

AGENDA

LICENSING ACT 2003 SUB COMMITTEE MEETING



Date: Tuesday 31 May 2016
Time: 2.00 pm
Venue: Town Hall, High Street,
Maidstone

Membership: To be appointed

Page No.

1. Disclosures by Members and Officers
 2. Disclosures of Lobbying
 3. To consider whether any items should be taken in private because of the possible disclosure of exempt information
 4. Report of the Head of Housing and Community Services -
Application for a premises licence under the Licensing Act 2003
for Mid Kent College of Higher and Further Education, Oakwood
Park, Tonbridge Road, Maidstone, Kent, ME16 8AQ
- 1 - 52

Issued on Friday 20 May 2016

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact Caroline Matthews on 01622 602743**. To find out more about the work of the Committee, please visit www.maidstone.gov.uk

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

Agenda Item 4

Agenda Item No: 1 - Summary of Report

Licence Reference 16/00998/LAPRE

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

Date: 13 MAY 2016

Report Title: MID KENT COLLEGE OF HIGHER AND FURTHER EDUCATION,
OAKWOOD PARK, TONBRIDGE ROAD, MAIDSTONE, KENT, ME16 8AQ

Application for: A premises licence under the Licensing Act 2003

Report Author: Lorraine Neale

- Summary:**
1. The Applicant – Mid Kent College Of Higher And Further Education
 2. Type of authorisation applied for: A premises licence under the Licensing Act 2003.
 3. Current and Proposed Licensable Activities and hours: The premises does currently have a premise licence (Appendix A) but they have applied for a new licence rather than varying the existing licence.

			Current licence	New application
B	Films	Mon - Sun	09:00 – 00:00	09:00 – 00:00
C	Indoor Sporting Events	Mon - Sun	18:00 – 00:00	
E	Live Music	Mon - Sun	09:00 – 00:00	09:00 – 00:00
F	Recorded Music	Mon - Sun	18:00 – 00:00	09:00 – 00:00
H	anything of a similar description to that falling within (e), (f) or (g)	Mon - Sun	18:00 – 00:00	09:00 – 00:00
I	Late Night Refreshment	Mon - Sun	23:00 – 00:00	23.00 – 00-00
J	Supply of Alcohol	Mon - Sun	09:00 – 00:00	12:00 – 00-00
L	Opening Hours	Mon - Sun	09:00 – 00:00	09:00 – 00:00

Affected Wards:	Heath
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:	<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:	<p>Licensing Act 2003</p> <p>DCMS Guidance Documents issued under section 182 of the Licensing Act 2003 as amended</p> <p>Maidstone Borough Council Statement of Licensing Policy</p>
Contacts:	Mrs Lorraine Neale at: lorraineneale@maidstone.gov.uk – tel: 01622 602028

Agenda Item No. 1

Report Title: MID KENT COLLEGE OF HIGHER AND FURTHER EDUCATION,
OAKWOOD PARK, TONBRIDGE ROAD, MAIDSTONE, KENT,
ME16 8AQ

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

Purpose of the Report

The report advises Members of an application for a Premises Licence to be granted under the Licensing Act 2003, made by Mid Kent College Of Higher And Further Education, in respect of the premises Mid Kent College Of Higher And Further Education, Oakwood Park, Tonbridge Road, Maidstone, Kent, ME16 8AQ, (Appendix B) in respect of which 5 objections have been received from other parties (Appendix D).

1. 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

Background

- 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 are no representations received from responsible authorities.
5. There are five representations from other parties.
6. The table below illustrates the relevant representations which have been received

Responsible Authority /Interested Party	Licensing Objective	Associated Documents	Appendix
P J & M B Hamilton	Public Nuisance Public Safety Children from Harm	Letter	D
K & G Rolland	Public Nuisance Public Safety Children from Harm	Letter	D
M.Hughes	Crime and Disorder Public Nuisance Children from Harm	Letter	D
M T Rance & SN McCutcheon	Public Nuisance Public Safety Children from Harm	Letter	D
Russell McLeish	Public Nuisance Public Safety Children from Harm	Letter	D

The objections are that the granting of a premise licence would lead to an increase in the incidents of public nuisance, disorderly behaviour and rowdiness in what is now considered to be a mainly residential area. The residents in this area are mainly families with young children. The premises sits on a main route for children attending local nurseries and primary schools, having a premises with a licence for alcohol will encourage more traffic making the road more hazardous and compromise public safety. The belief is that a licence issued without time restrictions or suitable conditions would cause considerable public nuisance and be detrimental to public safety. It would also cause car parking and litter problems and contribute to young person's potentially drink driving and leading to anti social behaviour within the complex.

