

LICENSING ACT 2003 SUB COMMITTEE MEETING

Date: Tuesday 25 September 2018
Time: 2.00 pm
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors B Hinder, Mrs Joy, Mrs Sams

Sub: Councillor Mrs Springett

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

AGENDA

Page No.

1. 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 - 1 - 57
Application for a premises licence under the Licensing Act 2003
for Battel Hall, Burberry Lane, Leeds, Kent, ME17 1RH

ALTERNATIVE FORMATS

The reports included in Part I of this agenda can be available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact Committee Services on committeeservices@maidstone.gov.uk or 01622 602899**. To find out more about the work of the Committee, please visit www.maidstone.gov.uk

Issued on Monday 17 September 2018

Alison Broom

Alison Broom, Chief Executive

Agenda Item 4

Agenda Item No: 1 - Summary of Report

Licence Reference 18/02647/LAPRE

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

Date: 13TH SEPTEMBER 2018

Report Title: BATTEL HALL, BURBERRY LANE, LEEDS, KENT, ME17 1RH

Application for: A premises licence under the Licensing Act 2003

Report Author: Lorraine Neale

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

			Main Event
E	Live Music	Fri & Sat	14:00 - 24:00
F	Recorded Music	Fri & Sat	14:00 - 24:00
M	Supply of Alcohol	Mon – Thurs Fri & Sat Sun	12:00 - 23:00 12:00 - 00:00 12:00 - 22:00
O	Opening Hours	Mon – Thurs Fri & Sat Sun	12:00 - 23:00 12:00 - 00:00 12:00 - 22:00

Affected Wards:	LEEDS
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 602528

Agenda Item No. 1

Affected Wards: LEEDS

Recommendations: The Committee is asked to determine the application and decide whether to grant the premises licence.

Policy Overview: The decision should be made with regard to the Secretary of State's Guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from Policy or Guidance the departure must be directed solely at the attainment of the licensing objectives, and that such departure be supported by proper reasons.

Financial Implications: Costs associated with processing the application are taken from licensing fee income.

Other Material Implications: **HUMAN RIGHTS:** In considering this application it is appropriate to consider the rights of both the applicant and other parties, such as “**responsible authorities**” and/or “**other persons**” (objectors). The procedure for determining licences has a prescribed format to ensure fair representation of the relevant facts by all parties.

LEGAL: Under the Licensing Act 2003 the **Licensing Authority** has a duty to exercise licensing control of relevant premises.

Background Papers: Licensing Act 2003
DCMS Guidance Documents issued under section 182 of the Licensing Act 2003 as amended
Maidstone Borough Council Statement of Licensing Policy

Contacts: Mrs Lorraine Neale at: lorryneale@maidstone.gov.uk – tel: 01622 602528

Report Title: **BATTEL HALL, BURBERRY LANE, LEEDS, KENT, ME17 1RH**

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

Purpose of the Report

The report advises Members of an application for a Premises Licence to be granted under the Licensing Act 2003, made by Leeds Castle Enterprise, in respect of the premises Battel Hall, Burberry Lane, Leeds, Kent, ME17 1RH (Appendix 2) in respect of which 1 objection has been received from other parties (Appendix 3).

Issue to be Decided

Members are asked to determine whether to :

1. grant as applied for
2. grant with conditions
3. exclude any licensable activity
4. reject the DPS
5. or reject the application.

- 2 The relevant sections are Part 3 S16 -24 of The Licensing Act 2003 and section 4 of The Licensing Act 2003 in particular the Licensing Objectives:
 - The prevention of crime and disorder;
 - Public Safety
 - The prevention of public nuisance; and
 - The protection of children from harm
3. The application has been correctly advertised in the local press and notices displayed at the premises for the required period.
4. There are no representations received from responsible authorities.
5. There is 1 representation from other parties.
6. The table below illustrates the relevant representations which have been received

There appear to be concerns around the levels of noise that will arise from the premises and the affect that any licence granted would potentially cause to noise sensitive buildings in close proximity and the effect on those residents, including sleep deprivation for young children..

