

LICENSING ACT 2003 SUB COMMITTEE MEETING

Date: Wednesday 20 April 2022
Time: 10.00 am
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors English, Hinder (Substitute), M Rose and Springett

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

AGENDA

Page No.

1. Apologies
2. Notification of Substitute Members
3. Election of Chairman
4. Disclosures by Members and Officers
5. Disclosures of Lobbying
6. To consider whether any items should be taken in private because of the possible disclosure of exempt information
7. Application for a new Premise Licence under the Licensing Act 2003 for Allington Castle, Castle Road, Maidstone, Kent, ME16 0NB 1 - 52

ALTERNATIVE FORMATS

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

Issued on Friday 8 April 2022

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

Agenda Item 7

Agenda Item No: 1 - Summary of Report

Licence Reference 22/00310/LAPRE

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

Date: 5th APRIL 2022

Report Title: ALLINGTON CASTLE, CASTLE ROAD, MAIDSTONE, KENT, ME16 0NB

Report Author: Lorraine Neale

- Summary:**
1. The Applicant – Mr Peter Oliver
 2. Type of authorisation applied for: A premises licence under the Licensing Act 2003.
 3. Proposed Licensable Activities and hours:

E	Live Music (Indoors)	Mon – Sun	12: 00 – 23:30
F	Recorded Music (Indoors)	Mon – Sun	12: 00 – 23:30
M	Supply of Alcohol (On and Off Sales)	Mon – Sun	12:00 – 00:30
O	Opening Hours	Mon – Sun	12:00 – 00:30

Affected Wards: ALLINGTON

Recommendations: The Committee is asked to determine the application and decide whether to grant 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: lorraineneale@maidstone.gov.uk – tel: 01622 602528

Agenda Item No. 1

Report Title: ALLINGTON CASTLE, CASTLE ROAD, MAIDSTONE, KENT,
ME16 0NB

Application: For a premises licence under the Licensing Act 2003.
(Appendix 1).

Purpose of the Report

The report advises Members of an application for a Premises Licence to be granted under the Licensing Act 2003 (Appendix 1), made by Mr Peter Oliver, in respect of the premises Allington Castle, Castle Road, Maidstone, Kent, ME16 0NB (Appendix 2) in respect of which 1 objection has been received from other parties (Appendix 3).

Issue to be Decided

Members are asked to determine whether to:

- 1) grant as applied for
 - 2) grant with conditions
 - 3) exclude any licensable activity
 - 4) reject the DPS
 - 5) or reject the application.
- 2 The relevant sections are Part 3 S16 -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 notices displayed at the premises for the required period.
4. There were no representations received from a responsible authorities.
5. There is 1 representation from other parties (Appendix 3).
6. The table below illustrates the relevant representation which has been received

Responsible Authority/Other Party	Licensing Objective	Associated Documents	Appendix
Mr & Mrs Dimmock	Crime & Disorder Public Safety Public Nuisance	e-mail	3

The concern appears that granting a licence at these premises would create public nuisance and be a risk to public safety, mainly because the roads in the area are not suitable for the increase to the volume of traffic that will be created by increased visitor numbers to the premises. The increase in traffic and the absence of pavements along the route to the premises could also increase the risk of serious accident to the safety of the general public who use the roads for means other than driving cars especially those with prams/wheelchairs and mobility scooters. There are also concerns that licensable activities taking place at the premises will lead to public nuisance incidents which includes inappropriate behaviour and noise nuisance.

The applicant responded to the concerns of the objector by e-mail to the Licensing Department on 5th April 2022 providing explanation and assurance for each point with the offer of meeting in person to discuss (Appendix 4). The e-mail information was sent to the objector on the 5th April 2022 but no response had been received in time from them that could be included in the report.

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. The Operating Schedule submitted by the Applicant has addressed the licensing objectives in the following manner:

a) General – all four licensing objectives:

All staff uphold all the objectives and we have ensured everyone on site is kept safe and free from harm described in further detail below.

b) The prevention of crime and disorder:

Registered SIA security staff.
CCTV around the entire premise.
Proof of age policy.
Anti drugs policy.

c) Public Safety:

Fire risk assessments undertaken.
Fire alarm system and equipment serviced periodically. (Jan 2022)
Notices detailing in event of fire actions to be taken.
Adequate provisions for the safe movement of disabled persons around the premise.
First Aid trained staff.
Fire Marshal trained staff.

d) The prevention of public nuisance:

Decibel reader and noise limiters fitted.
Fireworks or pyrotechnics not permitted on site.

e) The Protection of children from harm:

Proof of age policy - to challenge 21/25 where an individual does not appear to be old enough to be served alcohol or falls in the 21/25 category.
request adult supervision for children when outside of the main buildings - A number of security staff are positioned constantly outside the building during the event.