- 7. The premises has a current licence, Appendix A. The current licence holder is Mid Kent College Of Higher And Further Education .**
- 8. The current licence hours are as per the licence attached at appendix A and set out at 3 of the summary above.**
- 9. 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.;**
- 10. The Operating Schedule submitted by the Applicant has addressed the licensing objectives in the following manner:**

a) General – all four licensing objectives:

The premises operate as a college of Higher and Further Education providing licensable activities primarily to students and members of the college and the respective guest or in respect of pre-booked functions.

b) The prevention of crime and disorder:

Alcohol will only be supplied to:

1. members of the college
2. students attending the college
3. guests at 1 and 2 above
4. to persons attending a pre-booked function

CCV is operational at the premises and recordings will be kept for 28 days

c) Public Safety:

Existing Legislation applies that is not intended to duplicate here.

d) The prevention of public nuisance:

Because of the hours, nature of the operation and location of the site it is not anticipated that any conditions are required to meet this objective.

e) The Protection of children from harm:

Challenge 25 applies at these premises. No unusual risks of harm to children have been identified.

11. Relevant sections of The Guidance issued under section 182 of The Licensing Act 2003;

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

Chapter 10 Conditions

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

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

17.9 – 17.15 Prevention of Crime and Disorder

17.16 – 17.18 Public Safety

17.19 – 17.22 Prevention of Public Nuisance

17.23 – 17.26 Protection of Children from Harm.

The Prevention of Crime and Disorder.

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.

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

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.

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.

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.

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.

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.

Public Safety

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.

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.

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.

Prevention of Public Nuisance

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.

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

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.

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.

Protection of Children from Harm.

Applicants will be expected to detail any appropriate and proportionate steps to protect children at the premises from any harm. The Licensing Authority recognises the right of licensees (serving alcohol) to allow accompanied children into their premises. The Licensing Authority would not seek to restrict access by children (above that specified in the Act) unless it is necessary for the prevention of physical, moral or psychological harm.

Steps to protect children from harm must be carefully considered for inclusion where:

- (i) There is entertainment or services of an adult nature provided.
- (ii) There have been previous convictions for under age sales of alcohol.
- (iii) There has been a known association with drug taking or dealing.
- (iv) There is a significant element of gambling on the premises.
- (v) There is a presumption that children under 18 should not be permitted entry such as to nightclubs (apart from when specific events are held for under 18's).
- (vi) Outcomes of discussions with relevant Responsible Authorities suggest such steps are applicable.

Nothing in the Licensing Act prevents licensees from excluding children from a licensed premises and no condition can be added to require the admission of children.

Where there are no matters that give rise to concern in respect of children at premises the Licensing Authority would expect to see the relevant box on an application form completed to specify NONE.

12. Options

Legal options open to members -

- 1) Grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application.
- 2) grant the licence with MODIFIED conditions or to exclude a licensable activity.
- 3) refuse to specify a person in the licence as designated premises supervisor
- 4) 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".

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 A	Current Licence
Appendix B	Application Form
Appendix C	Plan of Premises
Appendix D	Other parties representation
Appendix E	Plan of area
Appendix F	Human Rights Articles
Appendix G	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 lorraineneale@maidstone.gov.uk
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PREMISES LICENCE

The Licensing Act 2003
Schedule 12, Part A



Premises Licence Number	11/00919/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

Mid Kent College Of Higher And Further Education
Oakwood Park
Tonbridge Road
Maidstone
Kent
ME16 8AQ

Telephone number 01622 691555

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
Facilities for making music
Facilities for dancing
Anything similar to I or J
Sale or Supply of Alcohol
Late Night Refreshment

Times the licence authorises the carrying out of licensable activities

Films

Every Day 09:00 - 00:00

Indoor sporting events

Every Day 18:00 - 00:00

Live music (Indoors)

Every Day 09:00 - 00:00

Licence Number: 11/00919/LAPRE
Issue Date: 21/04/2016

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

Recorded music (Indoors)	
Every Day	18:00 - 00:00
Anything similar to E, F, or G (Indoors)	
Every Day	18:00 - 00:00
Facilities for making music (Indoors)	
Every Day	18:00 - 00:00
Facilities for dancing (Indoors)	
Every Day	18:00 - 23:00
Anything similar to I or J (Indoors)	
Every Day	18:00 - 23:00
Sale or Supply of Alcohol	
Every Day	09:00 - 00:00
<i>For Sale or Supply of Alcohol from end of permitted hours on New Years Eve until start of permitted hours on New Years Day</i>	
Late Night Refreshment	
Every Day	23:00 - 00:00
<i>For Late Night Refreshment on New Years Eve from 23.00hrs until 02.00hrs</i>	

The opening hours of the premises

Every day 09:00 - 00:00

The non-standard opening hours of the premises

From end of permitted hours on New Year's Eve until start of permitted hours on New Year's Day.

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**

Mid Kent College
Maidstone Campus
Tonbridge Road
Oakwood Park

Licence Number: 11/00919/LAPRE
Issue Date: 21/04/2016

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Licence issued by:
The Licensing Partnership P.O. Box 1821 Sevenoaks Kent TN13 1GP
Telephone number: 01732 227004

Maidstone
Kent
ME16 8AQ

Registered number of holder, for example company number, charity number (where applicable)
None

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

Mr James Knight
28 Bush Meadow Road
Rainham
Kent
ME8 7NX

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: Medway/15/PERS
Licence Authority: Medway Council



John Littlemore
Head of Housing and Community Services
Maidstone Borough Council

Licence Number: 11/00919/LAPRE
Issue Date: 21/04/2016

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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.