7. **Members are advised that applications cannot be refused in whole or in part, or conditions attached to the licence unless it is appropriate to do so to promote the licensing objectives.;**
8. **The Operating Schedule submitted by the Applicant has addressed the licensing objectives in the following manner:**

a) General – all four licensing objectives:

Battel Hall belongs to Leeds Castle and will be managed and run by the Castle's experienced function department. Leeds Castle Enterprise (Leeds Castle's commercial arm) has been running functions and overnight accommodation since 1974.

We have very high standards in safety, with an accident to visitor number percentage of 0.017% (as at March 2018 audit)

Due to the historic nature of our buildings and their contents our policy is to limit alcohol consumption, it helps our guests to respect the surroundings and accidental damage is less likely to happen.

b) The prevention of crime and disorder:

Bookings and functions will be private with invited attendees, a guest list is required for each function.

Responsible Authority /Other Party	Licensing Objective	Associated Documents	Appendix
Mr S Bernini	Public Nuisance	e-mail	C

Function Manager and Supervisors will be Personal Licence holders and on duty at functions.

Security cameras are in place with imaging back to Leeds Castle control room, in-house roving security will patrol the venue as part of their watch.

Our client terms and condition does not allow anyone to bring into the function their own drinks, this enables us to have more accurate knowledge of how much a guest has consumed and to manage the situation..

c) Public Safety:

Function staff are trained in fire safety, correct use of fire equipment and emergency evacuation.

Function Managers and supervisors are qualified first aiders.

Clients must undertake to use Leeds Castle Hospitality approved suppliers. The list of suppliers will be reviewed on an ongoing basis and is non-negotiable unless there is a specific area of expertise that is not covered.

All suppliers will sign a Supplier Agreement and undergo an auditing procedure. For marquee events where the catering is not provided by the in-house team the contract caterers will require a full Food Audit from our approved contractor, together with references and appropriate levels of insurance. This is generally a minimum of £5m public liability.

Only catering suppliers on the Leeds Castle approved list are permitted to work at the venue.

d) The prevention of public nuisance:

Stewarding staff who will manage the quiet ingress and egress of guests from the venue and car park.

Car park signage to remind guests to be considerate of neighbours and to depart quietly.

Leeds Castle will inform local residents of functions via the parish council once they are confirmed.

The Function Manager will monitor and control the noise level using a sound meter and/or a noise level warning indicator. This will be written down during the evening.

Clients must undertake to use Leeds Castles approved entertainment suppliers, who are respectful of our terms and conditions and work with us to keep within the boundaries set for noise levels and finish times for music.

e) The Protection of children from harm:

We operate child friendly venues and the holidays and celebrations which take place across our venues, including Battel Hall, are family orientated with children attending.

Our terms and conditions state that children must be accompanied by an adult and cannot be left in rooms on their own.

We operate a challenge 25 policy on our bars and functions.

Duty Manager on site during function, poured drinks are not left unattended for guests to help themselves to.

Empty glasses are collected regularly both inside and outside to minimise the possibility of incidents broken glass.

The applicant on receiving the objection responded with an offer which was forwarded by the licensing department to Mr Bernini on 31st August 2018 Mr Bernini requested that the noise management plan be shared with him, which he would review and respond to (Appendix 4).

On 5th September 2018 the applicant responded and provided the noise management plan (Appendix 5)

On 10th September 2018 Mr Bernini provided his response after reviewing the noise management plan (Appendix 6), he felt that his concerns raised in his original e-mail had not been fully addressed by the noise management plan.

On 11th September 2018 the applicant further responded to the concerns and issues raised by Mr Bernini in more depth (Appendix 7) and the venue's management plan (Appendix 8) and Noise Survey Report (Appendix 9) were also provided.

There has been no further contact from Mr Bernini in response to the further information provided on 11th September 2018.

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

Chapters 8 & 9 Premises Licences & Determining Applications

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

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

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

17.19 – 17.22 Prevention of Public Nuisance

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.

