

AGENDA

LICENSING ACT 2003 COMMITTEE MEETING



Date: Wednesday 6 May 2015

Time: 10.00 am

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors McKay, B Mortimer and Round

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. Application for Variation of a Premise Licence under the Licensing Act 2003 for The Bell, Bredhurst, ME7 3JY | 1 - 52 |

Continued Over/:

Issued on 28 April 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: 15/00762/LAPRE
Report To: LICENSING SUB – COMMITTEE
 (UNDER THE LICENSING ACT 2003)
Date: 21 APRIL 2015

Report Title: THE BELL
 THE STREET
 BREDHURST
 GILLINGHAM
 KENT ME7 3JY

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

Report Author: Lorraine Neale

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

		Current Hours		Hours: New Application	
B)	Films	Sun –Thurs Fri & Sat	11:00-23:30 11:00-00:00	Sun –Thurs Fri & Sat	11:00-23:30 11:00-00:00
C)	Indoor Sporting Events	Sun –Thurs Fri & Sat	11:00-23:30 11:00-00:30	Sun –Thurs Fri & Sat	11:00-23:30 11:00-00:30
E)	Live Music	Sun –Thurs Fri & Sat	11:00 -23:00 11:00-00:00	Sun –Thurs Fri & Sat	11:00 -23:00 11:00-00:00
F)	Recorded Music	Sun –Thurs Fri & Sat	11:00 -23:00 11:00-00:00	Sun –Thurs Fri & Sat	11:00 -23:00 11:00-00:00
H)	Anything similar to E, F, or G	Sun –Thurs Fri & Sat	11:00 -23:00 11:00-00:00	Sun –Thurs Fri & Sat	11:00 -23:00 11:00-00:00
I)	Late Night Refreshment	Mon - Sun	11:00 – 00:00	Mon - Sun	11:00 – 00:00
J)	Sale or Supply of Alcohol	Mon – Sat Sun	11: 00 – 00:00 12:00 – 00:00	Mon –Sun	10: 00 – 00:00
L)	Opening hours	Mon - Sun	11:00 – 00:00	Mon –Sun	09:00 – 00:30

N.B. Non standard opening hours On Friday, Saturday, Sunday and Monday of Bank Holiday weekends and on Christmas Eve and on Boxing Day, the sale of alcohol is permitted 11:00 to 01:00 hours and the hours for all licensable activities are extended also.

Affected Wards:	Boxley
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:	<p>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.</p> <p>LEGAL: Under the Licensing Act 2003 the Licensing Authority has a duty to exercise licensing control of relevant premises.</p>
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 602 028

Agenda Item No. 1

Report Title: THE BELL, THE STREET, BREDHURST, GILLINGHAM, KENT
ME7 3JY

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 Greene King Brewing And Retailing Limited for The Bell, The Street, Bredhurst, Gillingham, Kent ME7 3JY (Appendix B) in respect of which 10 objections have been received from other persons (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. 10 representations were received from other persons.

The table below illustrates the relevant representations which have been received

Responsible Authority/Interested Party	Licensing Objective	Associated Documents	Appendix
Stephen & Jane Page	Public Nuisance Public Safety	E mail	C
Ian & Sue Bowen	Public Nuisance	E mail	C
Richard & Sarah Collins	Public Nuisance Public Safety	E mail	C
John Loomes	Public Nuisance	E mail	C
John and Valerie Sanders	Public Nuisance	E mail	C
Steve & Penny Thornton	Crime and Disorder Public Nuisance Public Safety	E mail	C

James Chalmers	Public Nuisance Public Safety	E mail	C
Mr and Mrs Stacey	Public Nuisance	E mail	C
Wendy Kemp on behalf of Bredhurst Parish Council	Crime and Disorder Public Nuisance Public Safety	E mail	C
Hilary and Christopher Butler	Public Nuisance	E mail	C

The variation has been applied for as there is significant refurbishment being made to the premises and new plans of the premises have needed to be submitted. At the same time the applicant has requested the removal of a redundant condition, alterations to the authorised hours of the sale and supply of alcohol in the morning only and a request to extend opening hours in the morning and for 30 minutes at the end of licensable activity hours (see the table at page 1). There are no objections to the refurbishment, removal of condition or the specifically extending the hours of alcohol sale. The general objections are to the extending the opening hours at the end of the day by 30 minutes. The main objections are in relation to public nuisance by noise from the garden area, rowdy customers leaving the premises on foot or by car and those waiting for transport outside after closing. Public safety is a concern in relation to glass and bottles being discarded and persons being on an unlit and partially unpaved road. It is believed that anti social behaviour will increase. Residents and the Parish Council believe that an extension of opening hours at the end of the day would be unreasonable and detrimental to residents of a semi rural village.

5. The premises has a current licence, Appendix D. The current licence holder is the applicant and the DPS is Mr Grant Ravenscroft.
6. The current licence hours are as per the licence attached at appendix D.
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:**
 - i. **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:**
 - ii. Relevant policy statements contained in **the Licensing Authority's Statement of Licensing Policy:**

20. Prevention of Crime and Disorder
21. The Promotion of Public Safety
22. Prevention of Public Nuisance
20. Prevention of Crime and Disorder

Concerns

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

- Underage drinking

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

Additional Steps

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

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

21. The Promotion of Public Safety

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

Concerns

Capacity

Where existing legislation does not provide adequately for the safety of the public, club members or guests, the occupancy capacity for premises and events (to include performers and staff) may be an important factor in promoting public safety. Subject to the requirements of the following paragraph the Licensing Authority will expect the issue of occupancy capacity and adequate controls of the numbers of persons on premises or attending an event to be considered by an applicant when completing an Operating Schedule. Where a relevant representation is received in respect of capacity the Licensing Authority will consider setting capacity limits in consultation with the Kent and Medway Fire and Rescue Authority for the following premises:

- Nightclubs
- Cinemas
- Theatres
- Other premises where regulated entertainment within the meaning of the Act is being provided.

The Applicant might also consider the following concerns when assessing the appropriate capacity for premises or events in the Maidstone area. These could include:-

- The design and layout of the premises.
- The nature of the premises or event.

- The nature of the licensable activities being provided.
- The provision or removal of temporary structures, such as a stage or furniture.
- The number of staff available to supervise customers both ordinarily and in the event of an emergency.
- The customer profile (e.g. age, disability).
- The attendance by customers whose first language is not English.
- Availability of suitable and sufficient sanitary accommodation.
- The nature and provision of facilities for ventilation.
- The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.

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

Additional Steps

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

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

22. Prevention of Public Nuisance

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

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

Concerns

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

- The location of the premises and their proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship.
- The hours of operation, particularly if between 23.00 and 07.00.
- The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises.
- The design and layout of premises and in particular the presence of noise limiting features.
- The occupancy capacity of the premises.
- Last admission time.
- The steps the applicant has taken or proposes to take to ensure that staff leave the premises quietly.

- The steps the applicant has taken or proposes to take to prevent disturbance by patrons arriving or leaving the premises.
- Whether routes to and from the premises, on foot or by car or service or delivery vehicles, pass residential premises within the vicinity of the Premises.
- Whether other measures have been taken or are proposed such as the use of CCTV or the employment of registered door supervisors.
- The arrangements made or proposed for parking by patrons, and the effect of this parking on local residents.
- The likelihood of any violence, disorder or policing problems arising if a licence were granted.
- Whether taxis and private hire vehicles serving the premises are likely to disturb local residents.
- The siting of external lighting, including security lighting that is installed inappropriately.
- Whether the operation of the premises would result in increased refuse storage or disposal problems or additional litter in the vicinity of the premises and any measures or proposed measures to deal with this.
- The history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licensees.

Additional Steps

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

- Effective and responsible management of premises.
 - Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance.
 - Control of operating hours for all or parts (e.g. garden areas) of premises, including such matters as deliveries.
 - Adoption of best practice guidance (e.g. Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by Institute of Acoustics).
 - Installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices.
 - Management of people, including staff, and traffic (and resulting queues) arriving and leaving premises.
 - The incorporation of measures for ensuring the safe and swift dispersal of patrons away from premises and events without causing nuisance or public safety concerns to local residents.
 - Effective ventilation systems to prevent nuisance from odour.
- N.B. Where relevant representations are received which the Licensing Sub Committee consider material particular consideration will be given to the impact on residential amenity of proposals for the provision of late night refreshment where these are either located in, or encourage people to move through, residential areas.

