:00 – 03:30

The application will also be made to request the removal of the following condition:-

- The premises shall be a member of night net.

[Empty rectangular box for text input]

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

N/A

the number expected to attend:

#### 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

Please tick all that apply

- 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>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Wed					
Thur			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

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

C

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

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 tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
Wed					
Thur			<b>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</b> (please read guidance		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	01:00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	11:00	01:00			
Wed	11:00	01:00	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4) ADDITIONAL HOUR TO THE STANDARD AND NON-STANDARD TIMES ON THE DAY WHEN BRITISH SUMMERTIME COMMENCES.		
Thur	11:00	01:00			
Fri	11:00	03:00	<b><u>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</u></b> (please read guidance note 5) TO INCLUDE THE STANDARD HOURS PLUS ONE EXTRA HOUR FOR: ALL BANK HOLIDAYS CHRISTMAS EVE & CHRISTMAS DAY BOXING DAY NEW YEAR'S DAY  FROM THE START OF STANDARD TIMING ON NEW YEARS EVE TO THE START OF STANDARD TIMING ON NEW YEARS DAY		
Sat	11:00	03:00			
Sun	11:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	01:00	<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11:00	01:00			
Wed	11:00	01:00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4) ADDITIONAL HOUR TO THE STANDARD AND NON-STANDARD TIMES ON THE DAY WHEN BRITISH SUMMERTIME COMMENCES.		
Thur	11:00	01:00			
Fri	11:00	03:00	<b><u>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</u></b> (please read guidance note 5) TO INCLUDE THE STANDARD HOURS PLUS ONE EXTRA HOUR FOR: ALL BANK HOLIDAYS CHRISTMAS EVE & CHRISTMAS DAY BOXING DAY NEW YEAR'S DAY  FROM THE START OF STANDARD TIMING ON NEW YEARS EVE TO THE START OF STANDARD TIMING ON NEW YEARS DAY		
Sat	11:00	03:00			
Sun	11:00	01:00			

## 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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11:00	01:00		<b>Please give further details here</b> (please read guidance note 3)	
Tue	11:00	01:00			
Wed	11:00	01:00	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4) ADDITIONAL HOUR TO THE STANDARD AND NON-STANDARD TIMES ON THE DAY WHEN BRITISH SUMMERTIME COMMENCES.		
Thur	11:00	01:00			
Fri	11:00	03:00	<b>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</b> (please read guidance note 5) TO INCLUDE THE STANDARD HOURS PLUS ONE EXTRA HOUR FOR: ALL BANK HOLIDAYS CHRISTMAS EVE & CHRISTMAS DAY BOXING DAY NEW YEAR'S DAY  FROM THE START OF STANDARD TIMING ON NEW YEARS EVE TO THE START OF STANDARD TIMING ON NEW YEARS DAY		
Sat	11:00	03:00			
Sun	11:00	01:00			

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	11:00	01:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11:00	01:00	<b>Please give further details here</b> (please read guidance note 3)		
Wed	11:00	01:00			
Thur	11:00	01:00	<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) ADDITIONAL HOUR TO THE STANDARD AND NON-STANDARD TIMES ON THE DAY WHEN BRITISH SUMMERTIME COMMENCES.		
Fri	11:00	03:00			
Sat	11:00	03:00	<b>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</b> (please read guidance note 5) TO INCLUDE THE STANDARD HOURS PLUS ONE EXTRA HOUR FOR: ALL BANK HOLIDAYS CHRISTMAS EVE & CHRISTMAS DAY BOXING DAY NEW YEAR'S DAY  FROM THE START OF STANDARD TIMING ON NEW YEARS EVE TO THE START OF STANDARD TIMING ON NEW YEARS DAY		
Sun	11:00	01:00			