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 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:

17.10 Crime and Disorder

17.19 Public Safety

17.22. Prevention of Public Nuisance

CONDITIONS TO PROMOTE THE PREVENTION OF CRIME AND DISORDER.

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

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

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

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

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

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

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

17.15 Applicants will be expected to seek advice from the Police and the Licensing Authority will give appropriate weight to requests by the Police for premises to be protected by SIA registered door staff subject to the provision of relevant evidence. Where the Licensing Authority determines after consultation with the police that a premises is one that warrants additional security and monitoring it would expect applicants to include the provision of SIA approved door staff at the premises at appropriate times. Relevant premises are usually those used mainly for drinking alcohol, have later opening hours and are situated within the Town Centre night time economy area.

17.16 Where appropriate, applicants for licences in the Town Centre areas providing mainly alcohol, music and dancing would be expected to consider inclusion of a provision of safety glasses to prevent a risk of injury on the rare occasion that a glass may be used as a weapon.

17.17 The use of CCTV should be considered where appropriate or on the advice and recommendations of the Police and to a quality and standard approved by the Police for evidential purposes. Licensees will be expected to fully comply with the requirements of the Information Commissioners Office and the Data Protection Act 1998 in respect of any surveillance equipment installed at a premises.

17.18 In any application resulting in hearing the sub-committee will consider each application on its individual merits and determine the imposition of conditions that are appropriate to promotion of the licensing objectives.

CONDITIONS TO PROMOTE PUBLIC SAFETY.

17.19 The applicant will be expected to show how the physical safety of persons attending the premises will be protected and to offer any appropriate steps in the operating schedule to promote this.

17.20 Such steps will not replace the statutory obligation on the applicant to comply with all relevant legislation under the Health and Safety at Work etc. Act 1973 or under the Regulatory Reform (Fire Safety) Order 2004.

17.21 Applicants will be expected to have carried out the necessary risk assessments to ensure safe occupancy levels for the premises. Where a representation from the Fire Authority suggests that for the promotion of the Public Safety objective a maximum occupancy should be applied, the Licensing Authority will consider adding such a limit as a licence condition.

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

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

CONDITIONS TO PROMOTE THE PREVENTION OF PUBLIC NUISANCE.

17.22 The applicant will be expected to detail any appropriate and proportionate steps to prevent nuisance and disturbance arising from the licensable activities at the premises and from the customers using the premises.

17.23 The applicant will be expected to demonstrate that they have considered the following and included steps to prevent public nuisance:

- (i) Proximity of local residents to the premises
- (ii) Licensable activities proposed and customer base
- (iii) Hours and nature of operation
- (iv) Risk and Prevention of noise leakage from the premises from equipment, customers and machinery
- (v) Prevention of noise from customers leaving the premises and customer pick up points outside premises and from the Car Park.
- (vi) Availability of public transport to and from the premises
- (vii) Delivery and collection times and locations.
- (viii) Impact of external security or general lighting on residents.
- (ix) History of management of and complaints about the premises.
- (x) Applicant's previous success in preventing Public Nuisance.
- (xi) Outcomes of discussions with the relevant Responsible Authorities.
- (xii) Impact of location, noise and contamination from outside smoking areas on neighbours and other customers
- (xiii) Collection of litter arising from the premises

17.24 Steps to prevent public nuisance may include a range of options including noise limiting devices, sound insulation, wind down periods, acoustic lobbies, management of smoking areas etc.

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

10 Options

Legal options open to members -

1. Grant the licence subject to conditions as are consistent with the operating schedule accompanying the application.
2. Grant the licence with modified conditions
3. Exclude a licensable activity
4. Refuse to specify the DPS
5. 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 1998 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".

11. 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.