9. 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".

10. **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.

11. **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

12. **Conclusion**

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

13. **List of Appendices**

Appendix A	Application Form
Appendix B	Plan of Premises set out the 3 plans separately with brief description.
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

14. **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:	Senior Licensing Officer
Email:	lorraineneale@maidstone.gov.uk

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.

We Greene King Brewing and Retailing Limited being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number

14/04034/LAPRE

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
The Bell, The Street, Bredhurst	
Post town Gillingham	Post code ME7 3JY

Telephone number of premises (if any)

Non-domestic rateable value of premises

£82,500

Part 2 – Applicant Details

Daytime contact telephone number

c/o 01142 668664

Email address
(optional)Current postal
address if
different from
premises address

Westgate Brewery, Bury St Edmunds, Suffolk, IP33 1QT

Post Town

Suffolk

Postcode

IP33 1QT

Part 3 - Variation

Please tick ☒ yes

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



If not do you want the variation to take effect from

Day Month Year

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

N/A

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

The application falls into a number of parts arising out of the acquisition of the premises by Greene King and is effectively a refurbishment of the premises. The application requests as follows:-

1. Alterations to the approved layout of the premises. In that regard we attach the following plans:-

- Plan number 2633/25/00 being the existing and proposed "site plan".
- Plan number 2633/26/00 which shows the existing ground floor layout including internal licensing area and external licensed areas.
- Plan number 2633/27/00 which shows the proposed layout for licensing both internal licensed ground floor and external licensed area.

The alterations are part of a refurbishment of the site following acquisition by Greene King and briefly the alterations comprise as follows:-

(a) Externally.

Alterations to the external licensed area, patio and children's play area. There will be a reduction in the children's play area as shown on the plans, an increase in the grassed area and alterations to the patio area.

(b) Internally.

Alterations internally to the premises as follows:

- Alterations to toilet facilities as shown on the plans both female and male and disabled toilet facilities. These will be repositioned as shown on the plans.
 - Alterations to the area marked "the Bar" to be marked Panelled Dining Room/Library to include alterations to the seating and improve facilities as shown.
 - Alterations to the existing bar servery so that the premises will be opened up to have a single bar servery as shown on the proposed plan.
 - General opening up of the premises to give greater supervision and facilities to customers.
 - Alterations to the entrance and exits as shown by the inclusion of a double lobby at the front.
 - Substantial refurbishment to the kitchen and to provide a catering kitchen facility.
 - Extended entry to the rear entrance/exit of the premises.
 - New stairs to the cellar.
 - Alteration to fixed seating.
 - General refurbishment and redecoration to improve the facilities on offer to the customers.
2. Alteration to remove condition on the Premises Licence which currently reads as follows:
"Function bookings in the area described as bar/dining on the plan will be limited to 100 persons standing or 60 persons seated".
3. Alteration to the authorised hours for the sale of alcohol to extend the commencement time to 10:00 hours, seven days a week. There is no request to alter the terminal hour.
4. Request to alter the opening hours to 09:00 to 00:30 hours, seven days a week.

It is intended the premises will offer improved facilities for customers and members of the community and it is not anticipated the application will adversely impact upon the licensing objectives and the application has been prepared on that basis.

As only the hours for alcohol and opening hours are requested to be altered by way of licensable activities boxes to A to H have not been completed as there is no change to the hours for those licensable activities.

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.

Please tick ✓ yes

Provision of regulated entertainment

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
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 5)		
Sun					

C

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

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue					
Wed					
Thur			Please give further details here (please read guidance note 3)		
Fri					
Sat					
Sun			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
			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 (please read guidance note 5)		

E

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) 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	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Mon					Outdoors
Tue			Both		
Wed			Please give further details here (please read guidance note 3)		
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Sat					
Sun			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish		Both	✓
Mon	23:00	00:00	Please give further details here (please read guidance note 3)		
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	00:00			
Fri	23:00	00:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5) As existing		
Sat	23:00	00:00			
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
				Off the premises	
Day	Start	Finish		Both	✓
Mon	10:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) As existing		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	00:00			

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)</p> <p>Not Applicable</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) The premises will close 30 minutes after the end of non standard timings for licensable activities.
Mon	09:00	00:30	
Tue	09:00	00:30	
Wed	09:00	00:30	
Thur	09:00	00:30	
Fri	09:00	00:30	
Sat	09:00	00:30	
Sun	09:00	00:30	

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

Alteration to remove condition on the Premises Licence which currently reads as follows:

"Function bookings in the area described as bar/dining on the plan will be limited to 100 persons standing or 60 persons seated".

Please tick ✓ yes

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 failed to enclose 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,e) (please read guidance note 9)

No new steps have been identified in relation to the four licensing objectives save as below.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed

c) Public safety

No further risks have been identified which need to be addressed.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed.

e) The protection of children from harm

No further risks have been identified which need to be addressed.

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

Part 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: John Gaunt & Partners.....

Date: 11th March 2015.....

Capacity: Solicitors.....

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: John Gaunt & Partners.....

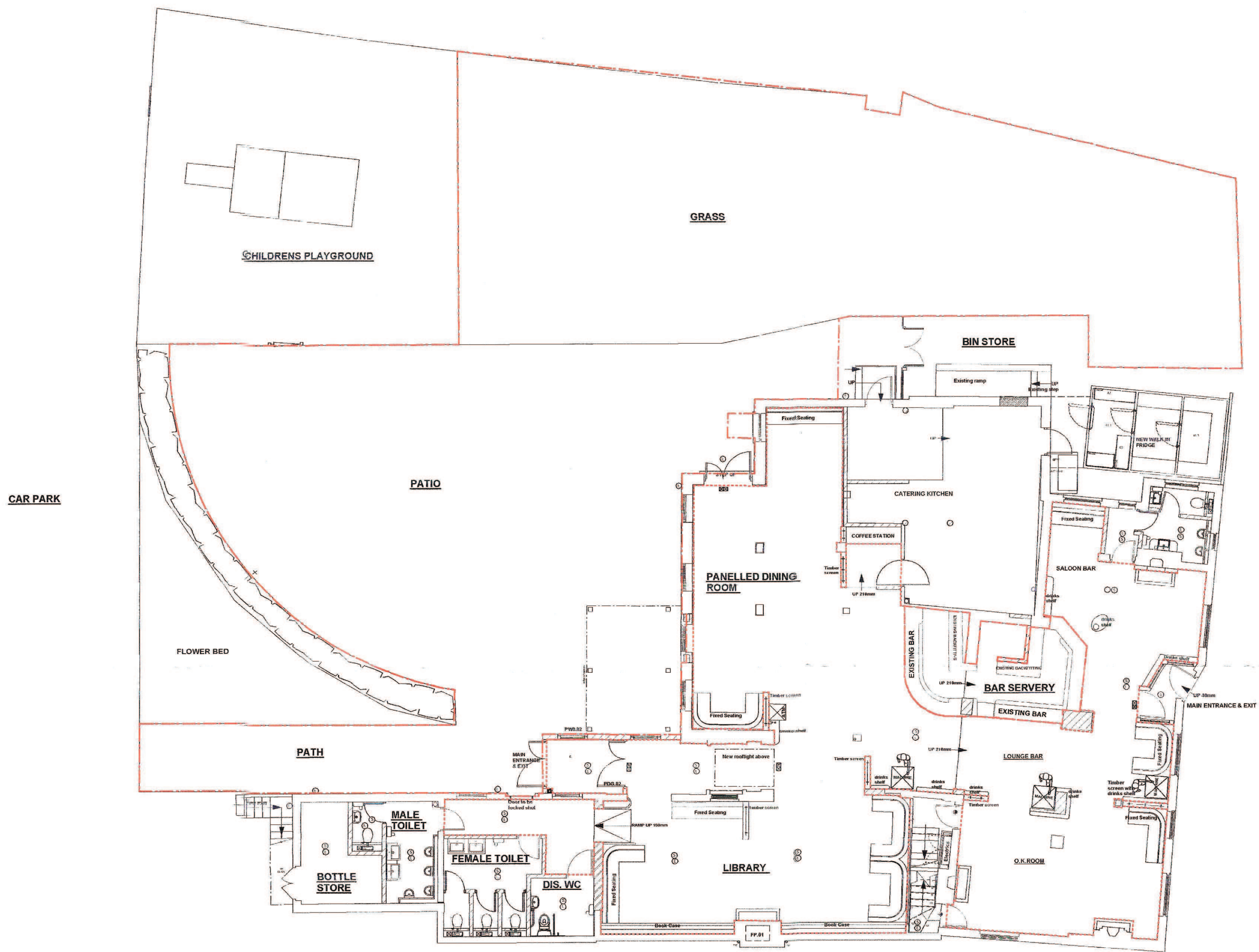
Date:

Capacity: Solicitors.....