Licence Number: 11/00919/LAPRE
Issue Date: 21/04/2016

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

(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).

Annex 2 – Embedded conditions

Not applicable

Annex 3 – Conditions consistent with the Operating Schedule

General:-

Licence Number: 11/00919/LAPRE
Issue Date: 21/04/2016

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

The Manager/Premises Supervisor in situ will ensure that all existing Health and Safety checks will be carried out, and that all existing policies that ensure the care and safety of patrons are observed.

Only students of the college and their guests will be admitted to events involving live music or dance.

Prevention of Crime and Disorder:-

Hot food and drink shall be made available throughout the trading period and in particular the last hour of trading to promote a 'wind down' hour.

Public Safety:-

No additional conditions

Public Nuisance:-

Prominent, clear notices shall be displayed at all exits / in the beer garden/outside areas, requesting customers to respect the needs of local residents and leave the premises and the area quietly.

A 'freephone' taxi line/Telephone numbers for local taxi companies must be available to assist with the peaceful dispersal of patrons from the premises.

All music activities shall be indoors only.

Protection of Children from Harm:

No additional conditions

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

Not applicable

Annex 5 – Plans

Please see attached

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- 8 APR 2016

APPENDIX B

[Insert name and address of relevant licensing authority and its reference number (optional).]

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mid Kent College of Higher and Further Education

(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

University Centre Maidstone,
Oakwood Park,
Tonbridge Road,

Post town	Maidstone	Postcode	ME16 8AQ
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Telephone number at premises (if any)	01634 383625
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Non-domestic rateable value of premises	247,000
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Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | |
|---|--|
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |

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8 APR 2018

- 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:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

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 Denise			First names Simon		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town	London			Postcode	E1 3BF
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 Mid Kent College
Address Tonbridge Road, Oakwood Park, Maidstone, Kent ME16 8AQ
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) College of Further Education
Telephone number (if any) 01622 691555
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	5	0	5	2	0	1	6

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)

College of further education in which licensable activities will be provided at a location on site identified in the plans attached as the University Centre of Maidstone

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

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

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

Provision of regulated entertainment

Please tick any that apply

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |



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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) To Permit the playing of films in the presence of an audience		
Mon	0900	24.00			
Tue	09.00	24.00			
Wed	09.00	24.00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	09.00	24.00			
Fri	09.00	24.00	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)		
Sat	09.00	24.00	On New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day		
Sun	09.00	24.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) To permit the playing of live music with or without amplification primarily within the University Centre but also the courtyard that backs onto the Centre as shown on the plan.		
Mon	09.00	24.00			
Tue	09.00	24.00			
Wed	09.00	24.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	09.00	24.00			
Fri	09.00	24.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09.00	24.00	On New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day		
Sun	09.00	24.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) To Permit the playing of recorded music with or without a DJ in the presence of an audience with or without amplification primarily but also to include the outside enclosed courtyard area at the rear of the premises.			
Mon	09.00	24.00				
Tue	09.00	24.00				
Wed	09.00	24.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)			
Thur	09.00	24.00				
Fri	09.00	24.00				
Sat	09.00	24.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) On New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day			
Sun	09.00	24.00				

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed					
Thur					
			<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 5)		
Fri					
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 To Permit the provision of any other Entertainment that may be caught by the Licensing Act 20013 that may take place uin the presence opf an audience		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	09.00	24.00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	09.00	24.00	<u>Please give further details here</u> (please read guidance note 3)		
Wed	09.00	24.00			
Thur	09.00	24.00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri	09.00	24.00			
Sat	09.00	24.00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	09.00	24.00			

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 (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>	
Mon	23.00	24.00	Please give further details here (please read guidance note 3) TO Permit the provision of Hot food and Hot Beverages	
Tue	23.00	24.00		
Wed	23.00	24.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur	23.00	24.00		
Fri	23.00	24.00	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)	
Sat	23.00	24.00	On New Year's Eve – 23.00 -02.00	
Sun	23.00	24.00		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises <input type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Mon	1200	24.00		
Tue	1200	24.00		
Wed	1200	24.00		
Thur	1200	24.00		
Fri	1200	24.00		
Sat	1200	24.00		
Sun	1200	24.00	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)	

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

Name James Knight	
Address 28, Bush Meadow Road, Rainham, Kent	
Postcode	ME8 7NX
Personal licence number (if known) Medway/15/00588/PERS	
Issuing licensing authority (if known) Medway 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 8).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	<u>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</u> (please read guidance note 5) On New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day
Mon	09.00	24.00	
Tue	09.00	24.00	
Wed	09.00	24.00	
Thur	09.00	24.00	
Fri	09.00	24.00	
Sat	09.00	24.00	
Sun	09.00	24.00	

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 9)

The premises operate as a college of Higher and Further Education providing licensable activities primarily to students and members of the college and the respective guests or in respect of pre-booked functions.