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment <u>take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	01:00	<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	23:00	01:00			
Wed	23:00	01:00			
Thur	23:00	01:00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4) ADDITIONAL HOUR TO THE STANDARD AND NON-STANDARD TIMES ON THE DAY WHEN BRITISH SUMMERTIME COMMENCES.		
Fri	23:00	03:00	<b>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</b> (please read guidance note 5) TO INCLUDE THE STANDARD HOURS PLUS ONE EXTRA HOUR FOR: ALL BANK HOLIDAYS CHRISTMAS EVE & CHRISTMAS DAY BOXING DAY NEW YEAR'S DAY  FROM THE START OF STANDARD TIMING ON NEW YEARS EVE TO THE START OF STANDARD TIMING ON NEW YEARS DAY		
Sat	23:00	03:00			
Sun	23:00	01:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) ADDITIONAL HOUR TO THE STANDARD AND NON-STANDARD TIMES ON THE DAY WHEN BRITISH SUMMERTIME COMMENCES.		
Mon	11:00	01:00			
Tue	11:00	01:00			
Wed	11:00	01:00			
Thur	11:00	01:00			
Fri	11:00	03:00			
Sat	11:00	03:00			
			<b>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</b> (please read guidance note 5) TO INCLUDE THE STANDARD HOURS PLUS ONE EXTRA HOUR FOR: ALL BANK HOLIDAYS CHRISTMAS EVE & CHRISTMAS DAY BOXING DAY NEW YEAR'S DAY		
Sun	11:00	01:00	FROM THE START OF STANDARD TIMING ON NEW YEARS EVE TO THE START OF STANDARD TIMING ON NEW YEARS DAY		

K

<p><b>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</b> (please read guidance note 8).</p> <p><b>NONE</b></p>
--

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) ADDITIONAL HOUR TO THE STANDARD AND NON-STANDARD TIMES ON THE DAY WHEN BRITISH SUMMERTIME COMMENCES.
Day	Start	Finish	
Mon	11:00	01:30	<b>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</b> (please read guidance note 5) TO INCLUDE THE STANDARD HOURS PLUS ONE EXTRA HOUR FOR: ALL BANK HOLIDAYS CHRISTMAS EVE & CHRISTMAS DAY BOXING DAY NEW YEAR'S DAY  FROM THE START OF STANDARD TIMING ON NEW YEARS EVE TO THE START OF STANDARD TIMING ON NEW YEARS DAY
Tue	11:00	01:30	
Wed	11:00	01:30	
Thur	11:00	01:30	
Fri	11:00	03:30	
Sat	11:00	03:30	
Sun	11:00	01:30	

**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.**

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

**Reasons why I have not enclosed the premises licence or relevant part of premises 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 and e) (please read guidance note 9)**

All conditions currently consistent with operating schedule with exception of the request for removal of condition 5 annex 4.

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

**c) Public safety**

**d) The prevention of public nuisance**

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

Checklist:

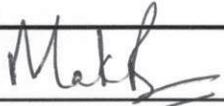
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	 - Mark Brown
Date	24th September
Capacity	Applicants Solicitor

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) 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 address for correspondence associated with this application** (please read guidance note 13)

CONTACT: .....Rebecca Farley.....  
 ADMIRAL TAVERNS LIMITED  
 SUITE H3, STEAM MILL BUSINESS CENTRE  
 STEAM MILL STREET