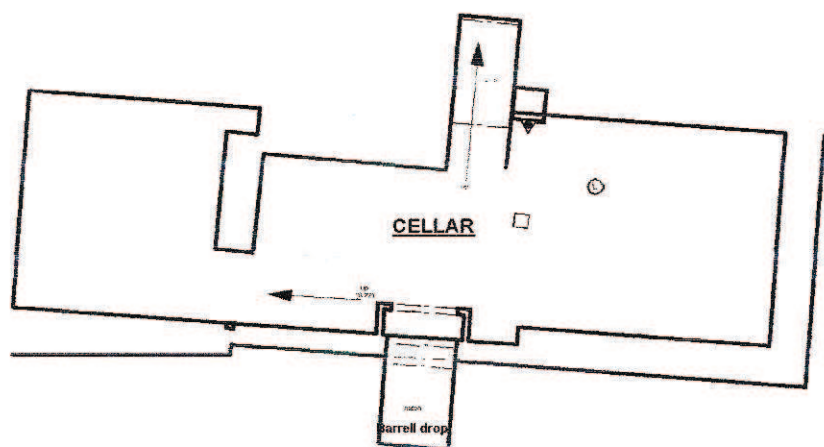
Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any) 0114 266 8664	
If you would prefer us to correspond with you by email your email address (optional) tshield@john-gaunt.co.uk	

APPENDIX B

NOTES & REVISIONS :
CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK. FIGURED DIMENSIONS TO TAKE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS MUST NOT SCALE FROM THIS DRAWING UNLESS EXPRESS INSTRUCTIONS ARE GIVEN BY SAMPSON ASSOCIATES. THE COPYRIGHT OF THIS DRAWING IS RESERVED. THE DRAWING MUST NOT BE DISCLOSED WITHOUT AUTHORITY.



A PROPOSED GROUND FLOOR LICENSING PLAN
Scale: 1:100



B PROPOSED CELLAR PLAN
Scale: 1:100

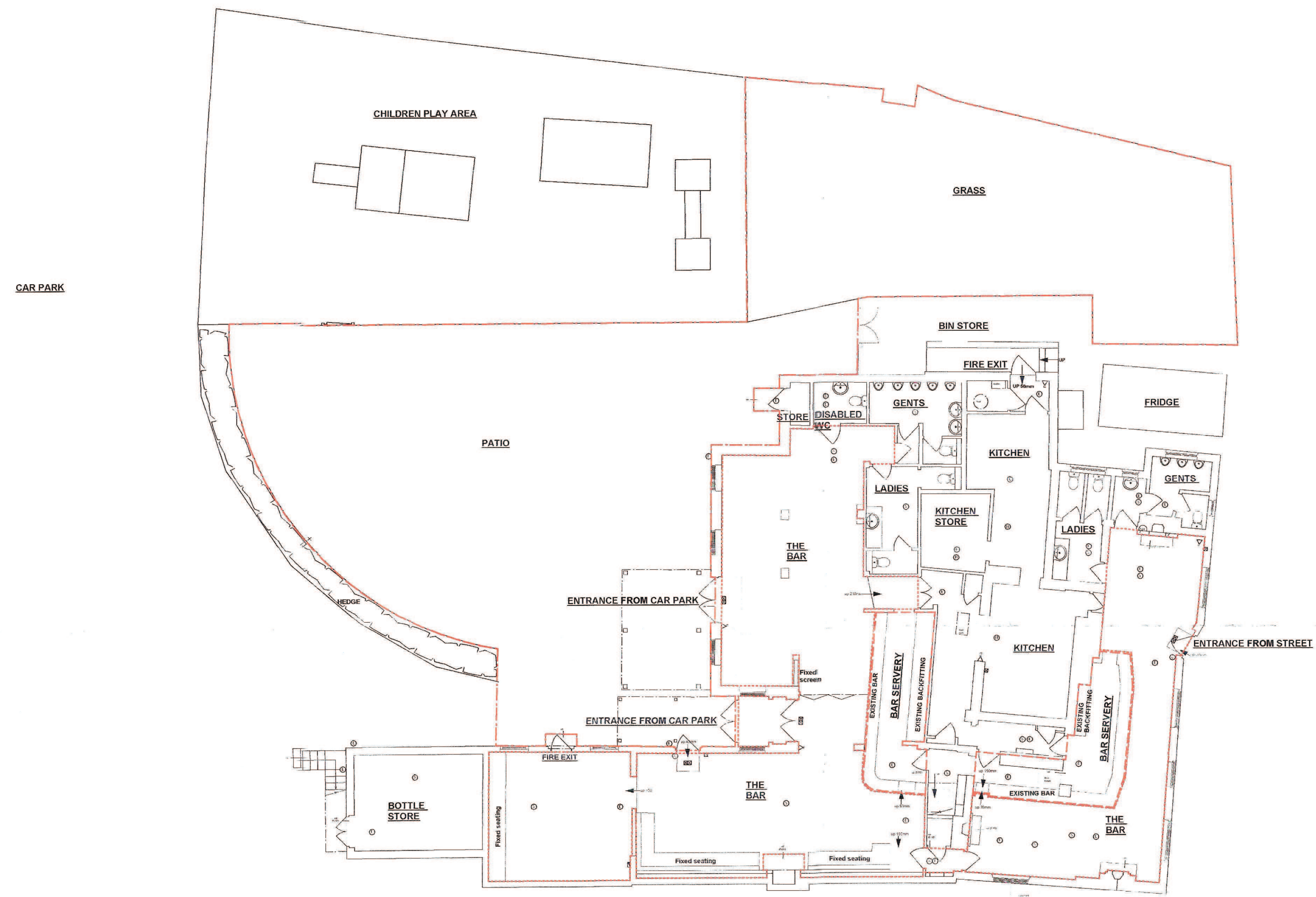
FIRE KEY	
	Fire Alarm - Smoke Detector
	Fire Alarm - Heat Detector
	Fire Alarm - Sounder
	Fire Alarm - Visual Indicator
	Fire Alarm - Call Point (break glass)
	Fire Alarm - Indicator Panel
	Internally illuminated Fire Exit Sign
	Emergency Light (3hr)
	Directional Arrow Sign
	Secure Door in Open Position Sign
	Fire Exit Sign
	Fire Door FD30S
	CCTV Camera
FIRE EXTINGUISHERS	
	Water
	CO2
	Fire Blanket
	Class F (Wet Chemical)
	Dry Powder
	Foam

PROPOSED LICENSING KEY	
GROSS AREA OF SITE (SQM)	9200
GROSS INTERNAL LICENSED CUSTOMER AREA (SQM)	248
GROSS INTERNAL BAR SERVERY AREA (SQM)	22
GROSS EXTERNAL LICENSED CUSTOMER AREA (SQM)	500