12. 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

13. Conclusion

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

14. List of Appendices

Appendix 1	Application Form
Appendix 2	Plan of Premises
Appendix 3	Other parties representation.
Appendix 4	Applicants response to objection
Appendix 5	Plan of area
Appendix 6	Human Rights Articles
Appendix 7	Order of Proceedings

15. 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:	Senior Licensing Officer lorryneneale@maidstone.gov.uk
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Licensing Partnership



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 Peter Michael Olliver

(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 Allington Castle Castle Road Allington Kent ME16 0NB			
Post town	Allington	Postcode	ME16 0NB

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£7000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- 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 in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England 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 (by ticking yes to one box below):

- 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) <input type="checkbox"/>
Surname Olliver		First names Peter Michael		
Date of birth: or over		I am 18 years old <input checked="" type="checkbox"/> Please tick yes		
Nationality: [REDACTED]				
Current postal address if different from premises address		[REDACTED]		
Post town	[REDACTED]	Postcode	[REDACTED]	
Daytime contact telephone number		[REDACTED]		
E-mail address (optional)	[REDACTED]			

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		
Date of birth:		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality:					
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?

DD	MM	YYYY
3	0	0 4 2 0 2 2

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 Allington Castle is a privately owned Grade I listed Castle and Barn used primarily as a Wedding and Events venue.
 We will be selling alcohol in the Great Hall and Courtyard of the Castle and also over in the Barn and courtyard gardens.
 We will have live music and recorded music at the venue.

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 read guidance note 2)

Please tick any 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)

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur								
Fri								
Sat						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 6)		
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
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 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<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 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon	12:00	23:30		
Tue	12:00	23:30		
Wed	12:00	23:30	State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur	12:00	23:30		
Fri	12:00	23:30	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 6)	
Sat	12:00	23:30		
Sun	12:00	23:30		

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	12:00	23:30			
Tue	12:00	23:30			
Wed	12:00	23:30	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	12:00	23:30			
Fri	12:00	23:30	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 6)		
Sat	12:00	23:30			
Sun	12:00	23:30			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)	
Tue				
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)	
Thur				
Fri			<u>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</u> (please read guidance note 6)	
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<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 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" 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 5) Premise is used as a wedding venue with peak season being between April and October therefore the supply of alcohol may be limited outside these months of the year.		
Mon	12:00	00:30			
Tue	12:00	00:30			
Wed	12:00	00:30			
Thur	12:00	00:30			
Fri	12:00	00:30			
Sat	12:00	00:30			
Sun	12:00	00:30			
			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 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor. (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Peter Michael Olliver	
Date of birth:	
Address 	
Postcode	
Personal licence number (if known) • Personal Licence number to be confirmed	
Issuing licensing authority (if known) • Maidstone Borough Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) Private residence which is not open to the public, it is exclusive to the wedding party and guests
Day	Start	Finish	
Mon	12:00	00:30	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 6)
Tue	12:00	00:30	
Wed	12:00	00:30	
Thur	12:00	00:30	
Fri	12:00	00:30	
Sat	12:00	00:30	
Sun	12:00	00:30	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

All staff uphold all the objectives and we have ensured everyone on site is kept safe and free from harm described in further detail below.

b) The prevention of crime and disorder

Registered SIA security staff.
CCTV around the entire premise.
Proof of age policy.
Anti-drugs policy.

c) Public safety

Fire risk assessments undertaken.
Fire alarm system and equipment serviced periodically. (Jan 2022)
Notices detailing in event of fire actions to be taken.
Adequate provisions for the safe movement of disabled persons around the premise.
First Aid trained staff.
Fire Marshal trained staff.

d) The prevention of public nuisance

Decibel reader and noise limiters fitted.
Fireworks or pyrotechnics not permitted on site.

e) The protection of children from harm

Proof of age policy - to challenge 21/25 where an individual does not appear to be old enough to be served alcohol or falls in the 21/25 category.
Request adult supervision for children when outside of the main buildings - A number of security staff are positioned constantly outside the building during the event.

Checklist:

Please tick to indicate agreement

- 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 designated 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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships.] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12).
If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> ● [Applicable to all individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). ● The DPS named in this application form is entitled to work in the UK, (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).
Signature	Pete Olliver
Date	07/02/2022
Capacity	Allington Castle Agent for Application

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23:00 hours on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 hours on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08:00 and 23:00 hours on any day, provided that the audience 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 hours on any day, provided that the audience does not exceed a 1000.
Combined fighting sports - defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts - are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for :
 - a performance of unamplified live music between 08:00 and 23:00 hours on any day, on any premises.
 - a performance of amplified live music between 08:00 and 23:00 hours on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

Allington Castle Site Overview



Allington Castle and Grounds Highlighted Boundaries By Yellow Lines.



Allington Castle

Causeway leading to the Castle

Archers Field – fire assembly point.