Post town	CHESTER	Post code	CH3 5AN
Telephone number (if any)	01244 505402		

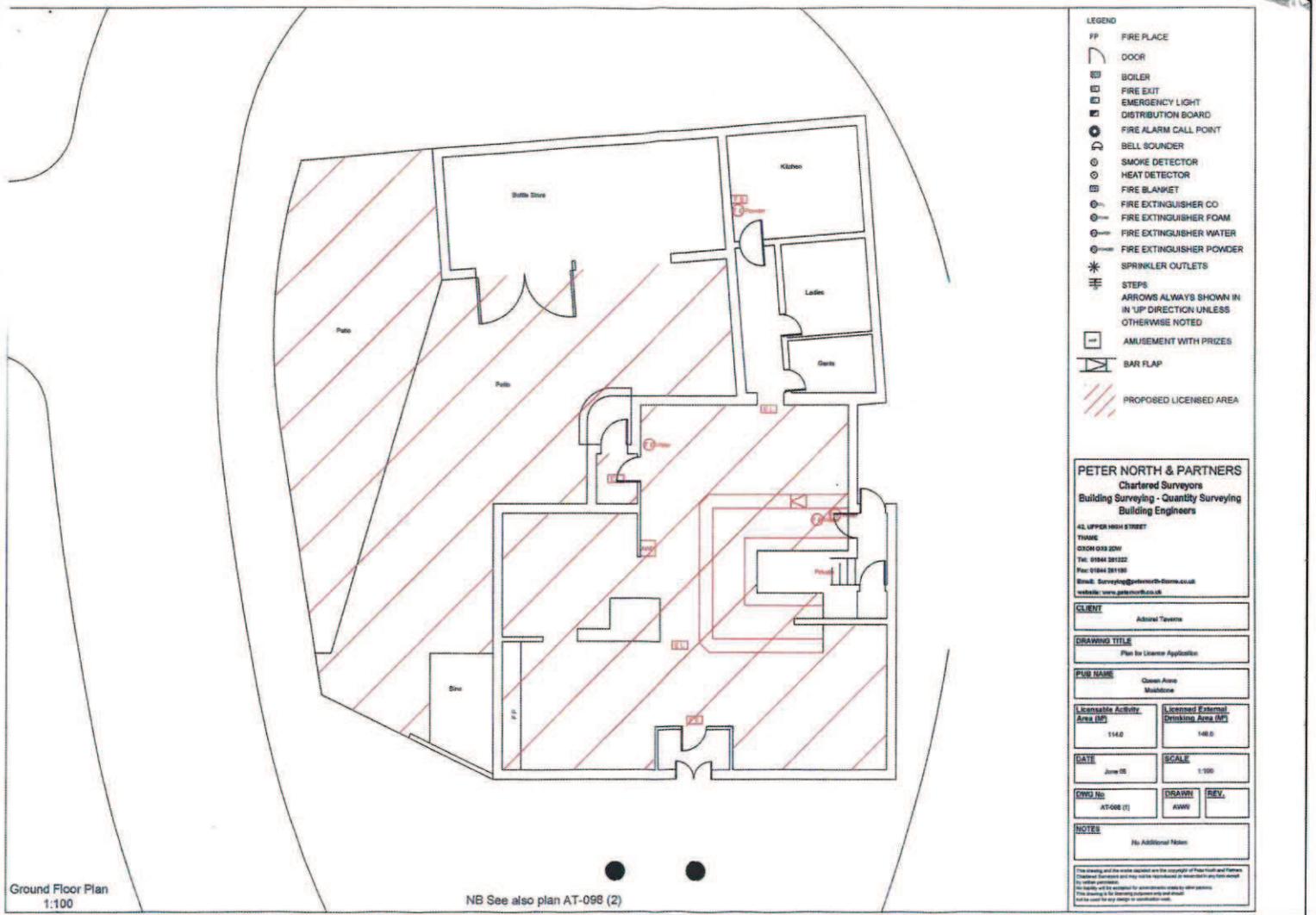
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
 Rebecca.farley@admiraltaverns.co.uk

## 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.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. 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 or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

# APPENDIX B



Ground Floor Plan  
1:100

NB See also plan AT-098 (2)

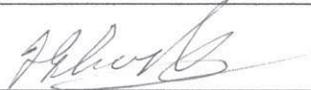
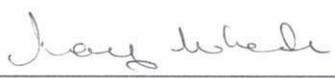
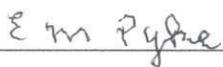
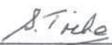
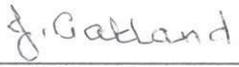
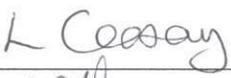
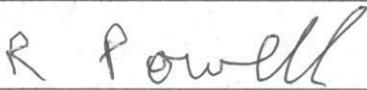