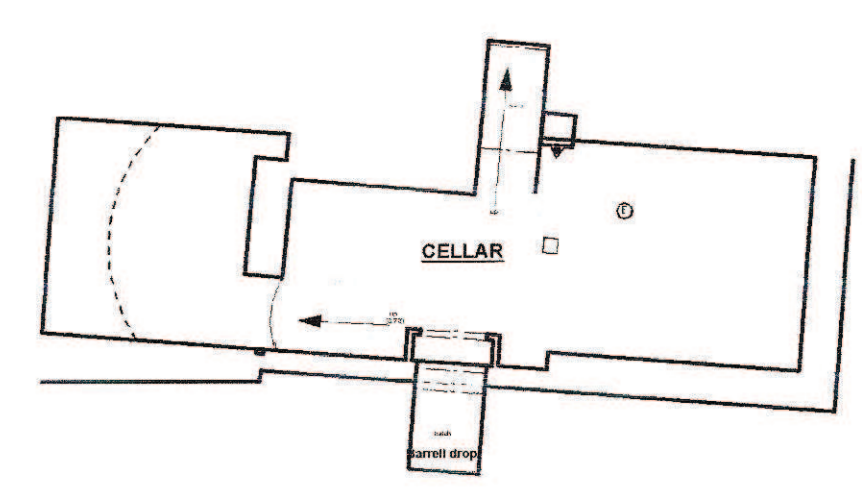
CLIENT:	GREENE KING PUB COMPANY	DRAWN BY:	LB
SITE:	BELL INN PH BREDHURST KENT	SCALE @ A1:	1:100
DRAWING TITLE:	PROPOSED LICENSING PLAN		2633.27.00

SAMPSON ASSOCIATES
ARCHITECTS & INTERIOR DESIGNERS
407/8, THE BISCUIT FACTORY
TOWER BRIDGE BUSINESS COMPLEX, 100 CLEMENTS ROAD, LONDON SE16 4JG
TEL: +44(0)20 7394 8850 FAX: +44(0)20 7394 8851 E-MAIL: info@sampsonassociates.co.uk

NOTES & REVISIONS :
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A EXISTING GROUND FLOOR LICENSING PLAN
 Scale: 1:100



B EXISTING CELLAR PLAN
 Scale: 1:100

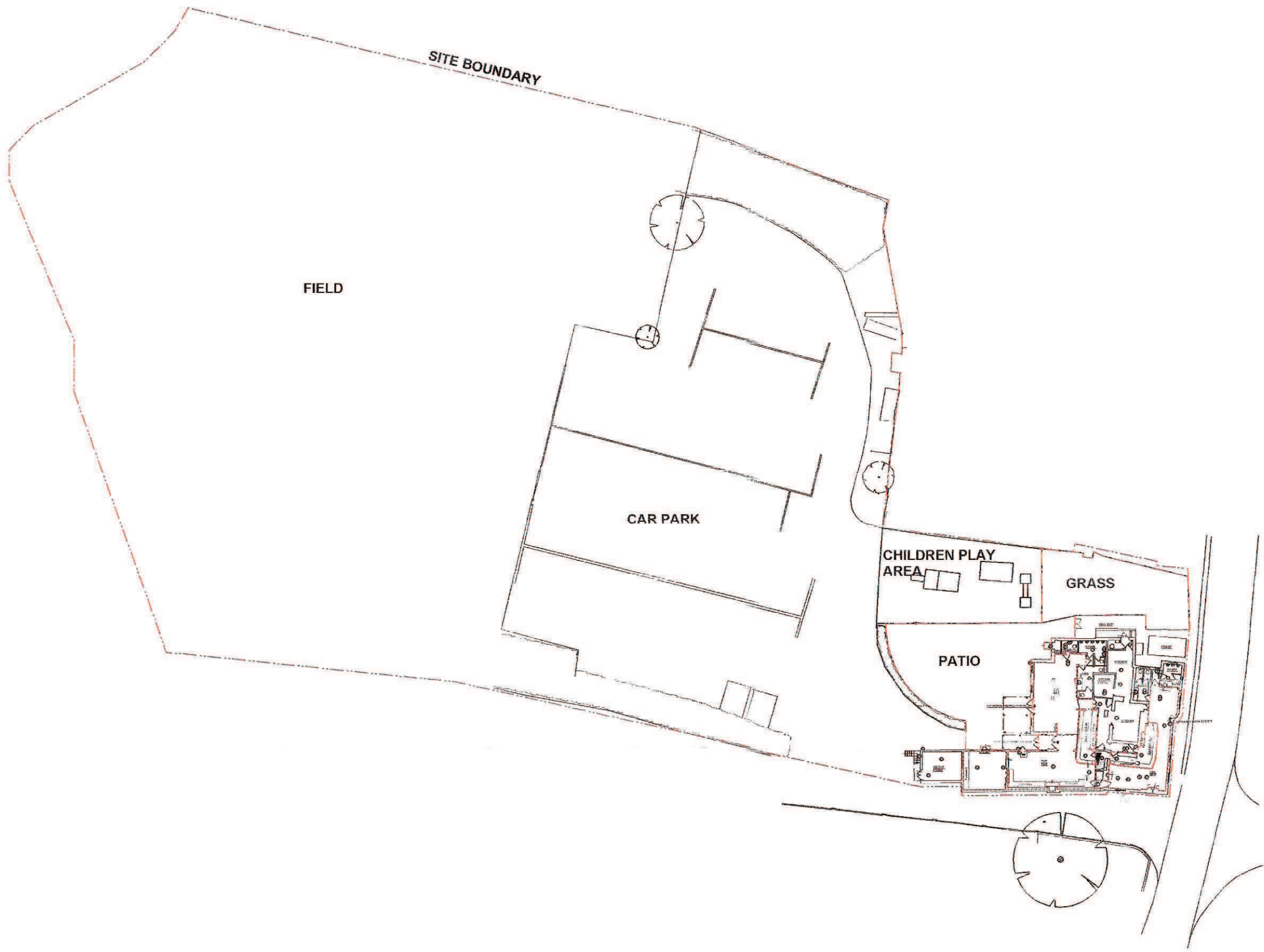
- FIRE KEY**
- Fire Alarm - Smoke Detector
 - Fire Alarm - Heat Detector
 - Fire Alarm - Sounder
 - Fire Alarm - Visual Indicator
 - Fire Alarm - Call Point (break glass)
 - Fire Alarm - Indicator Panel
 - Internally illuminated Fire Exit Sign
 - Emergency Light (3hr)
 - Directional Arrow Sign
 - Secure Door in Open Position Sign
 - Fire Exit Sign
 - Fire Door FD30S
 - CCTV Camera
- FIRE EXTINGUISHERS**
- Water
 - CO2
 - Fire Blanket
 - Class F (Wet Chemical)
 - Dry Powder
 - Foam

EXISTING LICENSING KEY		
GROSS AREA OF SITE (SQM)	9200	-----
GROSS INTERNAL LICENSED CUSTOMER AREA (SQM)	191	-----
GROSS INTERNAL BAR SERVERY AREAS (SQM)	35	-----
GROSS EXTERNAL LICENSED CUSTOMER AREA (SQM)	397	-----

CLIENT:	GREENE KING PUB COMPANY	DRAWN BY:	LB
SITE:	BELL INN PH BREDHURST KENT	SCALE @ A1:	1:100
DRAWING TITLE:	EXISTING LICENSING PLAN		2633.26.00