10. Options

Legal options open to members -

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

Members of the Licensing Act 2003 – Licensing Sub – Committee are reminded of their duty under section 17 of the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the Licensing Authority's responsibility to co – operate in the reduction of crime and disorder in the Borough

Section 17 of the Crime and Disorder Act 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 1 Application Form
- Appendix 2 Plan of Premises
- Appendix 3 Other parties representation
- Appendix 4 - 7 Correspondence between applicant and other party
- Appendix 8 Management plan
- Appendix 9 Noise survey report
- Appendix 10 Plan of area
- Appendix 11 Human Rights Articles
- Appendix 12 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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Donna Thorne

From: Uniform_Service_Request_Connector-Licensing@sevenoaks.gov.uk
Sent: 19 July 2018 15:40
To: Licensing
Subject: Uniform LI Connector: New Licensing application notification

A new Uniform Licensing application has been created by the Licensing Connector server.

Application Reference Value: 18/02647/LAPRE Application Type: LAPRE Application CaseType: NEW Application Address: Battel Hall, Burberry Lane
Created: 19/07/2018 00:00:00
Message sent from host name WKIP-SOAP-15 by user LicensingConnectorService_LIVE at 19/07/2018 15:39:42.

You have been sent this message because your address is defined as a contact address in the Uniform Licensing Connector configuration. Contact your Uniform systems administrator if you no longer wish to receive this message.

9

Licensing Authority: *The Licensing Partnership*

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

Ref:

Application for a Premises Licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes found at bottom of Page 4 of this form.

Use the blank page at the end of the form to provide further details if necessary.

When it is complete you can submit the form directly to us - click on the Submit Form button.

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

For help information about filling in this type of electronic form, click on the help information button.

I / We **Leeds Castle Enterprise** 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

Battel Hall,
Burberry Lane

Post town

Leeds Village

Post code

ME17 1RH

Telephone number of premises (if any)

01622 765400

Non-domestic rateable value of premises

£ 2895000

If the premises is under construction please check here ☐

If the premises hasn't been assigned a rateable value yet, please check here ☐

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please make selection with an "x"

- | | |
|--|---|
| 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) |
| c) A recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input checked="" type="checkbox"/> 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 ☐ 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 make selection with an "x"

- 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)

You do not have to answer the questions in this section.

Title

Surname

First names

Are you 18 years or older?

- ☐ Yes
☐ No

Date of Birth

Nationality

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Title

Surname

First names

Date of Birth
(you must be 18
years old or over)

Nationality

Current postal
address
if different from
premises address

Postcode

Post Town

Daytime contact telephone number

Email address
(optional)**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name

Leeds Castle Foundation, operated by Leeds Castle Enterprise

Address

Maidstone.
ME17 1PL

Registered number (where applicable)

Registered no. 1172263 Charity no. 268354

Description of applicant (for example,
partnership, company, unincorporated
association etc.)

Company limited by guarantee

Telephone number (if any)

01622 765400

E-mail address (optional)

debbiematthews@leeds-castle.co.uk

Part 3 - Operating Schedule

When do you want the premises licence to start?

01/09/1918

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

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

General description of premises (please read guidance note 1)

Battel Hall is a historic property, which has undergone total restoration to preserve it. the property is owned by Leeds Castle and it is the intention to let the house to customers who want to enjoy the history of the building and stay in it as a holiday home. With 5 en-suite bedrooms and a dining room and two drawing rooms.

Whilst most customers will use the property as a self catering holiday we also want to cater for guests with food and drink during their stay. we will promote Battel Hall for small indoor weddings and in the summer months we will use the gardens for outdoor wedding ceremonies and marquee receptions a maximum of 13 per year.