The Barn and Courtyard Garden

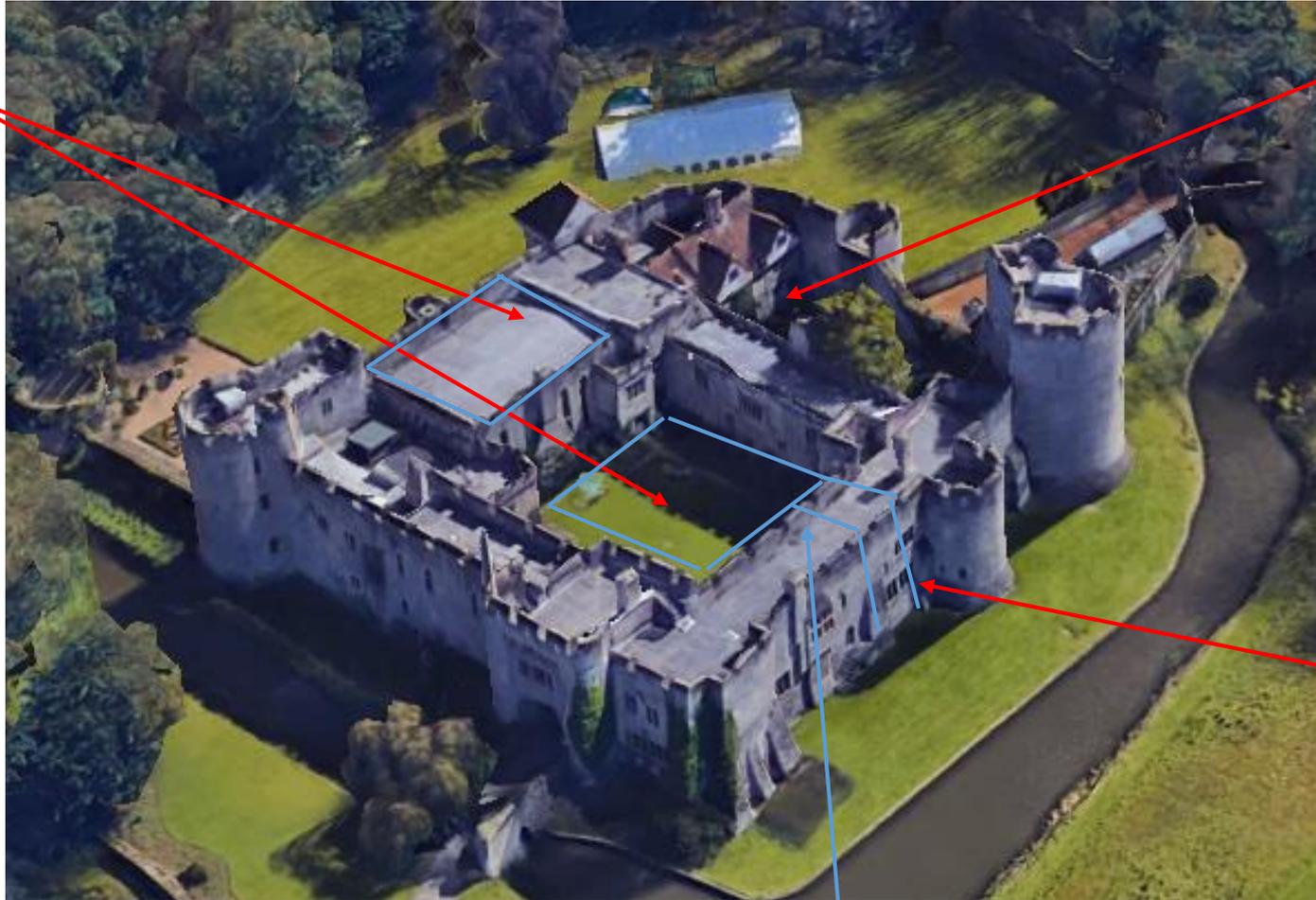
Allington Castle

Alcohol to be sold in the Great Hall and the Castle Courtyard

Kitchen area

Toilets for guests are here through the door via the courtyard.

Blue lines indicate building boundaries for guest admittance.



The Barn



Alcohol to be sold in the Barn
Courtyard Garden.

Toilet block consisting of Male,
Female and Disabled toilets.

Door to access the fire panel.

Alcohol to be sold in the Barn.

CCTV covering outside
the Barn area

Allington Castle
Yellow lines
represent fire exit
escape routes

Fire panel
Location for KFRS





The Great Hall and fire exits.