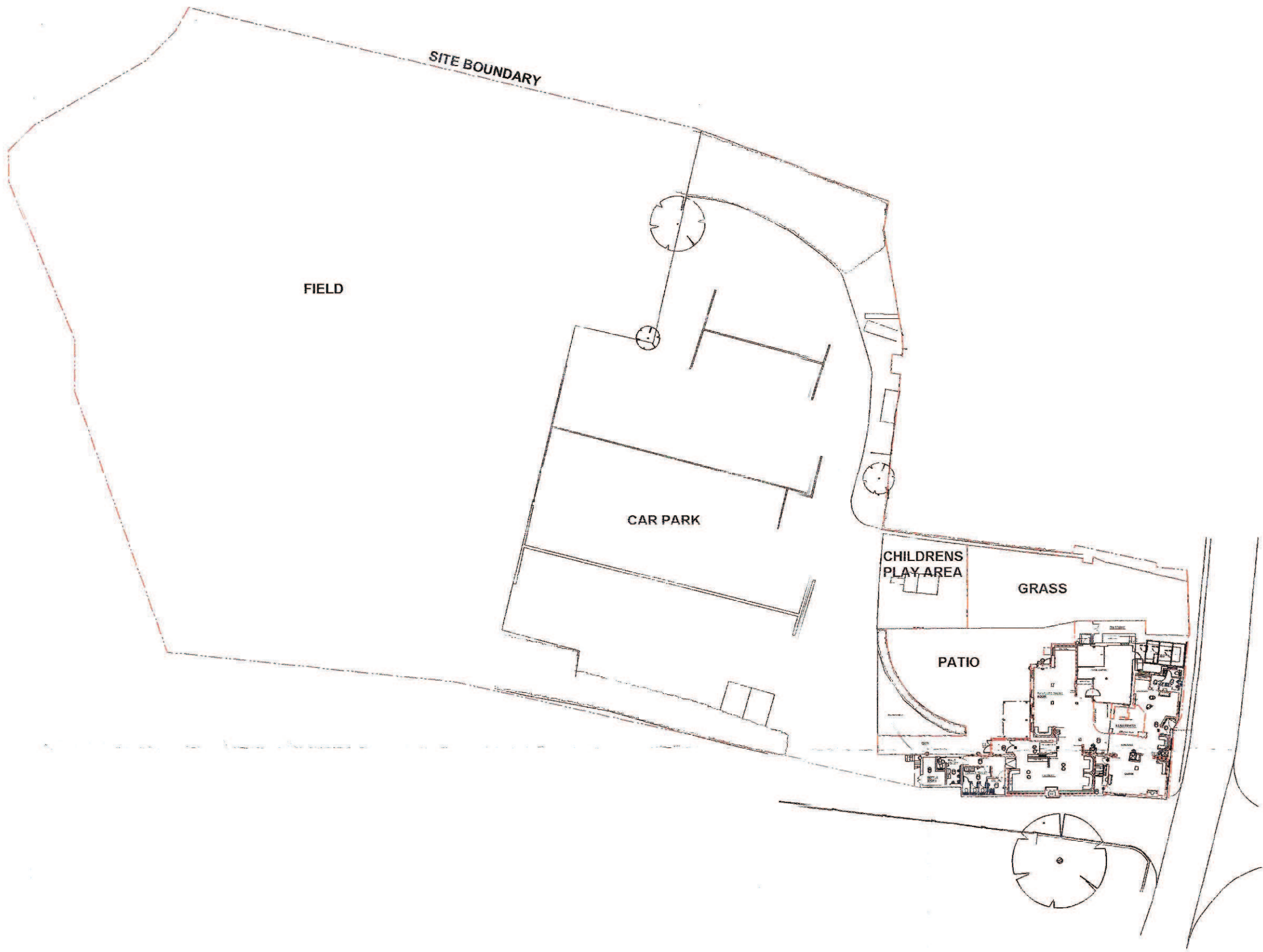
SAMPSON ASSOCIATES
 ARCHITECTS & INTERIOR DESIGNERS
 107/18 THE BRIDGE BUSINESS COMPLEX, 100 CLEMENTS ROAD, LONDON SE16 4DG
 TEL: +44(0)20 7384 8850 FAX: +44(0)20 7384 8851 E-MAIL: info@sampsonassociates.co.uk

NOTES & REVISIONS :
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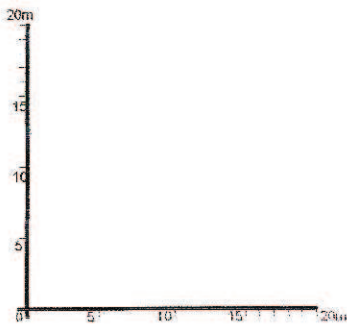
A EXISTING SITE PLAN
Scale: 1:500


EXISTING LICENSING KEY		
GROSS AREA OF SITE (SQM)	9200	
GROSS INTERNAL LICENSED CUSTOMER AREA (SQM)		
GROSS INTERNAL BAR SERVERY AREA (SQM)		
GROSS EXTERNAL LICENSED CUSTOMER AREA (SQM)		



A PROPOSED SITE PLAN
Scale: 1:500

PROPOSED LICENSING KEY		
GROSS AREA OF SITE (SQM)	9200	
GROSS INTERNAL LICENSED CUSTOMER AREA (SQM)		
GROSS INTERNAL BAR SERVERY AREA (SQM)		
GROSS EXTERNAL LICENSED CUSTOMER AREA (SQM)		



CLIENT:	GREENE KING PUB COMPANY	DRAWN BY:	LB	
	SITE: BELL INN BREDHURST KENT	SCALE @ A1:	1:500	
	DRAWING TITLE: LICENSING PLANS - WHOLE SITE	2633.25.00		

SAMPSON ASSOCIATES
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TEL: +44(0)20 7334 8850 FAX: +44(0)20 7334 8851 E-MAIL: info@sampsonassociates.co.uk

From: SPP Kent Residential [REDACTED] **On Behalf Of** SPP (Kent Residential)
Sent: 30 March 2015 11:55
To: Licensing
Subject: Premises Licence No.14/04034/LAPRE - The Bell, The Street, Bredhurst ME7 3JY

Dear Sir /Madam

Please find attached my comments regarding the above application.

Regards

Stephen P Page LL.B
Director

[REDACTED]

[REDACTED]

[REDACTED]



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Visit the Council at <http://www.sevenoaks.gov.uk/>

Green Court
The Street
Bredhurst
Gillingham
Kent
ME7 3JY

25th March 2015

Licensing Partnership
P O Box 182
Sevenoaks
Kent
TN13 1GP

Dear Sir / Madam

The Bell Public House Bredhurst
Premises Licence No.14/04034/LAPRE

We live at Green Court the Street Bredhurst which is immediately adjacent to The Bell. All vehicles going into or exiting the pub car park do so on our side of The Bell. We have lived at Green Court for ten years and, during that time, the pub hours for serving alcohol have been extended on Fridays and Saturdays to 12 midnight.

We appreciate the importance of a pub to a village provided that the pub is well run and maintained and used in a manner that will not cause disturbance to local residents. We also appreciate that a pub has to be commercially viable which is why we did not originally object to the hours being extended to 12 midnight on Fridays and Saturdays, despite some apprehension. With the benefit of hindsight, we wish we had objected as the extension has had the following effects on Fridays and Saturdays;

1. Customers leave The Bell in a more inebriated state and are, therefore, more rowdy;
 - (a) If customers are in the garden, they are more raucous and loud.
 - (b) As customers leave The Bell to go to the car park, they will often be yelling at each other.
 - (c) Car doors are slammed in the car park, car horns are used, engines are revved and sometimes cars are doing skids on the loose gravel car park surface.

- (d) Customers gather outside our house waiting for taxis and there are often long waits on Friday and Saturday nights. This means that the customers will be talking to each other in loud voices and sometimes yelling at each other for a long period. A number of them will also still be consuming drinks which they have taken with them out of the pub. As this noise is taking place, generally, between 12 midnight and 1 am, this is a considerable disturbance to us, to our neighbours in the Old Post Office, alongside us, and our neighbours opposite and the other side of The Bell.
 - (e) Smokers will be outside The Bell at all hours and will often be talking in loud voices, laughing and raising their voices.
2. All the above matters are a nuisance and disturbance to the local residents living near The Bell which means that we are either woken up or cannot get to sleep until after 1 am.
 3. The road going through the village, which is immediately in front of The Bell, is a shortcut to and from Maidstone, so even late at night will have some cars passing through. We have sometimes heard these vehicles using their horns at customers from The Bell, who are waiting to be picked up, as they will be wandering into the road creating the very real possibility of a serious accident.
 4. The incidence of glasses and bottles thrown over the wall into our garden has increased and has almost totally been limited to Friday and Saturday nights when there are extended hours.
 5. We have often been so alarmed by the volume and nature of the noise created by customers late on Fridays and Saturdays that we have considered calling the Police to avoid fights occurring. Instead, we have telephoned The Bell, but it is very difficult for staff to deal with this type of situation and, obviously, by the time we have called them the disturbance has already been caused to ourselves and our neighbours.