The maximum size of a marquee function will be 100 guests.
Indoor events for up to 50 guests.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

- 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)

Please check all
relevant boxes

☐
☐
☐
☐
☒
☒
☐
☐

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

☐

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

☒

In all cases complete boxes N, O and P

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	X
Mon			Please give further details here (please read guidance note 4) live music for wedding ceremonies being harpist, string trio or quartet. live music for wedding receptions.		
Tue					
Wed			State any seasonal variations for performance of live music (please read guidance note 5)		
Thur					
Fri	14:00	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 6) weekends preceding bank holidays and New Year Eve		
Sat	14:00	24:00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	X
Mon			Please give further details here (please read guidance note 4) recorded music for wedding ceremonies and functions.		
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 5)		
Thur					
Fri	14:00	24:00	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 6) weekends preceding bank holidays and New Year Eve		
Sat	14:00	24:00			
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption please make selection with an "x" (please read guidance note 8).	On the premises	X
Day	Start	Finish		Off the premises	
				Both	
Mon	12:00	23:00	State any proposed seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00			
Fri	12:00	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 6) Christmas and New Year		
Sat	12:00	24:00			
Sun	12:00	22:00			

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

Title	Mrs
Surname	Matthews
First Name(s)	Deborah Joy
Date of Birth	REDACTED
Address	REDACTED
Postcode	1
Personal Licence number (if known)	8/01896/LAPER
Issuing licensing authority (if known)	Maidstone Borough Council

Please print the 'Consent of individual to being specified as premises supervisor' form (shown on pages 19 and 20), and have the person specified above sign and confirm the details given.

N

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

O

Hours premises are open to the public

Standard days and timings
(please read guidance note 7)

Day	Start	Finish
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

State any seasonal variation (please read guidance note 5)

Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 6)

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

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

Battel Hall belongs to Leeds Castle and will be managed and run by the Castle's experienced function department. Leeds Castle Enterprise (Leeds Castle's commercial arm) has been running functions and overnight accommodation since 1974.

We have very high standards in safety, with an accident to visitor number percentage of 0.017% (as at March 2018 audit)

Due to the historic nature of our buildings and their contents our policy is to limit alcohol consumption, it helps our guests to respect the surroundings and accidental damage is less likely to happen.

b) The prevention of crime and disorder

Bookings and functions will be private with invited attendees, a guest list is required for each function. Function Manager and Supervisors will be Personal Licence holders and on duty at functions. Security cameras are in place with imaging back to Leeds Castle control room, in-house roving security will patrol the venue as part of their watch.

Our client terms and condition does not allow anyone to bring into the function their own drinks, this enables us to have more accurate knowledge of how much a guest has consumed and to manage the situation.

c) Public safety

Function staff are trained in fire safety, correct use of fire equipment and emergency evacuation. Function Managers and supervisors are qualified first aiders.

Clients must undertake to use Leeds Castle Hospitality approved suppliers. The list of suppliers will be reviewed on an ongoing basis and is non-negotiable unless there is a specific area of expertise that is not covered.

All suppliers will sign a Supplier Agreement and undergo an auditing procedure. For marquee events where the catering is not provided by the in-house team the contract caterers will require a full Food Audit from our approved contractor, together with references and appropriate levels of insurance. This is generally a minimum of £5m public liability.

Only catering suppliers on the Leeds Castle approved list are permitted to work at the venue.

d) The prevention of public nuisance

Stewarding staff who will manage the quiet ingress and egress of guests from the venue and car park. Car park signage to remind guests to be considerate of neighbours and to depart quietly.

Leeds Castle will inform local residents of functions via the parish council once they are confirmed.

The Function Manager will monitor and control the noise level using a sound meter and/or a noise level warning indicator. This will be written down during the evening.

Clients must undertake to use Leeds Castles approved entertainment suppliers, who are respectful of our terms and conditions and work with us to keep within the boundaries set for noise levels and finish times for music.

e) The protection of children from harm

We operate child friendly venues and the holidays and celebrations which take place across our venues, including Battel Hall, are family orientated with children attending.

Our terms and conditions state that children must be accompanied by an adult and cannot be left in rooms on their own.

We operate a challenge 25 policy on our bars and functions.

Duty Manager on site during function, poured drinks are not left unattended for guests to help themselves to.

Empty glasses are collected regularly both inside and outside to minimise the possibility of incidents broken glass.

Please make
selection with an "x"

I have enclosed the plan of the premises ☒

I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable ☒

I understand that I must now advertise my application ☒

I understand that if I do not comply with the above requirements my application will be rejected ☒

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

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

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

Part 5 - Declaration (please read guidance note 11)

Confirmation of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 12) If confirming on behalf of the applicant please state in what capacity.