b) The prevention of crime and disorder

Alcohol will only be supplied to :

1. members of the college,
2. students attending the college,
3. guests of 1 and 2 above
4. to persons attending a pre-booked function

CCTV is operational at the premises and recordings will be kept for 28 days

c) Public safety

Existing Legislation applies that it is not intended to duplicate here

d) The prevention of public nuisance

Because of the hours, nature of the operation and location of the site it is not anticipated that any conditions are required to meet this objective.

e) The protection of children from harm

Challenge 25 applies at these premises. No unusual risks of harm to children have been identified

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. ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

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

Signature	Stephen Thomas
Date	4 th April 2016
Capacity	Solicitor for Applicant

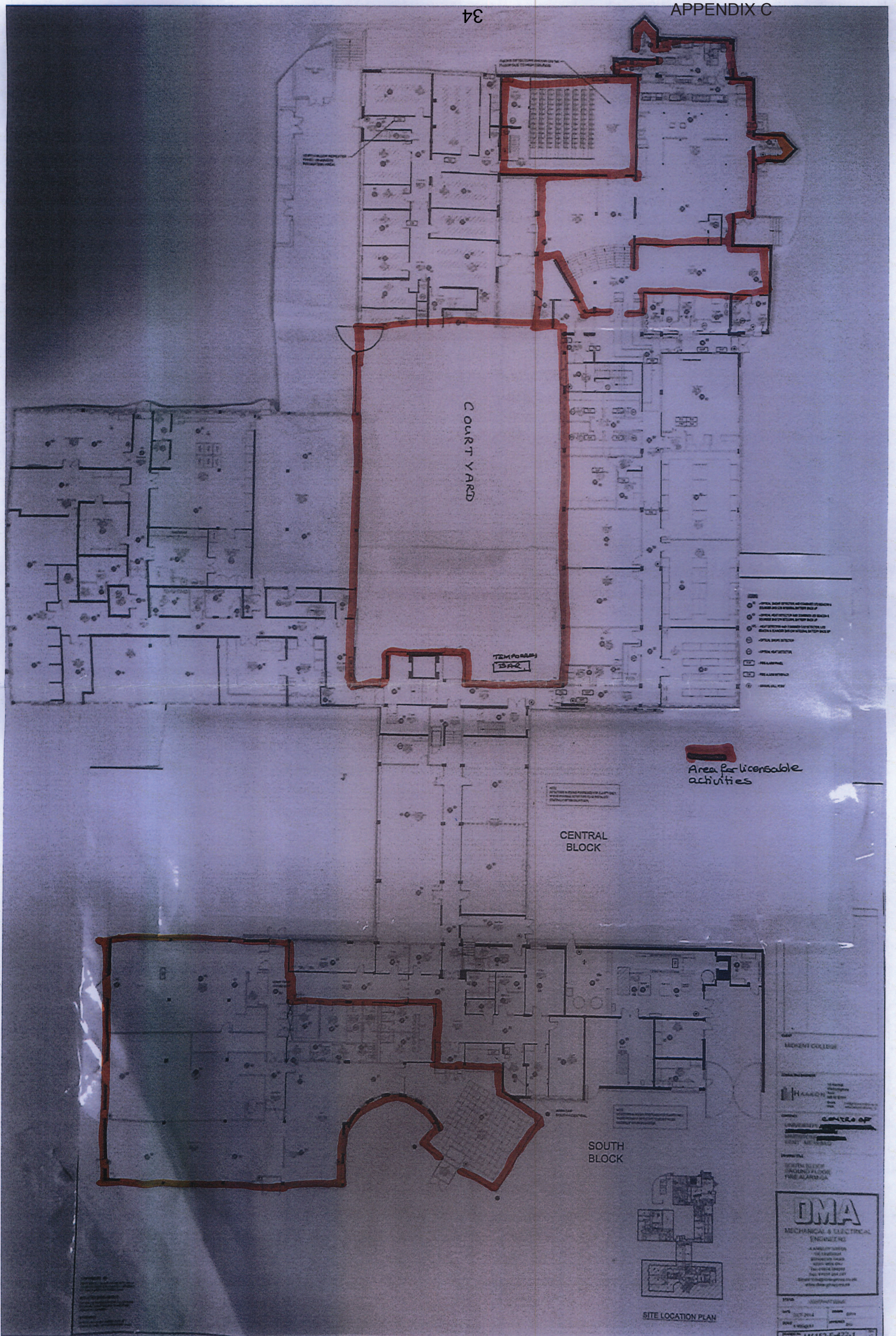
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**