Fire exit doors to the left and right.



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View once exited from the left which will lead you to the back gate area of the castle.



View once exited from the right which will lead in to the courtyard and continue through the portcullis gate on to the causeway and to the fire assembly point on Archers field.





View to the door which leads to the pathway to the rear gate entrance.



Access for KFRS for the fire panel.
View in to the door for the fire panel which is located in the cupboard first door on the right.



The Barn
Yellow lines
represent fire exit
escape routes

Archers Field – fire
assembly point.



Fire panel
Location for KFRS



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Door leading to the fire panel.
Double door fire exit.
Archers Field – fire assembly point.



Fire panel location.



Barn Area showing multiple fire exits.



Main Bar Area, Barn and outside the Barn are covered by 8 CCTV cameras.



Fire Exit from bar area.
CCTV in Use sign.
All fire fighting equipment was tested by
Premier Alarms in January 2022.

The red lines represent the boundary which is to come under the licence which incorporates the Great Hall and Courtyard and the Barn and Courtyard.



Causeway

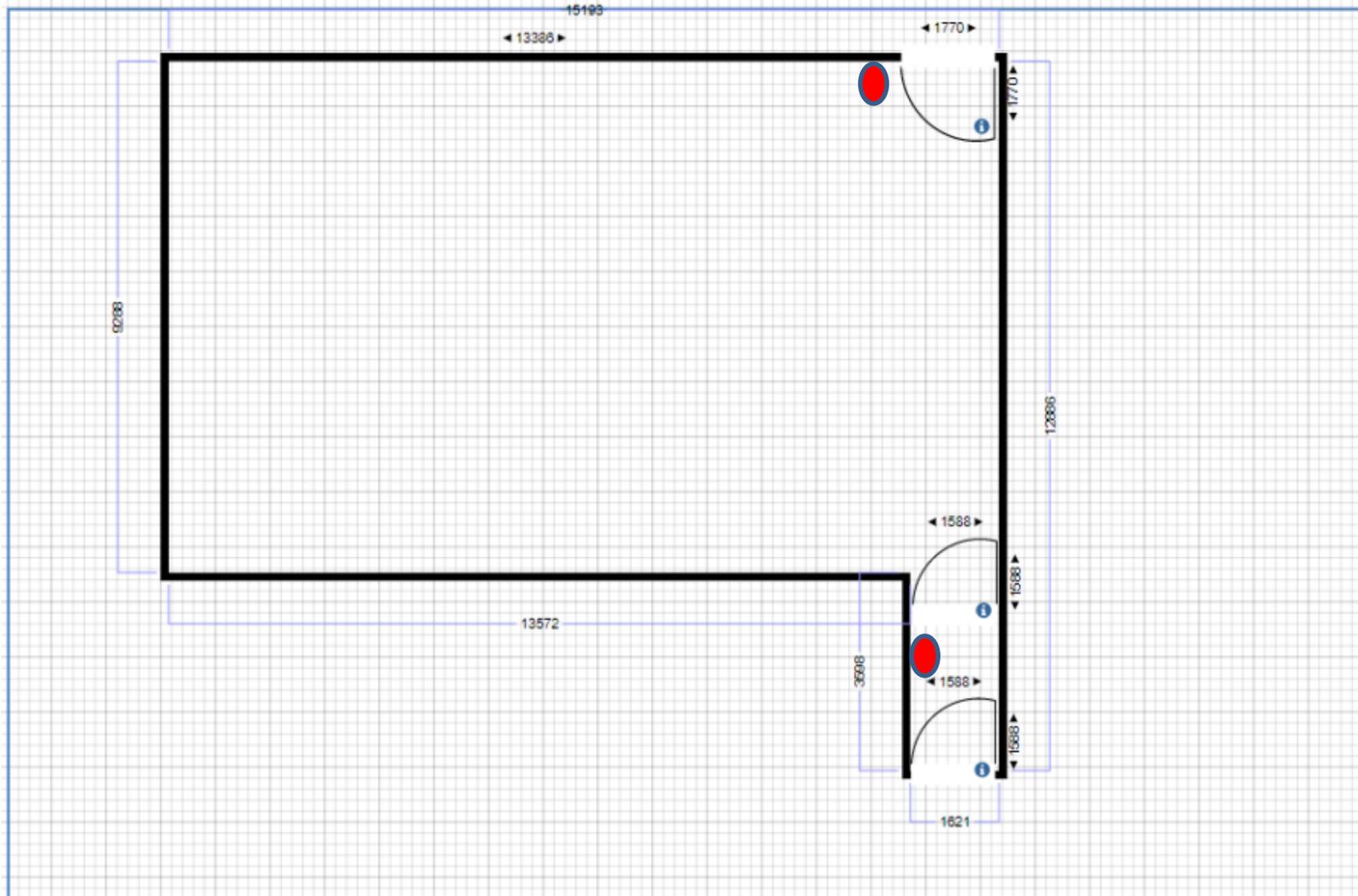
Great Hall

Castle Courtyard

Toilet Block

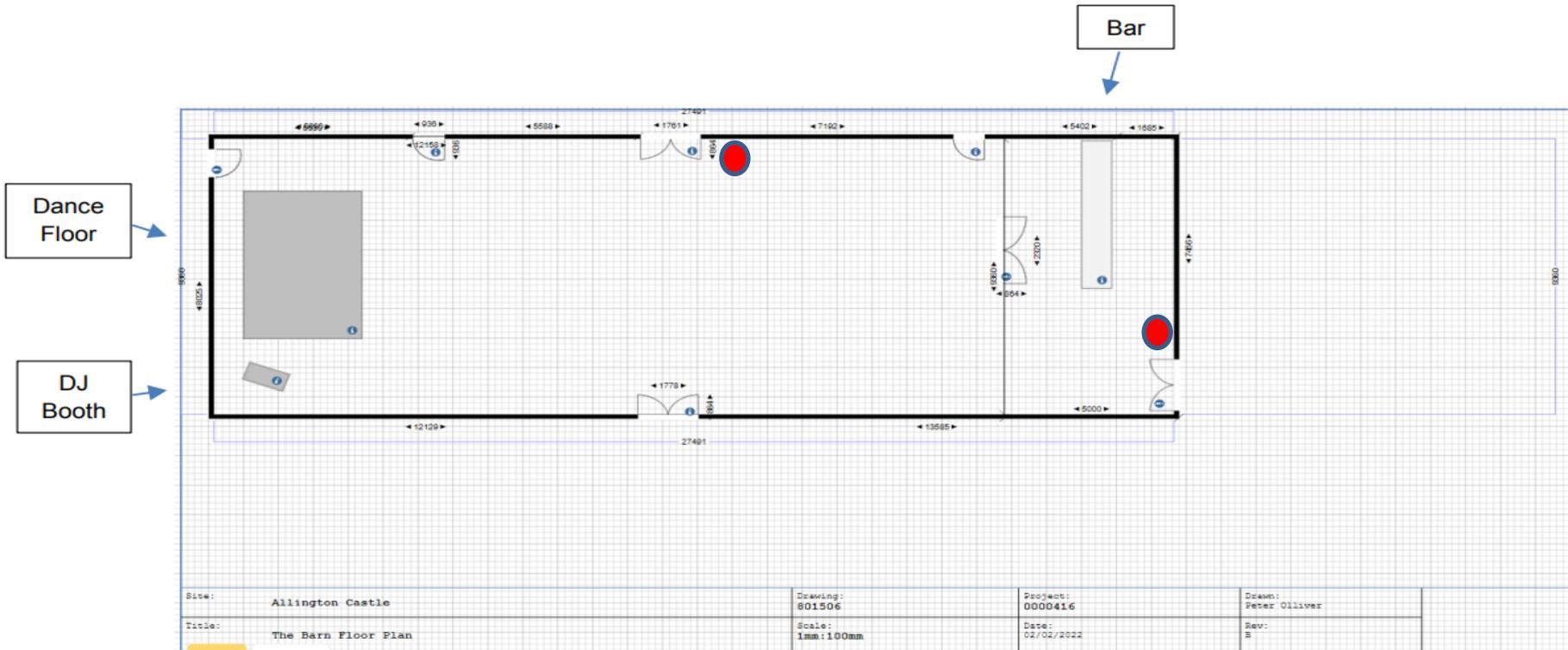
The Barn Courtyard

The Barn



Site:	Allington Castle	Project:	0000416	Drawn:	Peter Olliver
Title:	Great Hall Floor Plan	Scale:	1mm:100mm	Date:	02/02/2022
				Rev:	A

 Fire Extinguishers



 Fire Extinguishers

APPENDIX 3

From: Alexander Dimmick
Sent: 06 March 2022 21:31
To: Licensing <licencing@sevenoaks.gov.uk>
Subject: Objection to application Ref. No: 22/00310/LAPRE - Allington Castle