• [Applicable to all individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

• The DPS named in this application form is entitled to work in the UK, (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

Confirmation

☒

Name

Deborah Joy Matthews

Date

19/07/2018

Capacity

applicant

Please print the 'Consent of individual to being specified as premises supervisor form (shown on pages 19 and 20), and have the person specified above sign and confirm the details given.

For joint applications confirmation of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13) If confirming on behalf of the applicant please state in what capacity.

Confirmation

☐

Name

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Name

Address

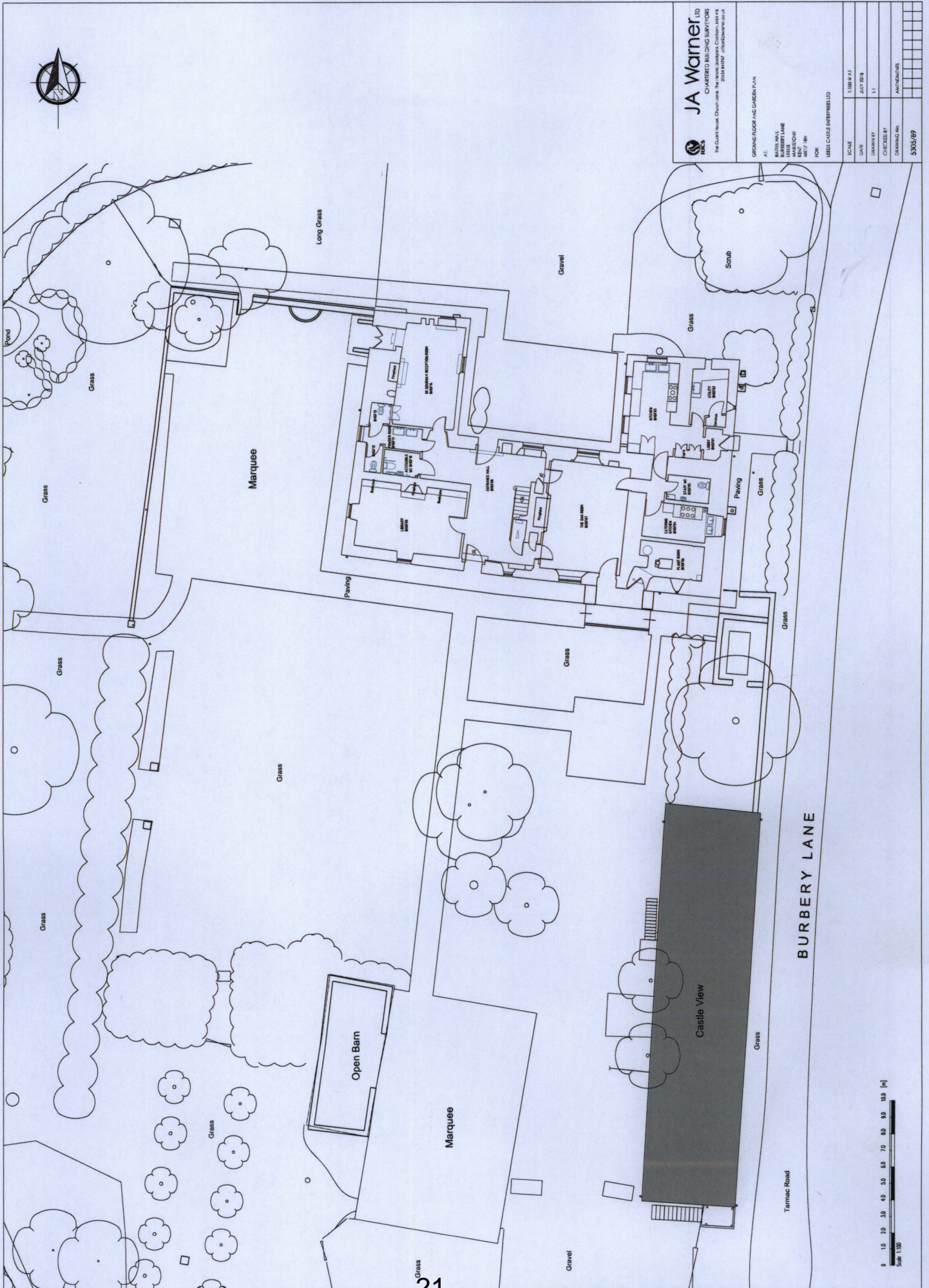
Post Town