Signature	
Date	
Capacity	

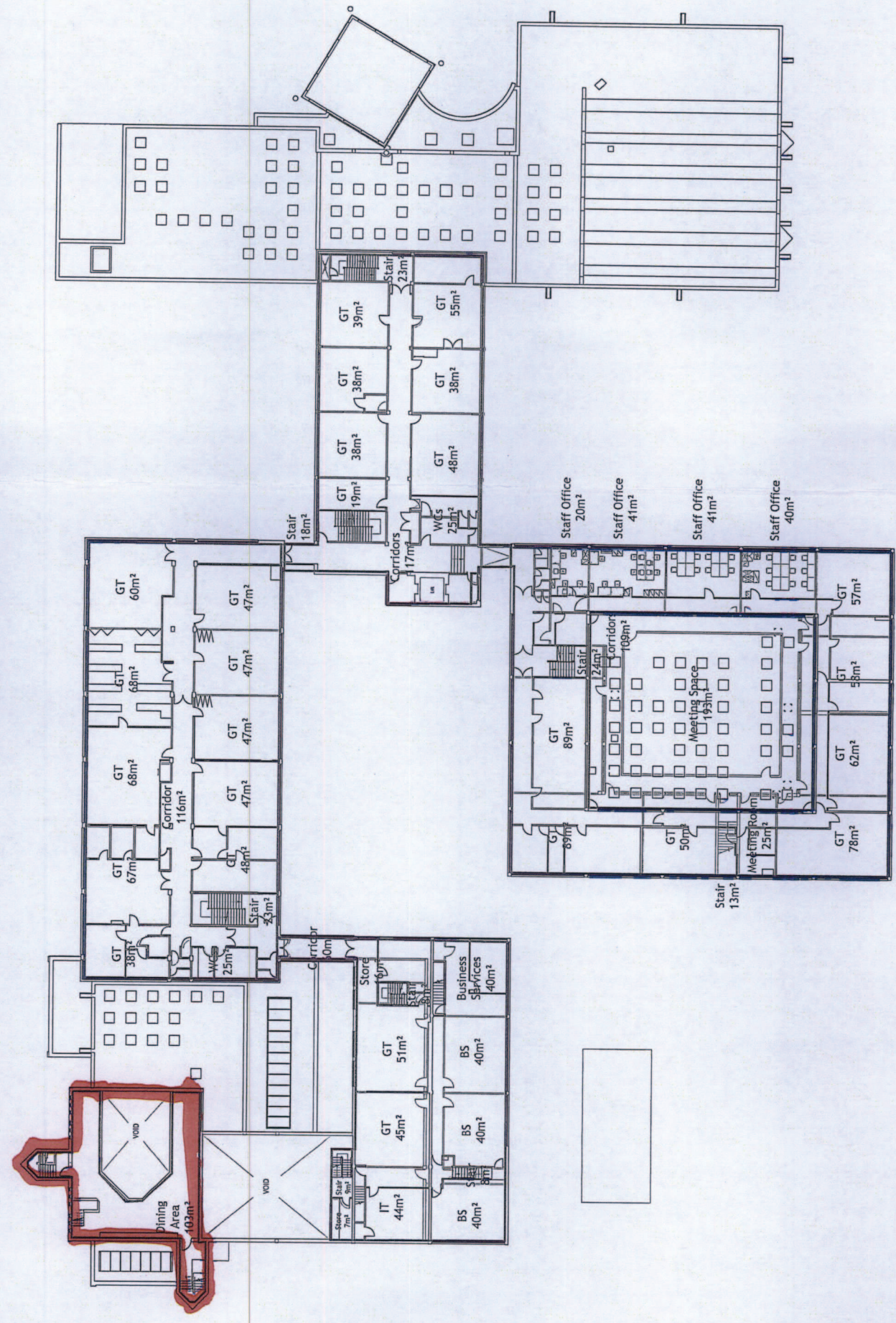
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Stephen Thomas LAW, 8, Grassmere, Leybourne			
Post town	West Malling	Postcode	ME19 5QP
Telephone number (if any)	01732 321114		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) st@stephenthomaslaw.co.uk			

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. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



 = Licensed Area.



Gross Internal Areas

North Block	
Survey Plan	- 563 sqm
UCA Plan	- 553 sqm
East Block	
Survey Plan	- 722 sqm
UCA Plan	- 726 sqm
West Block	
Survey Plan	- 687 sqm
UCA Plan	- 688 sqm
Central Block	
Survey Plan	- 474 sqm
UCA Plan	- 482 sqm

First Floor Total Gross Internal Areas

Survey Plan	- 2446 sqm
UCA Plan	- 2449 sqm



DRAWING:- Gross Internal Areas First Floor Plan	CLIENT:- MidKent College	PROJECT & TITLE:- Maidstone Refurbishment Phase II	SCALE:- 1:500@A3 DWG No.:- L(0)2	DATE:- July 2013 REVISION:-	CC Studio Architects Suite D Mersham-Le-Hatch, Hythe Road Ashford, Kent, TN25 5NH www.cc-studio.co.uk

APPENDIX D

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

1 Hadlow Close
Oakwood Park
Maidstone
Kent
ME16 8FS

25 April 2016

Dear Sir

APPLICATION FOR NEW PREMISES LICENCE, REF. NO. 16/00998/LAPRE

As residents of Hadlow Close, we wish to object to the above application on the following grounds:

(a) The Prevention of Public Nuisance

The application is for a licence for alcohol to be served from 12 noon to 12 midnight every day and for food to be served between 23.00 hrs and 23.59 hrs every evening, and on New Years eve until 02.00 on New Years day.