## APPENDIX C

### Queen Anne Public House 11 Queen Anne Road ME14 1HA

We the undersigned residents of Friars Court Queen Anne Road Maidstone ME 14 1ER make representation that the licence variation of Queen Anne Public House, 11 Queen Anne Road Maidstone ME14 1HA is **NOT** granted for the following reasons:-

1. Friars Court is a retirement property of 50 flats for elderly residents.
2. The Queen Anne Public House is located in a residential area.
3. The licensing hours currently granted (11.00pm – 01.30am ) already cause excessive noise (music) and disturbance (customers leaving) to residents. We object to the proposed extension to 03.30 on Friday and Saturday nights.
4. We object to the removal of the premises from membership of night-net.

Signature	NAME BLOCK CAPITALS	Flat no
	A.J. LANGLEY	51
	J.E. LANGLEY	51
	M. WHEELER	48
	E.M. PYKE	8
	P. STOCK	43
	S. TRIBE	15
	J. GATLAND	33
	L. CEESAY	41
	A.G. JOHNSON	20
	R. POWELL	2
	J. JASCELYN	1

E. Joscelyn	E. JOSCELYN	1
P. Cordrey	P. CORDREY	7
G. Cordrey	G. CORDREY	7
Valerie A. Gooding	V. GOODING	42
[REDACTED]		
J B Whitehead	J B WHITEHEAD	22
D. Figa	D F. FIGA	6
[REDACTED]		
M Simpson	M SIMPSON	40
P. Simpson	P SIMPSON	40
B. Gagne	B. GAGNE	46
MR Gagne	GAGNE	46
M Woolven	M. WOOLVEN	31
M. MARS-ALL	M. Marsure	35
[REDACTED]		
[REDACTED]		
E. Vicary	P.O. E. Vicary	29
P. Leith	P. LEITH	30

M. D. Rogers.	M. ROGERS	14
M.A. Dowd.	M.A. DOWD	19
Peter Mullen	P. Mullen	18
PAT Mullen	P. Mullen	18
S Hurst	S. HURST	27.
J. HARRISON	<del>J. Harrison</del>	28
J.P. Priestley	J.P. PRIESTLEY	16
S Morgan	S Morgan	34.
J. Young	J. Young	11.
S Stevens	S STEVENS	3.

# PREMISES LICENCE

The Licensing Act 2003  
Schedule 12, Part A



<b>Premises Licence Number</b>	<b>12/00874/LAPRE</b>
--------------------------------	-----------------------

## Part 1 – Premises Details

<b>Postal address of premises , or if none, ordnance survey map reference or description, including Post Town &amp; Post Code</b>	
Queen Anne Public House 11 Queen Anne Road Maidstone Kent ME14 1HA	
<b>Telephone number</b>	01622 753023

<b>Where the licence is time limited the dates</b>
Not Applicable

<b>Licensable activities authorised by the licence</b>
Live music Recorded music Performances of dance Anything similar to E, F, or G Sale or Supply of Alcohol Late Night Refreshment

<b>Times the licence authorises the carrying out of licensable activities</b>
Live music (Indoors)
Every Day 11:00 - 23:30
<i>When hours of sale of alcohol are extended on bank holidays these hours are also extended to operate between 11:00 and 01:00</i>
Recorded music (Indoors)
Every Day 11:00 - 23:30
<i>When hours of sale of alcohol are extended on bank holidays these hours are also extended to operate between 11:00 and 01:00</i>
Performances of dance
Every Day 11:00 - 23:30
<i>When hours of sale of alcohol are extended on bank holidays these hours are also extended to operate between 11:00 and 01:00</i>