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Use this page if there is any other information that you think we should know about.
Information entered on this page will be sent to us, along with the data on the rest of the form when you use the "Submit" option.



JA Warner
 CHARTERED BUILDING SURVEYORS
 The Guild House, Church Lane, The Village, Dorking, Surrey, GU14 4AG
 01306 890001 info@jawn.co.uk

GROUND FLOOR AND GARDEN PLAN

AL:

DATE:

DRAWN BY:

CHECKED BY:

DRAWING No:

FOR:

LEEDS CASTLE ENTERPRISE LTD

SCALE:

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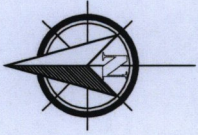
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
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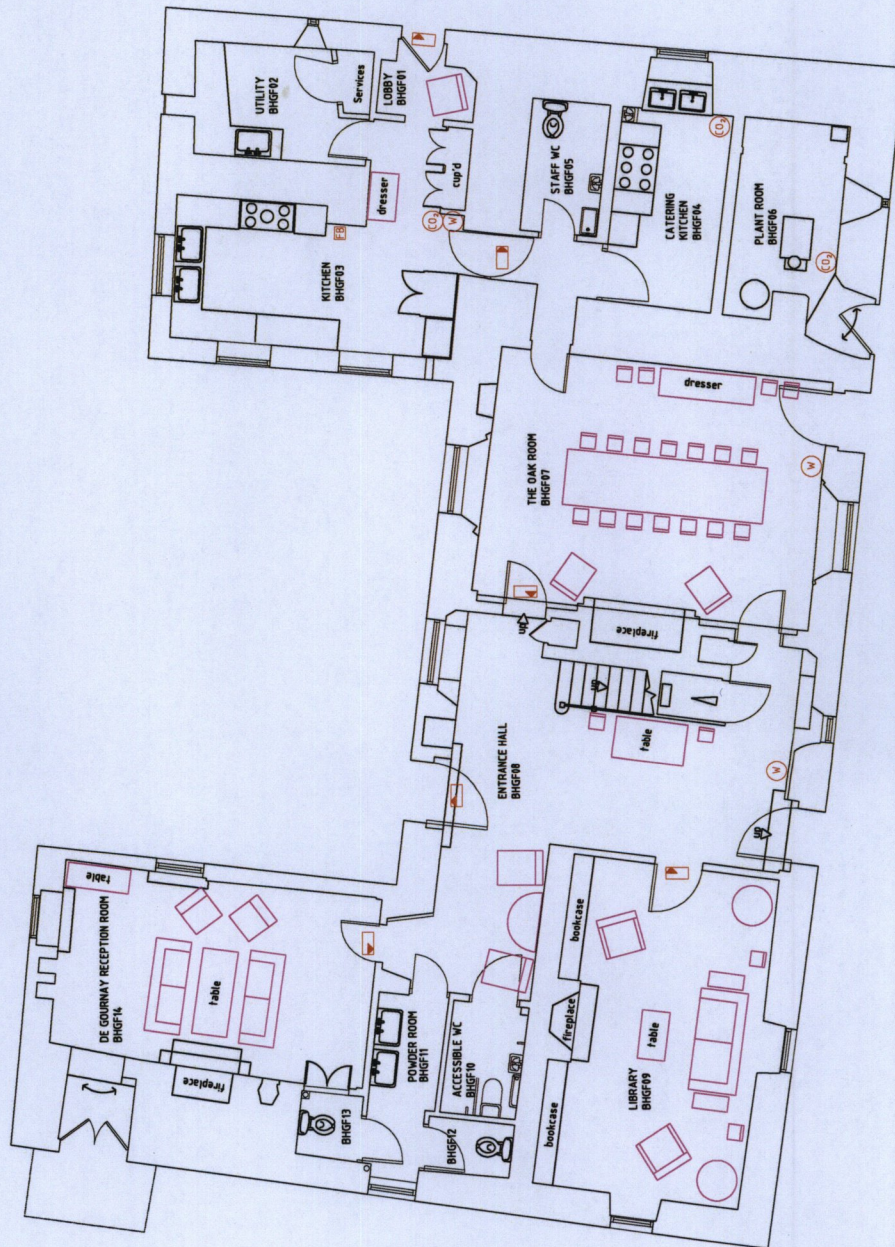
LEGEND