We believe there is no justification for such a wide and far-reaching licence. Currently, the College is closed on Saturdays and Sundays during term-time and is closed during vacations. We believe this should be taken into account, and if the licence is granted it should be restricted to term-time only and finish at 23.00 hrs, as is usual with public houses. New Years Eve falls within normal College vacation times, therefore it seems strange that the licence should include New Years Eve at all. We believe that granting of the licence will give rise to public nuisance in terms of noise, especially in relation to outdoor events, illegal parking (already a problem in this area), disorderly behaviour and rowdiness in what is now a residential area.

The application is also for the showing of films indoors and live and recorded music, both indoors and out, from 09.00 to 23.59 seven days a week, plus any other entertainment of a similar description. We object to this on the grounds of

- (i) noise arising, especially with regard to outdoor events (which will include provision of alcohol), thus possibly creating a public nuisance
- (ii) car parking problems, again causing a public nuisance.

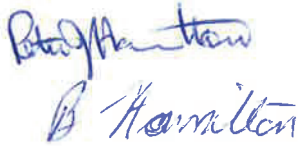
(b) Public Safety and protection of children

The residents of this Close are mainly families with young children, many of whom walk from the Close down the road which passes the premises in question as they take children to and from nursery and school. This road is already hazardous, and the combination of young drivers, alcohol and a greatly extended use of the roadway, including weekends and evenings (not currently a problem) could well create a threat to public safety more than currently present.

Furthermore, there are three secondary schools in the area, all of which disgorge pupils from 15.00, Monday to Friday. These unaccompanied children may also face additional hazard.

We believe that if this application is granted, the Licensing Authority should consider adding restrictions on the number of days in any calendar year when such a licence can be used; we do not believe that the applicant has taken into account the fact that they are situated very close to several residential areas, and we believe that the granting of this application without any restrictive conditions will create considerable public nuisance and will have a detrimental effect on public safety.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'P J and M B Hamilton', is written over a faint, larger version of the same signature.

P J and M B Hamilton

LICENSING PARTNERSHIP

29 APR 2016

SEVENOAKS DISTRICT COUNCIL

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

2 Hadlow Close
Oakwood Park
Maidstone
Kent
ME16 8FS

28 April 2016

APPLICATION FOR NEW PREMISES LICENCE, REF. NO. 16/00998/LAPRE

As residents of Hadlow Close, we wish to object to the above application on the following grounds:

(a) The Prevention of Public Nuisance

The application is for a licence for alcohol to be served from 12 noon to 12 midnight every day and for food to be served between 23.00 hrs and 23.59 hrs every evening, and on New Years eve until 02.00 on New Years day.

We believe there is no justification for such a wide and far-reaching license. Currently, the College is closed on Saturdays and Sundays during term-time and is closed during vacations. We believe this should be taken into account, and if the license is granted it should be restricted to term-time only and finish at 23.00 hrs, as is usual with public houses. New Years Eve falls within normal College vacation times, therefore it seems strange that the license should include New Years Eve at all. We believe that granting of the license will give rise to public nuisance in terms of noise, especially in relation to outdoor events, illegal parking (already a problem in this area), disorderly behavior and rowdiness in what is now a residential area. There are also some issues of litter at both the entrances of the complex and throughout the area- this license will only exacerbate this further we feel.

The application is also for the showing of films indoors and live and recorded music, both indoors and out, from 09.00 to 23.59 seven days a week, plus any other entertainment of a similar description. We object to this on the grounds of

- (i) noise arising, especially with regard to outdoor events (which will include provision of alcohol), thus possibly creating a public nuisance
- (ii) car parking problems, again causing a public nuisance.
- (iii) Litter caused by extended hours of opening, there is already a litter issue in the grounds.

(b) Public Safety and protection of children

The residents of this Close are mainly families with young children, we have 2 young children and our daughter attends the nearby St Francis Primary school. Our route

to school includes the road which passes the premises in question as does our route to our son's nursery school. This road is already hazardous, and the combination of young drivers, alcohol and a greatly extended use of the roadway, including weekends and evenings (not currently a problem) could well create a threat to public safety more than currently present.

Furthermore, there are three secondary schools in the area, all of which disgorge pupils from 15.00, Monday to Friday. These unaccompanied children may also face additional hazard.

We believe that if this application is granted, the Licensing Authority should consider adding restrictions on the number of days in any calendar year when such a license can be used; we do not believe that the applicant has taken into account the fact that they are situated very close to several residential areas, and we believe that the granting of this application without any restrictive conditions will create considerable public nuisance and will have a detrimental effect on public safety.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'K and G Rolland', with a stylized, cursive script.