To whom it may concern,

We object to the application Ref. No: 22/00310/LAPRE for Allington Castle, Allington, Maidstone, Kent based on the following concerns:

- The location is close to quiet residential housing, with the access road being a single-track road. This road is not suitable for the volume of traffic that would be generated by this sort of venue.
- The only route to this venue is down a residential street and therefore goes straight through a residential area.
- In addition, there are no pavements on this route leading down to the castle and therefore the potential amount of increased traffic poses a safety risk to the number of pedestrians that use this road every day. This is a very popular route for people to take to and from the river. Currently, when cars travel down this part of the access road to the castle, there is not enough space for prams/wheelchairs/mobility scooters alongside the car, meaning that cars have to reverse to allow them through. Increased volume of traffic will exacerbate this situation and vastly increase the risk of a serious accident.
- As an alcohol licence has been sought for 7 days a week, the possibility for inappropriate behaviour is increased. Any activity involving increased numbers of people, vehicles, music, and alcohol after 11.30 pm is not appropriate for a residential area, particularly during the working week. A concern is the increased risk of public nuisance.

We would be grateful for these concerns to be considered in granting this application.

Yours sincerely,
Mr and Mrs Dimmick

From: Kerrie Gibbons
Sent: 05 April 2022 12:57
To: Licensing (MBC) <LicensingMBC@maidstone.gov.uk>
Cc: ; Louise Davis <LouiseDavis@Maidstone.gov.uk>
Subject: Re: FW: Objection to application Ref. No: 22/00310/LAPRE - Allington Castle

Hi Everyone,

Please see our response to the objection and hope we manage to appease Mr. and Mrs. Dimmick through mediation via Lorraine .

Dear Lorraine,

Many thanks for contacting me.

Our relationship with all of our neighbours has always been excellent and we take their concerns seriously. The fact that we received only one objection and none from our immediate neighbours gives us great relief. I would like to invite Mr. and Mrs. Dimmick to the castle with you to discuss the matter further, but if they do not wish to visit, I welcome the opportunity to address their concerns. See the yellow text below for my response.

- The location is close to quiet residential housing, with the access road being a single-track road. This road is not suitable for the volume of traffic that would be generated by this sort of venue.

We fully understand why this is a concern but let us reassure you that our intention is not to be open to the public. When we host a private wedding, traffic will increase only for an hour or two a week. Guests arrive on mass, mostly by taxi. To avoid a backup of traffic on the narrower part of the single-lane road, our security staff are instructed to keep gates open and allow traffic to flow.

- The only route to this venue is down a residential street and therefore goes straight through a residential area.

We agree. Despite this, the castle has stood for 800 years and has been accessible from Castle Rd since the road was established, and much longer than the surrounding homes. There are five businesses that share access to this road, which accounts for much more traffic than the castle on a daily basis.

- In addition, there are no pavements on this route leading down to the castle and therefore the potential amount of increased traffic poses a safety risk to the number of pedestrians that use this road every day. This is a very popular route for people to take to and from the river. Currently, when cars travel down this part of the access road to the castle, there is not enough space for prams/wheelchairs/mobility scooters alongside the car, meaning that cars have to reverse to allow them through. Increased volume of traffic will exacerbate this situation and vastly increase the risk of a serious accident.

The castle rarely has more than 8 or 10 cars travelling down Castle Road each day; if monitored, you will find that the majority of traffic is generated by nearby businesses. Even with the private events at the castle taking place once or twice a week at maximum, the traffic that enters the castle makes up a tiny fraction of the traffic that travels down Castle road to the Environment Agency, to the boatyard, to the ambulance service, to the marina, and to the water board.

- As an alcohol licence has been sought for 7 days a week, the possibility for inappropriate behaviour is increased. Any activity involving increased numbers of people, vehicles, music, and alcohol after 11.30 pm is not appropriate for a residential area, particularly during the working week. A concern is the increased risk of public nuisance.