 fire escape directional signage

 fire blanket

 CO₂ fire extinguisher

 water fire extinguisher



JA Warner LTD

CHARTERED BUILDING SURVEYORS

The Guard House, Church Lane, The Historic Dockyard, Chatham, ME4 4TE
01634 844767 office@jawnarner.co.uk

GROUND FLOOR PLAN

AT:

BATTEL HALL
BURBERRY LANE
LEEDS
MAIDSTONE
KENT
ME17 1RH

FOR:

LEEDS CASTLE ENTERPRISES LTD

SCALE 1:100 @ A3

DATE JULY 2018

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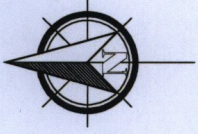
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LEGEND

- fire escape directional signage
- fire blanket
- CO₂ fire extinguisher
- water fire extinguisher



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01634 844767 office@jawnarner.co.uk

FIRST FLOOR PLAN

AT:
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BURBERRY LANE
LEEDS
MAIDSTONE
KENT
ME17 1RH
FOR:
LEEDS CASTLE ENTERPRISES LTD

SCALE 1:100 @ A3

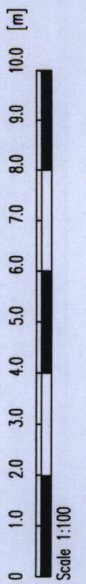
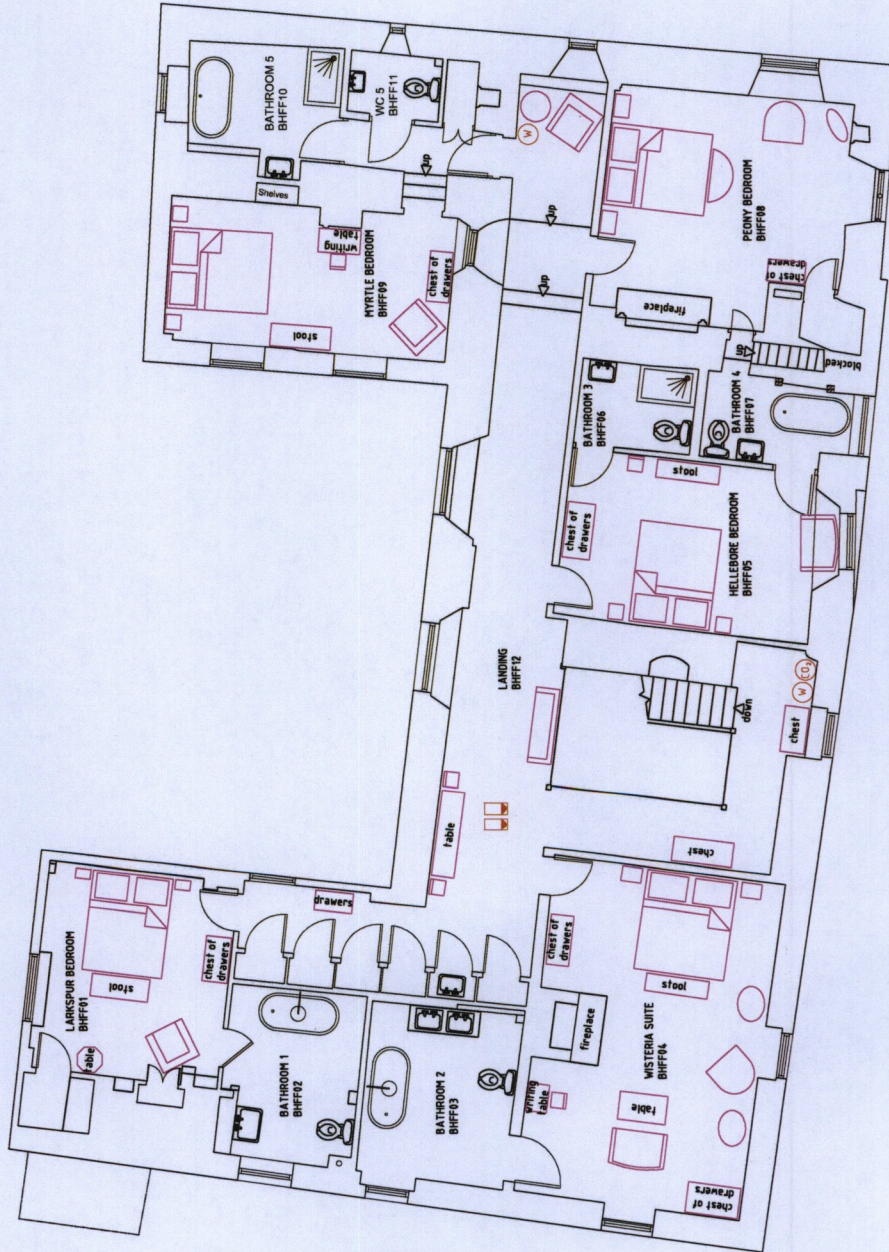
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DRAWING No. AMENDMENTS