K and G Rolland

12 Hadlow Close
Oakwood Park
Maidstone
Kent ME16 8FS

Maidstone Borough Council
c/o The Licencing Partnership Sevenoaks
The Council Offices
Argyle Road
Sevenoaks
Kent TN13 1HG

28 April 2016

Dear Sir/ Madam,

OBJECTION – 16/00998/LAPRE | Premises Licence | Open for Consultation | Mid Kent College Of Higher And Further Education Oakwood Park Tonbridge Road Maidstone Kent ME16 8AQ

I am a resident of Hadlow Close. I have a young family and spend a lot of time in and around Oakwood Park.

The idea that the college is planning a student bar/ music venue is very worrying. It will certainly have a negative impact on our family life, potentially bringing antisocial behaviour to my doorstep. It will take Oakwood Park and Hadlow Close from a quiet family area to one of stumbling students and vomit puddles. I walk past the area where the bar is planned to be Monday – Friday twice a day when I take my daughter too and from school. She would potentially be exposed to antisocial behaviour which I feel is completely unacceptable.

I would estimate that 90% of the foot traffic through and around Oakwood Park is that of students (Maidstone Grammar, St Augustine's Secondary, St Simon Stock Secondary, St Francis Primary, West Borough Primary and the college itself), the idea that college students (and their guests) would be able to drink from midday and then potentially get into their cars and drive whilst under the influence of alcohol around Oakwood Park is extremely worrying. School children from the age of four years old would be exposed to this potential risk.

There is also the issue of noise pollution. We live so close to the intended site that regardless of time of day we would be able to hear the music. Especially when it takes place in the outside courtyard area. Nearly all of the houses in Hadlow Close are occupied by young families. How are we supposed to maintain a happy family life if our children are disturbed every night with loud music and unable to sleep?

So, in essence I am objecting on the grounds of:-

- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of children from harm

If you have any queries with regards to my objection please feel free to contact me.

Yours faithfully,

Marianne Hughes

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

42 Hadlow Close
Oakwood Park
Maidstone
Kent
ME16 8FS

3rd May 2016

Application for new premises licence, Ref. No. 16/00998/LAPRE

As residents of Hadlow Close, we wish to object to the above application on the following grounds:

(A) The Prevention of Public Nuisance

The application is for a licence that allows the sale of Alcohol to be served (12 Noon – 12 Midnight) every day and on New Year's Eve until 0200hrs on New Year's Day.

We do not see the justification on such a licence because the college is closed at the weekends and the majority of students have completed their studies by around 1800hrs, the college is also closed during holiday periods. Therefore we feel that the licence should be restricted to particular events and days of the year that coincide with relevant celebrations attributed to the college i.e. end of year dinner.

The granting of such a licence will increase public nuisance in a variety of ways;

1. The loitering of patrons of the said establishment will be common place either whilst they await taxis or cars to pick them up and drop them off or whilst they decide where they will go next and this will lead to increased noise levels in the area and an unwanted congregation of people who are under the influence of alcohol. Furthermore this will not only be confined to particular areas of the Park as people will wander throughout the Park that includes a considerable number of residential areas and consequently increase anti-social behaviour.
2. The issue of parking will also be escalated around the area especially the residential areas where this is already an issue. It is likely that the College car parks are to be utilised which will involve the intoxicated individuals along with the drivers walking past Hadlow close to reach their vehicles which will in itself create numerous public nuisance issues. There is also an increased risk of potential driving under the influence in such an area where children are playing.
3. The consideration needs to be made of the clientele that would be attracted to such an establishment which would be younger adults aged between 18 – 26 typically, with many experiencing alcohol for the first time and therefore giving rise to many problems often experienced in the town centre on a Saturday night, hence the need for a prominent police presence to control the public nuisance. It would not be acceptable to allow a licence to be granted that would bring such problems to a residential area that has recently been established (following planning approval being given by the same council that will consider this application). We as individuals have experienced university/college licenced premises before when attending university and therefore have seen first-hand the types of behaviour that takes place however many of these around the country are confined to dedicated student campuses not public realm residential estates that house young families.
4. The residents on the close are predominantly families with young children and as such will be witness to any anti-social behaviour often associated with a Saturday night in the town centre which is no environment for young children and in granting this licence this would be a very real possibility.

The application is also for the showing of films indoors and live and recorded music both indoors and outdoors from 0900 to 23.59 seven days a week, plus any other entertainment of a similar description. We object to this on the following grounds;

1. Noise arising, especially with regards to outdoor events (which will include the provision of Alcohol), thus possibly creating a public nuisance.
2. Car Parking Problems, again causing a public nuisance.

(B) Public Safety and protection of children

The residents of this close are mainly families with young children and many will need to pass the establishment in question to attend nursery and school. The increase in traffic due to the premises in question will create a hazard to those using the area. The other consideration is that the mix of young drivers who are relatively inexperienced and alcohol would create further hazards to public safety within the area. This would extend to evenings and weekends which is not a problem currently.

The other concerns are that the mix of young people and the consumption of alcohol in grounds surrounded by 3 secondary schools should not be allowed as this leads to safety concerns for children that leave school unaccompanied from 1500hrs or later if they have attended an after school class/activity leaving them vulnerable to older persons who may have consumed alcohol.