Licence Number: 12/00874/LAPRE  
Issue Date: 31/01/2014

Page 1 of 5

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

## APPENDIX D

Anything similar to E, F, or G

Every Day 11:00 - 23:30

*When hours of sale of alcohol are extended on bank holidays these hours are also extended to operate between 11:00 and 01:00*

Sale or Supply of Alcohol

Every Day 11:00 - 01:00

*11:00 New Years Eve to 01:00 New Years Day*

*11:00 to 01:00 on Friday Saturday Sunday and Monday on Bank Holiday weekends, Christmas Eve and Boxing Day.*

Late Night Refreshment

23:00 - 01:30

*23:00 on New Years Eve to 01:30 New Years Day*

*23:00 - 01:30 on Friday Saturday Sunday and Monday on Bank Holiday weekends, Christmas Eve and Boxing Day.*

### The opening hours of the premises

Every day 11:00 - 01:30

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

Alcohol is supplied for consumption both on and off the premises.

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

Alcohol is supplied for consumption both on and off the premises.

## Part 2

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

Admiral Taverns Limited  
Milton Gate  
60 Chiswell Street  
London EC1Y 4AG

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

Registered Business Number 05438628

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

Mr Terence Stephen Farrell  
Queen Anne Public House  
11 Queen Anne Road  
Maidstone  
Kent  
ME14 1HA

Licence Number: 12/00874/LAPRE  
Issue Date: 31/01/2014

Page 2 of 5

Licence issued by:  
The Licensing Partnership P.O. Box 135 Sevenoaks Kent TN13 1GP  
Telephone number: 01732 227004

APPENDIX D

**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: 13/04053/LAPER  
Licence Authority: Sevenoaks District Council



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

Licence Number: 12/00874/LAPRE  
Issue Date: 31/01/2014

Page 3 of 5

Licence issued by:  
The Licensing Partnership P.O. Box 182 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 06 April 2010**

1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (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;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
  - (i) the outcome of a race, competition or other event or process, or
  - (ii) the likelihood of anything occurring or not occurring;
- (e) 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.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

## APPENDIX D

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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 a holographic mark.

5. The responsible person shall 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; and

(b) customers are made aware of the availability of these measures.

### **Annex 2 – Embedded conditions**

Not applicable

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

CCTV shall be in place on the interiors and exterior of the premises

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

All the interior doors of the lobbies and all windows shall be closed from 21:00 when live or recorded music, karaoke, or amplified sound is taking place.

The volume of music or sound shall be controlled so that no noise is discernible inside noise-sensitive dwellings at any time.

Management shall ensure that staff are aware of their responsibilities under the Licensing Act 2003.

If any illegal drugs are suspected of being on the premises, the police shall be called immediately and signage is to be placed on the premises advising customers of this fact.

The premises shall be a member of Night-Net.

Notices shall be displayed on the premises requesting customers to leave the premise quietly.

In the event a member of staff calls a taxi to the premises, the staff member shall request the taxi to park on the forecourt to the front of the building.

No children of members of the public shall be permitted to remain on the premises after 20:00.

All children must be supervised by an adult.

### **Annex 5 – Plans**

Please see attached

Licence Number: 12/00874/LAPRE  
Issue Date: 31/01/2014

Page 5 of 5

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

# APPENDIX E



**Friars Court**  
Scale: 1:1415  
Printed on: 4/11/2015 at 12:45 PM

© Ordnance Survey Maps - Maidstone  
Borough Council Licence No. 100019636, 2015

© Maidstone Borough Council

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

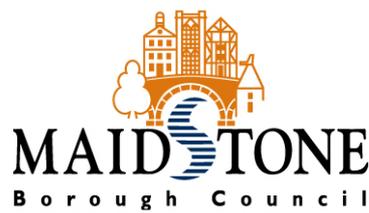
Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, 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.