The Bell is an asset to the village, but it is only a part of the village and must be used in a way that is fair to local residents and does not cause them disturbance. We do not object to the opening hours suggested for the morning as we assume that this is to attract a breakfast clientele and most local residents will be up by the time The Bell opens. However, we strongly object to The Bell extending its hours for serving alcohol and being open at night time for the following reasons;

1. Customers will have drunk more and are likely to be louder and more raucous when leaving The Bell or using the pub garden.
2. Even if customers have not drunk more, there will be inevitable noise connected with their departures, e.g. car doors slamming, engines starting (some car and motorbike engines are very loud starting up), shouting good-bye etc., which is not acceptable in the small hours of the morning.
3. The disturbances will be;
 - (a) Noise coming from the customers using the pub garden in good weather.
 - (b) Noise from customers using the outside smoking area all year round.
 - (c) Noise from customers leaving The Bell;
 - i. Saying and shouting their farewells.

- ii. Slamming car doors.
 - iii. Car horns being used, often as a way of saying good-bye.
 - iv. Car and motorbike engines being started and revved up.
 - v. Cars being skidded on the loose gravel in the pub car park.
 - vi. Glasses and bottles being smashed.
 - vii. Bottles being tipped into the re-cycling bin.
4. There will be increased vandalism, e.g. glasses and bottles thrown over our wall.
5. Customers will gather outside our house (there is in a pull in area/car park) waiting to be picked up, usually by taxis. They will often be waiting for a considerable period and shouting and still drinking and, obviously, disturbing us and our neighbours. There is no public transport at this time of night.
6. There will be an increased risk of an accident if customers have drunk more and lurch into or wander down the main road. Most of the village is unlit at this time of night.

The level of disturbances will be hugely increased by the proposed extended hours and it is unreasonable to expect local residents to have their peace and quiet shattered in the early hours of the morning when they have to go to work or school the next day. The proposed extended hours are far more suited to an urban setting rather than a rural village location. As we have indicated, the already extended hours on Friday and Saturday have caused unreasonable disturbance and any further extension would be unfair and intolerable.

Yours faithfully

Stephen and Jane Page

From: Ian Bowen [REDACTED]
Sent: 31 March 2015 11:52
To: Licensing
Subject: "The Bell", Bredhurst: Application for extended opening hours

Thatched Cottage,
The Street,
Bredhurst,
Gillingham,
Kent, ME7 3JY.

31st March, 2015.

Licensing Partnership,
P O Box 182,
Sevenoaks,
Kent, TN13 1GP.

Dear Sir,

Re: "The Bell", Bredhurst: Application for extended opening hours.

We live at "Thatched Cottage", Bredhurst, diagonally opposite to "The Bell" and we wish to object to the proposed extended evening opening hours.

Bredhurst is a residential, semi-rural village and "The Bell" is at a central location, sited at the crossroads of "The Street" and "Hurstwood Road". Vehicles leaving the pub are required to stop at the junction outside the pub before proceeding either up or down "The Street". When these vehicles pull away from the junction their engines make more noise than a vehicle travelling normally down the road and their headlamps shine directly towards us if they are heading up the road. Under the former licensing hours such noise and light, although undesirable, had little impact upon our sleep but under the proposed opening hours this disturbance would happen in the small hours of the morning. In addition, many customers of "The Bell" came and went by taxi; we feel that this will probably continue to be the case and that the customary pick-up point outside "The Bell", with its attendant noise, sounding of horns and loud voices would be very disruptive at these early hours.

Whilst we are glad that "The Bell" would seem to be safe from closure, the fate of so many public houses these days, and that it will continue to have an important part to play in village life, we feel that the proposed extension of opening hours, particularly the late closure, would be extremely detrimental to both us and the village in general.

Yours sincerely,

Ian & Sue Bowen

From: RICHARD COLLINS [REDACTED]
Sent: 01 April 2015 17:01
To: Licensing
Subject: The Bell Public House Bredhurst - premises license no: 14/04034/LAPRE

Dear Sir / Madam,

We live at Horseshoes, The Street, Bredhurst, which is situated in the same row of buildings some 60 or so metres from the entrance of the pub on The Street

Whilst we appreciate and would encourage anyone wishing to run the pub for the benefit of the village we are concerned to hear that the opening hours of the pub, when refurbished, are likely to be extended. The reason for this concern is based on our experience of having on occasion to have to clear up bottles and glasses left when customers at the pub have vacated the premises, not to mention some rowdy behaviour as they walk past our house which is situated on the edge of the footpath leading to and from the pub.

The Bell is an asset to the village, but it is only part of the village and must be used in a way that is fair to local residents and does not cause them disturbance. We do not object to the opening hours suggested for morning as we assume that this is to attract a breakfast clientele and most local residents will be up by the time The Bell opens. However, we strongly object to The Bell extending its hours as it will be inevitable that some customers will be in a highly inebriated state causing excessive noise and disruption to this living in close proximity to the pub. The proposed extended hours are far more suited to an urban setting rather than a rural village location.

The level of disturbance will be hugely increased by the proposed extended hours and it is unreasonable to expect local residents to have their peace and quiet shattered in the early hours of the morning when they have to go to work or school the next day.

The already extended opening hours have caused some considerable disturbance to those residents living adjacent to the pub so any additional extension would be unfair and intolerable.

Yours faithfully

Richard & Sarah Collins

From: John Loomes [REDACTED]
Sent: 02 April 2015 14:49
To: Licensing
Subject: Application for The Bell at Bredhurst

I am writing to object to the application for a licence to The Bell in the strongest terms. I am a resident living within 100 yards of the pub. The pub is in a rural location, closely surrounded by houses and with a primary/ junior school directly opposite. The application is to extend the time of the licence to 9 am until 12.30am which is excessive for a village pub in a quiet location. A few years ago the hours of opening were extended and this led to a dramatic increase in noise at closing time, anti social behaviour, taxis arriving to pick up late night drinkers. The garden area to the rear of the pub is directly adjacent to a row of cottages. Any extension to the hours can only result in even greater nuisance to residents. The application is of great concern to residents and therefore hope you will consider refusing this extension in hours.

Mr J Loomes
6 Fir Tree Grove
Bredhurst.

Sent from my iPad

From: [REDACTED]
Sent: 03 April 2015 10:39
To: Licensing
Subject: Objection to Greene King's changes at the Bell, Bredhurst

Dear Sirs, We wish to register our strong objections to the much extended licensing hours proposed by Greene King. These opening hours, together with the extension will inevitably increase the number of pub goers resulting in increased noise and disturbance. The increased hours, plus the certainty that the large majority of late hour pub goers will be young, and who tend to be noisier, will likely result in very late night noise at an unacceptable level. As a relevant comparison the opening hours for the very similar Greene King pub, The Spyglass and Kettle, which is only 2 miles away, are 11.30 am to 11 pm

We have been residents in Bredhurst for 47 years as below.

John and Valerie Sanders
14 Fir Tree Grove.
Bredhurst, Kent
ME7 3LB
[REDACTED]

From: Steve Thornton [REDACTED]
Sent: 06 April 2015 12:35
To: Licensing
Subject: 15/00762/LAPRE - The Bell, The Street, Bredhurst

Dear Sir/Madam

15/00762/LAPRE - The Bell, The Street, Bredhurst

Please find attached a letter explaining our objections to the extended opening hours proposed in the above application.

In case you have any difficulty opening the attached file, the text from the letter is reproduced below.

Kind regards,

Steve & Penny Thornton

*The Old Post Office
The Street
Bredhurst
Kent ME7 3JY*

6 April 2015

Licensing Partnership
PO Box 182
Sevenoaks
Kent
TN13 1GP

Dear Sir/Madam,

15/00762/LAPRE - The Bell, The Street, Bredhurst

We should declare an interest both as near neighbours and regular visitors to the pub. Whilst we applaud the decision for the pub to be taken over by someone who cares about it and believe it should be a vital part of the village, we wish to formally object to the planned extension of licensing hours.

