



LICENSING AUTHORITY: MAIDSTONE BOROUGH COUNCIL

**LICENSING ACT 2003
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**

NOTICE OF DETERMINATION OF NEW APPLICATION

Application Ref No: **18/02647/LAPRE**

Applicant: Deborah May

Regarding the premises or club: Battel Hall Burberry Lane Leeds Village ME17 1RH

Licence/Certificate Holder: Leeds Castle Enterprises Ltd

Date of hearing: 25th September 2018

Date of determination: 25th September 2018

Committee Members: [Chairman]: Councillor: Mrs Hinder
Councillor: Mrs Joy
Councillor: Mr Hinder

Legal Advisor in attendance at hearing: Mr Robin Harris

This is an application for:

☒ New Application

of a:

☒ Premises Licence ☐ Club Premises Certificate

A: Representations, evidence and submissions:

The Committee considered the representations, evidence and submissions of the following parties:

Applicant:

- Name: Mrs Deborah May
 - Representative: Mr Jo Lynch
 - Representative: Mr John Gibbs (Acoustic consultant)

Responsible Authorities:

None

Other persons:

- Mr S Bernini

Representations considered in the absence of a party to the hearing:

N/A
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.....

B: Consideration of the Licensing Act 2003, the Guidance under s. 182 of the Act and the Statement of Licensing Policy of Maidstone Borough Council

The Committee has taken into account the following provisions of the Licensing Act 2003 and the Regulations thereto:

- Section 11 Premises licence;
- Sections 16 – 18 inclusive which relate to the application for a premises licence;

The Committee has taken into account the following provisions of the Guidance under section 182 of the Act as amended and published April 2018:

- Chapter 2 Licensing Objectives
- Chapter 8 Premises Licences
- Chapter 9 which relates to determining applications
- Chapter 10 which relates to conditions attached to licences;

The Committee has taken into account the following provisions of its Statement of Licensing Policy:

Chapter 17 which relates to Licensing conditions

The Committee has decided to depart from the guidance under section 182 of the Act and/or the statement of licensing policy for the following reasons:

Paragraphs and reasons (state in full):

.....
N/A
.....
.....

C. Determination:

The Committee has decided / taken the following step(s) members consider necessary for the promotion of the licensing objectives, having regard to the application and the relevant representations:

To grant the application.

Reasons for determination:

Prevention of Crime and Disorder

Reasons (state in full):

There was no representation under this licensing objective.

Protection of children from harm

Reasons (state in full):

There was no representation under this licensing objective.

Prevention of public nuisance

Reasons (state in full):

The Sub-Committee was asked to determine this application for a premises licence against the background of a representation made under this licensing objective.

In particular an other person was concerned about 'noise disturbance and traffic.'

The Sub-Committee heard from the acoustic consultant for the applicant who explained that due to the volume of noise that had been set in the noise management plan, the noise from the licensed premises would be barely audible at the outside of the nearest residential property and likely to be inaudible inside the property.

The Sub-Committee also heard from the applicant that it was possible to divert vehicles via another exit and therefore mitigate traffic noise.

The Sub-Committee noted the Planning Committee Condition that limits the number of 'late' events to 15 per year.

On the basis of the above the Sub-Committee determined to grant the licence as applied for.

Public safety

Reasons (state in full):

There was no representation under this licensing objective.

Additional Notes

The Sub-Committee noted that in the event that this premises causes issues for neighbouring residents there is the possibility to review the licence after a reasonable interval.

Appeal

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Any person aggrieved by the decision of the Sub-Committee has a right of appeal to the Magistrates Court. The appeal must be lodged within 21 days of the date the appellant is notified of the decision to be appealed against.

PRINT NAME (CHAIRMAN): CLLR W Hinder

Signed [Chairman]:

Date: 27th September 2018