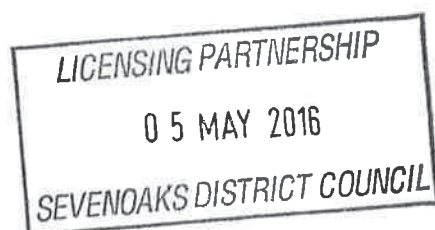
The surrounding area is also very dark with many areas densely populated with trees and vegetation and I would not be comfortable for my wife or daughter to be walking home or to the shops in such an area where such a premises has been granted the licence in question. This could lead to potential hazards to public safety especially to girls and women who are more vulnerable.

We believe that the applicant has not considered the surrounding areas and the effect that such a premises would have on those that reside there. The area has only recently been developed into residential areas and therefore should not house what would be more akin to a Student Union bar as opposed to a traditional family pub thus the clientele that would frequent such an establishment would pose issues arising from alcohol and young people – a subject that has had more than its fair share of poor news coverage over the last few years – and this cannot simply be ignored or put down to individuals as this is experienced in towns/cities on Friday and Saturday nights when the same elements are put together hence the amount spent of policing these situations in Maidstone every week, the difference here is that many young families and their lives and safety will be affected by this licence if and when issues do arise from alcohol consumption, loud music etc. It should also be noted that there is no shortage of places to frequent for alcohol within the area all within an easy 20 minute walk of the university where the provisions are in place to ensure everyone's safety, Maidstone already has one of the highest population of licenced premises and in such a residential area do not see why another one is required.

Yours Faithfully



M T Rance and S N McCutcheon



3 Hadlow Close
MAIDSTONE
Kent
ME16 8FS
1st May 2016

Dear Sir

**Licensing application;
Mid Kent College
Ref; 16/00998/LAPRE8AQ**

I am writing to express our concern at the application for the proposed licence for Mid Kent College. We understand that there will be benefits for the college and the students but this must be balanced with ensuring that a nuisance in respect of noise does not harm the local residents.

I have been advised that there were many music events held here some decades ago but the houses were much further from the site than they are now.

As a local resident with a baby due in the next few weeks I would expect the Council to consider our quality of life when considering this request. A sensible compromise would seem to be to attach conditions to the approval. In particular I have in mind ensuring that all events are held indoors and that a noise control box is to be used that will cut out the power if an agreed decibel limit is breached. There will, of course, be quite substantial additional noise from the number of traffic movements that will accompany this licence with a significant number being undertaken after midnight.

A restriction on the number of occasions when the venue can be used for live music also seems to be a reasonable compromise.

Whilst writing I wish to express my concern that when I visited the offices in King Street the staff knew nothing about the application and could not provide the documents for viewing as stated in your public notice.

Yours faithfully



Russell McLeish





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HUMAN RIGHTS

Article 8

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

Article 1 of the First Protocol

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

Article 6(1)

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

Article 10

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



LICENSING AUTHORITY: MAIDSTONE BOROUGH COUNCIL

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

Introduction and Procedure

i) Introductions

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

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

ii) Procedural Matters

- **Procedure**

The Chairman will:

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

- **Submissions**

The Chairman will:

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

- **Discussion and cross-examination**

The Chairman will:

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

- **Disruptive Behaviour**

The Chairman will:

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

- **Reading of Papers**

The Chairman will:

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

- **Draft Conditions**

The Chairman will:

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

- **Witnesses**

The Chairman will:

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

The Hearing

Outline of the Application and Representations

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

i) The Applicant

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

ii) Responsible Authorities (where applicable)

RESPONSIBLE AUTHORITY	Tick if applicable
Police	
Trading standards	
Environmental Health	
Child Protection (Social Services)	
Planning	
Fire and Rescue	

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

iii) Interested Parties

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

Closing Speeches

In the following order:

- ✕ **Each Responsible Authority**
- ✕ **Each Interested Party**
- ✕ **The Applicant**

End of Hearing

- ✕ The Chairman will ask the members of the sub-committee if they have any final questions for any party to the hearing.
- ✕ The Chairman will ask the legal advisor whether there are any further matters to be raised or resolved before the hearing is closed.
- ✕ The Chairman will bring the hearing to a close and shall declare that the sub-committee will retire, to private session, to consider the application, all relevant representations, evidence, the relevant extracts of Licensing Authority's Statement of Licensing Policy, the relevant extracts of the National Guidance issued under section 182 of The Licensing Act 2003 and the licensing objectives under the Licensing Act 2003.
- ✕ The Chairman shall invite the legal advisor to remain with the sub-committee during its deliberations and ask all other persons to withdraw from the room.

The Decision

The Chairman shall declare in public session:

- ✕ The sub-committee's determination.
- ✕ All parties to the hearing will receive a copy of the written Determination Notice regarding the sub-committee's determination.
- ✕ All parties may appeal against the sub-committee's decision within 21 days beginning with the day on which the appellant is notified of the Licensing Authority's written determination. Appeals must be lodged with the Magistrates' Court. Parties should be aware that the Magistrates Court may make an order with respect to costs on any appeal.
- ✕ The hearing is formally closed.