We do not believe any consideration has been given to the likely impact on those living near the pub and we believe the application is complacent in stating that "no further risks have been identified which need to be addressed" with regard to the prevention of public nuisance and the prevention of crime and disorder. If no further risks have been identified, it can only be that no attempt has been made to identify any, as they would have become apparent very quickly. Indeed the new licensee appears to be taking a cavalier attitude towards this application as, as far as we are aware, no attempt has been made to liaise with the community or assess the impact on it.

The move to late night opening two days a week has already had a considerable impact on our life. The patrons the pub kicks out mull around in the area to the right of the pub, while waiting for taxis, lifts home or just to carry on drinking and this regularly cause a public nuisance and disorder and occasional criminal behaviour.

For example, screaming and shouting at one another, often with a threatening overtone, is a regular weekend occurrence, as are smashed glasses and discarded litter. We also have to contend with cars revving their engines and accelerating down The Street as if involved in a drag race. It also never ceases to amaze us how drunks

who have given up on a cab and decided to walk home think it is funny to knock on the door or ring the bell in the early hours. More gravely, there have also been occasions when fights have taken place outside and we personally have experience criminal damage to a parked car resulting in a significant repair bill.

(This was a few years ago and the side front wing panel was damaged by being kicked, thumped or hit with something. When we went to the pub to see if they had seen or heard anything we were told they couldn't help and it was nothing to do with them as it had happened when the pub was closed. The police were made aware of this vandalism, so there should be a record of it.)

This behaviour tends to happen on a Friday or Saturday night when the pub is open later. We would suggest that this is because the later opening hours attract visitors from further afield, many of whom are younger than the typical patron and just interested in 'getting hammered'. The problem is that having taken full advantage of the additional drinking time they are then ejected into the street and have no way of getting home. At that time of night getting a taxi from Bredhurst to Walderslade/ Rainham /Maidstone/Chatham etc can take some time and this is then when anti social behaviour occurs.

We are not claiming that all of the aforementioned happens every single weekend but when it does it can be intimidating and frightening, particularly to the females within the family. We have realised how bad things had become by its absence in the period in which the pub has been shut.

We have tolerated this at the weekends as the price of having a village pub. However, extending the late opening hours to week nights is a step too far. As well as putting up with generally anti social behaviour for potentially seven nights a week, it would affect those who have to get up for work the next morning. For example, Mr Thornton has to leave for work before 6:00 each morning and if he is regularly kept awake until 12:30-1:00 by noisy and rowdy pub patrons, it is likely to be detrimental to his wellbeing.

As long time supporters of the pub, we really do wish it well and have no objection to any of the other proposals. However, it is a village pub in a small quiet village and not a city centre establishment and, therefore, we feel there is no justification for the extended late night opening hours, especially given the likely affect on those that live close to the pub.

Thank you for considering our comments.

Yours faithfully,


Stephen Thornton


Penny Thornton

From: Jim Chalmers [REDACTED]
Sent: 07 April 2015 11:18
To: Licensing
Subject: The Bell. Public House, Bredhurst

Dear Sirs,

I object to the application for a change of opening hours at The Bell Public House, Bredhurst.

Opening until midnight on a Friday and Saturday night is more than adequate for a quiet village public house, the noise of patrons arriving and leaving is bad enough now without any increases.

I live diagonally opposite the pub and patrons park outside my home as well as using the car park behind the pub and we currently suffer late night revellers noisily leaving The Bell premises, to increase the hours would be unacceptable.

Glasses and bottles are frequently left on my patio and the hedge in the school opposite, and directly under our bedroom window, is often used as a public urinal in the late hours. This behaviour for even longer hours cannot be allowed.

I remain,
Yours faithfully,
James Chalmers,
21 Fir Tree Grove,
Bredhurst,
ME7 3LB

From: June Stacey [REDACTED]
Sent: 08 April 2015 19:18
To: Licensing
Subject: The Bell Pub Bredhurst

Dear Sir/Madam

We live just over a hundred and thirty yards from The Bell Pub at Bredhurst. Looking at the plans for renovation we have no objections, recognising the need for improvements . We do however object to the application for hours of extension to the license.

The extension of hours in place on a Friday and Saturday night already cause a noticeable difference to the noise late at night. We feel further extensions on the remaining days of the week is unfair to the residents.

Yours faithfully
Mr and Mrs Stacey
Brandenburg
Dunn Street Road
Bredhurst

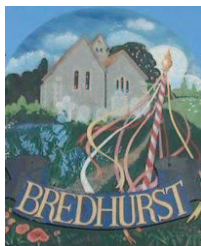
From: [REDACTED]
[REDACTED]
Sent: 10 April 2015 11:32
To: Lorraine Neale
Subject: Licensing objection - The Bell
Attachments: The Bell Licensing Objection by BPC 9.4.15.doc

Dear Ms Neale

I have looked at the website to send in a letter of objection from Bredhurst Parish Council to application 15/00762 The Bell, Bredhurst, but cannot find a way to upload the letter, so I am sending this to you with the request that this is added to the comments received regarding this licensing application.

Kind regards

Wendy Kemp (Mrs)
Clerk to Bredhurst Parish Council
[REDACTED]



Bredhurst

PARISH COUNCIL

Wendy Kemp
Bridfel, The Street, Bredhurst, Kent ME7 3LJ

*in Maidstone
Borough*

9 April 2015

Licensing Partnership
PO Box 162
SEVENOAKS
Kent
TN13 1GP

Dear Sirs

15/00762/LAPRE - THE BELL, (GREENE KING), THE STREET, BREDHURST

Bredhurst Parish Council held their meeting on 1 April 2015. Councillors were **UNANIMOUS in their OPPOSITION** to the above application for an extension to the existing licensing hours.

The Bell, in the rural village of Bredhurst which is in the Kent Downs AONB, is a focal point for residents and is located in the centre of the village. It is surrounded by houses which are in close proximity to the pub. Many of the residents who live in these houses were present at the meeting on 1 April and were extremely vocal in their opposition to the extension of the licensing hours for the following reasons:

NOISE

The noise generated by patrons of the pub was grudgingly accepted by residents when the previous licensee was in occupation. Although their licence permitted the late night opening of the premises, the previous licensee only made use of the late opening hours on Fridays, Saturdays and Bank Holidays. During the week and on Sunday evenings the pub closed at 11pm. Residents accept that by living close to a pub one can expect a certain level of noise and this can be tolerated when it occurs around 11pm. However, the proposed extension of 00.30 with half an hour clearing up time moves the noise disturbance over **7 days a week to 1am or later**. This is totally unacceptable and will have a detrimental impact on the lives of residents in adjacent properties to The Bell and many residents throughout the village as rowdy drinkers try to make their way home through the village.

The noise which causes the most disturbances is generated from the garden area and patrons departing the pub late at night. The noise from the garden, which is immediately adjacent to houses in which residents are trying to sleep at midnight, is from general socialising and loud voices. The prolonged noise of patrons leaving the pub, under the current licensing hours, can go on for an hour

or more once the pub has closed. This noise is in the form of car movements, car doors slamming, revving engines and loud conversations (including swearing and shouting) whilst patrons wait for taxis and lifts home.

A further extension to the opening hours is not something which residents are prepared to accept. This is a quiet rural area and noise generated in the early hours of the morning, **7 days a week**, caused by patrons leaving the premises will be alien to the area. This is not an URBAN location. There is currently little noise in the village at 1am, other than the occasional car passing through. It also has to be considered that the closing time of the pub is not the end of the noise disturbance. Once the pub has shut there is the noise associated with clearing the garden area of bottles and glasses. The bottle store is at the rear of the building and is immediately adjacent to Green Court, a residential dwelling. Under the previous licensee, the clattering of bottles being placed in the store was disruptive and, should the licensing hours be extended, this will extend into the early hours of the morning.

PUBLIC SAFETY

Much of the village has no street lighting and some roads do not have pavements. It is not safe for patrons of the pub to be exiting The Bell, possibly in an inebriated state, to try to walk home in pitch darkness along unlit country lanes. There is no public transport available at all in the village in the evening, except for taxis. Patrons of the pub frequently stand outside The Bell and/or Green Court, The Old Post Office or Thatched Cottage waiting for a taxi to arrive. This can be an extended period of time at weekends which, not only causes a noise nuisance, it can be dangerous when patrons stagger out into the road by accident.