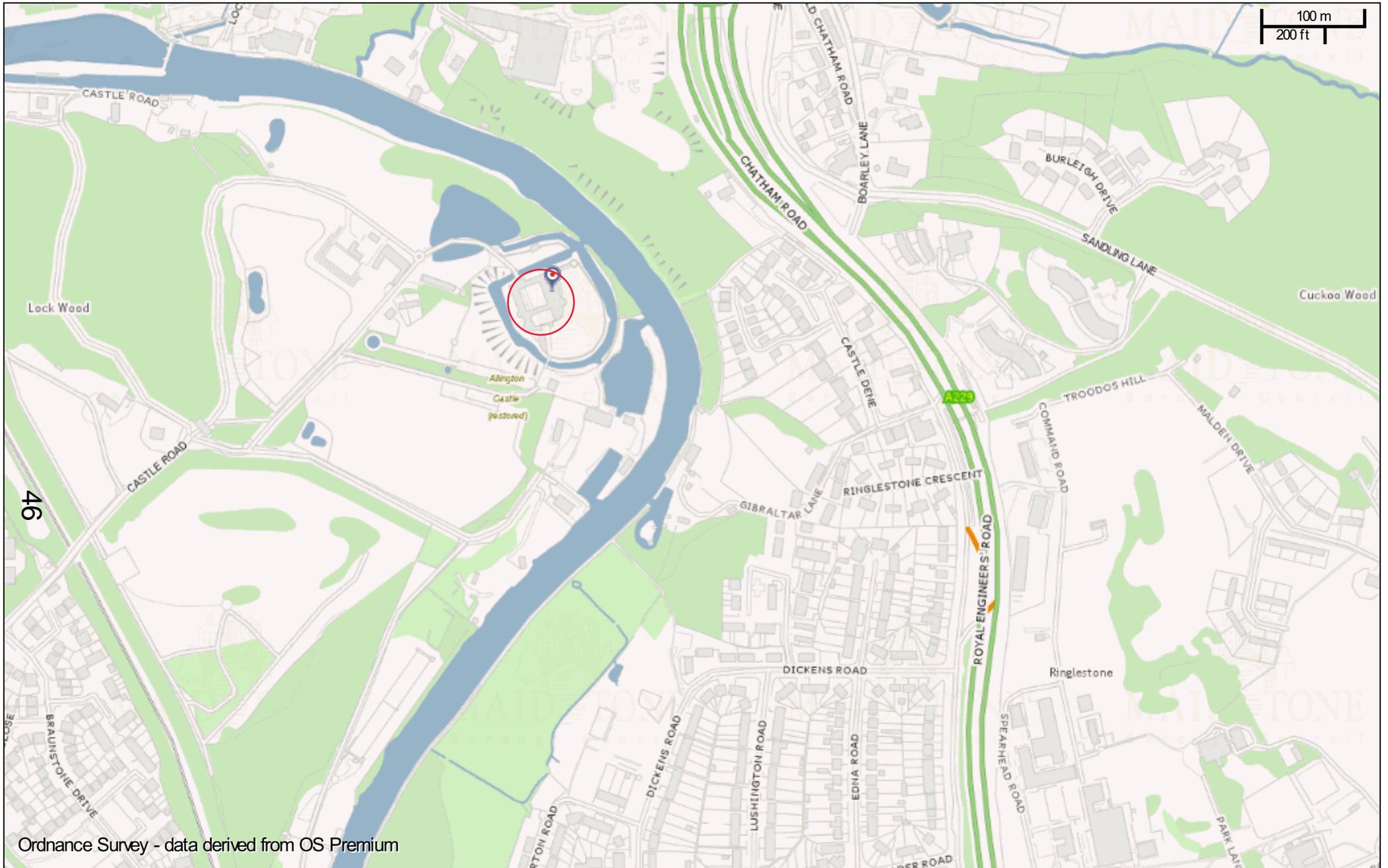
Though I fear this has been misinterpreted, I also understand why. To be in compliance with the law, we needed a seven-day permit. This does not imply we will host events seven days a week. Allington Castle is primarily someone's home, and as such will not be open to the general public, who would more likely display inappropriate conduct. Our guests are all traceable. There have been many such events each year without incident. The facilities are managed by our staff and there is plenty of security present. Since most visitors arrive via taxi, there is little risk of dangerous or anti-social driving, and most of the music is played by our in-house DJ, who is a close family member of our event manager and observes our noise restrictions.

Finally, I want to reassure Mr and Mrs Dimmick that no licensable activity we've applied for will negatively impact their or another neighbour's enjoyment of this peaceful area. If it ever does we will do everything in our power to rectify this.

We would be grateful for these concerns to be considered in granting this application.

Many thanks,

Kerrie Gibbons & Peter Olliver



Ordnance Survey - data derived from OS Premium

Enter map title
Scale: 1:5000
Printed on: 6/4/2022 at 18:28 PM by LorraineN

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.