There have been lots of complaints from residents in relation to litter in the form of beer bottles and glasses being strewn through the village. Residents work very hard to keep the street scene of a rural nature and it is disappointing that the issues of glass could increase with any further licence extension.

It is also worth noting that the front entrance to The Bell exits directly onto the main road which runs through the village. Patrons would either walk straight out onto the pavement parallel to the road or leave via the rear entrance in a vehicle. Both methods of leaving the pub would cause disturbance to residents and this would be exacerbated by the later licencing hours.

CRIME

There has been lots of anti-social behaviour by drinkers leaving The Bell late at night due to the lack of transport available at the current closing times. Residents have noticed the increase of this behaviour in direct relation to the previous extension of licencing hours. Residents are adamant that they do not support any further extension. Residents have stated that they would be extremely disappointed if the new owners of the pub did not appreciate that this is a rural area and, as such, a quiet a peaceful environment should be respected and maintained.

Bredhurst Parish Council and many residents support the planning application for the proposed building works to the pub to ensure it opens again as a valuable amenity for the village. However, Bredhurst Parish Council and many residents are strongly against the extension of the licencing hours. The proposed extended licensing hours are more in keeping with an urban area, not a rural

location. Bredhurst Parish Council believes any further extension of the licensing hours would be detrimental to the village and may alienate the local community.

Yours faithfully

W Kemp (Mrs)

Clerk to Bredhurst Parish Council

From: Hilary Butler [REDACTED]
Sent: 10 April 2015 16:02
To: Licensing
Subject: Premises Licence NO 14/04034/LAPRE

Dear Sir or Madam

I am writing to register my concerns for extended licensing hours at

The Bell, The Street, Bredhurst, ME7 3JY.

My husband and I have lived in Colindean, Dunn Street Road, Bredhurst, ME7 3LX for 25 years. We have occasionally been customers at The Bell and are aware of its popularity especially with customers who travel from other destinations, although it is also frequented by customers who live within our village.

We are concerned that extended opening hours until 12.30 am every night will mean we will have to endure noise into the early hours of the morning which we do not find acceptable.

We have often been awakened by rowdy people making their way home by car and on foot, drivers often seem to say goodnight to other drinkers by hooting their horns loudly and repeatedly as they drive along Dunn Street towards Maidstone or Forge Lane towards Hempstead.

Our property is opposite Pickwick Motors forecourt where some customers from The Bell have either parked their cars or if on foot congregate to continue their conversations, usually in loud raucous voices which frequently include a lot of swearing, this we find unpleasant and extremely disturbing, obviously this behaviour is driven by alcohol.

If the licensing hours are extended, more alcohol will be consumed, resulting in even more anti-social behaviour.

I draw your attention to the fact that whilst The Bell has been closed for refurbishment there has been no late night noise within the vicinity and furthermore far less litter thrown into our drive and on the pavements.

We appreciate that a well-run pub run by staff and frequented by considerate customers can be an asset to our village but extended opening hours will attract a different kind of behaviour and therefore we strongly oppose granting extended opening hours.

Yours faithfully

Hilary and Christopher Butler.

PREMISES LICENCE

The Licensing Act 2003
Schedule 12, Part A



Premises Licence Number	14/04034/LAPRE
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Part 1 – Premises Details

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

Hungry Horse
The Street
Bredhurst
Gillingham
Kent ME7 3JY

Telephone number None supplied

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
Indoor sporting events
Live music
Recorded music
Anything similar to E, F, or G
Sale or Supply of Alcohol
Late Night Refreshment

Times the licence authorises the carrying out of licensable activities

Films

Friday and Saturday	11:00 - 00:00
Sunday to Thursday	11:00 - 23:30

When hours for the sale of alcohol are extended on Bank Holidays and event days these hours are also extended

Indoor sporting events

Friday and Saturday	11:00 - 00:30
Sunday to Thursday	11:00 - 23:30

When hours for the sale of alcohol are extended on Bank Holidays and event days these hours are also extended

Live music

Friday and Saturday	11:00 - 00:00
Sunday to Thursday	11:00 - 23:00

Licence Number: 14/04034/LAPRE
Issue Date: 12/01/2015

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

When hours for the sale of alcohol are extended on Bank Holidays and event days these hours are also extended

Recorded music

Friday and Saturday 11:00 - 00:00

Sunday to Thursday 11:00 - 23:00

Incidental background recorded music may be played during opening hours

When hours for the sale of alcohol are extended on Bank Holidays and event days these hours are also extended

Anything similar to E, F, or G

Friday and Saturday 11:00 - 00:00

Sunday to Thursday 11:00 - 23:00

When hours for the sale of alcohol are extended on Bank Holidays and event days these hours are also extended

Sale or Supply of Alcohol

Monday to Saturday 11:00 - 00:00

Sunday 12:00 - 00:00

On Friday, Saturday, Sunday and Monday of Bank Holiday weekends and on Christmas Eve and on Boxing Day, the sale of alcohol is permitted 11:00 to 01:00 hours

New Year's Eve, the sale of alcohol is permissible from the end of permitted hours on New Year's Eve to the commencement of permitted hours on New Year's Day.

Late Night Refreshment

Every Day 23:00 - 00:00

On Bank Holiday weekends 23:00 to 01:30 hours

New Year's Eve 23:00 to 05:00 hours

The opening hours of the premises

Every day 11:00 - 00:00

The non-standard opening hours of the premises

New Year's Eve, the sale of alcohol is permissible from the end of permitted hours on New Year's Eve to the commencement of permitted hours on New Year's Day.

On Friday, Saturday, Sunday and Monday of Bank Holiday weekends and on Christmas Eve and on Boxing Day, the sale of alcohol is permitted 11:00 to 01:00 hours

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

Greene King Brewing And Retailing Limited
Westgate Brewery
Bury St Edmunds
Suffolk IP33 1QT

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

Registered Business Number 3298903

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

Mr Grant Norman Ravenscroft
54 Stone Street
Faversham
ME13 8PS

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: DAC 024423
Licence Authority: Dacorum Borough Council



John Littlemore
Head of Housing and Community Services
Maidstone Borough Council

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Issue Date: 12/01/2015

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that -

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

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

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

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

Exhibition of films

Where the film classification body is specified in the licence, unless subsection (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

Where -

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In this section -

"children" means person aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory conditions in force from 28 May 2014

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

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

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(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula— $P = D + (D \times V)$

where -

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

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

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

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

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

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

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

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

Annex 2 - Embedded conditions

Not applicable

Annex 3 - Conditions consistent with the Operating Schedule

1. All music activities shall be indoors

2. Function bookings in the area described as "Bar/Dining" on the plan will be limited to 100 persons standing or 60 persons seated.

Annex 4 - Conditions attached after a hearing by the licensing authority

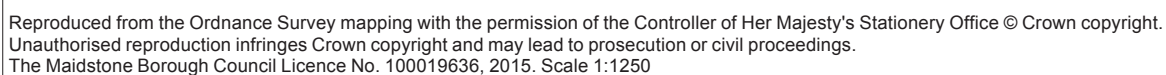
Not applicable

Annex 5 - Plans

Please see attached

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Article 8

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

Article 1 of the First Protocol

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

Article 6(1)

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

Article 10

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



LICENSING AUTHORITY: MAIDSTONE BOROUGH COUNCIL

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

Introduction and Procedure

i) Introductions

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

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

ii) Procedural Matters

- **Procedure**

The Chairman will:

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

- **Submissions**

The Chairman will:

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

- **Discussion and cross-examination**

The Chairman will:

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

- **Disruptive Behaviour**

The Chairman will:

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

- **Reading of Papers**

The Chairman will:

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

- **Draft Conditions**

The Chairman will:

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

- **Witnesses**

The Chairman will:

- ✘ Enquire whether any parties request to have any witnesses give evidence at the hearing; and if so grant the request unless the request is unreasonable.
- ✘ Invite the parties, where appropriate, to appoint a spokesperson.

The Hearing

- **Outline of the Application and Representations**

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

i) The Applicant

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

ii) Responsible Authorities (where applicable)

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.