5305/91



Scott Bernini. **From:** Scott Bernini
Sent: 30 August 2018 10:35
To: Licensing
Subject: Battel Hall - Licensing Application- OBJECTION

Good Morning,

I wish to object to the recent licensing application made by Leeds Castle on behalf of Battel Hall. I currently live directly opposite the main entrance of Battel Hall, on Lower Street. My house is a 16th century grade 2 built property with very little sound resistance to noise of any type.

The reasons for the objection fall under the following guidance, Noise disturbance, Opening hours, Prevention of public nuisance and traffic.

I have two young daughters whose bedrooms are at the front of the house and will be affected severely if the application was successful. Whether the music is recorded or live the duration stipulated by the application would cease some hours after they had gone to bed, causing deprivation of sleep. Since the original sound checks there have been trees removed therefore enhancing any outside noise such as music and intoxicated people, sound travels further without these. There is no or very little natural sound barriers to prevent this. The times set out by the application and the amount of events planned throughout the year will only encourage this. There will also be increase disturbance with guest arriving and leaving Battel Hall at unsociable times, either by their own transport or taxi.

The governance of how the events teams will control what has been laid out in the application is unclear.

Kind Regards,
Scott Bernini.

From: Lorraine Neale
Sent: 31 August 2018 10:23
To: 'Scott Bernini'
Cc: 'Debbie Matthews'; 'SophieWelsh'
Subject: RE: Battel Hall - Licensing Application- OBJECTION

Good Morning Scott

The applicant has asked me to make you aware that although they have asked for Friday and Saturday night amplified music until midnight. They will limit this to not more than 5 times in a calendar month and not more than 13 times a year. They are also happy to share with you their noise management plan and the measures in place to monitor and respond to concerns regarding noise at functions. The limit on the number of events can be added as a condition on the licence we grant, would this satisfy you ? If so let me know.

Kind Regards

Lorraine Neale

Senior Licensing Officer

Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent ME15 6JQ
t 01622 602028 **e** lorraineneale@maidstone.gov.uk **w** www.digitalmaidstone.gov.uk

From: Scott Bernini]
Sent: 03 September 2018 14:37
To: Lorraine Neale
Cc: Debbie Matthews; Sophie Welsh
Subject: Re: Battel Hall - Licensing Application- OBJECTION

Hi Lorraine,

If the applicant could share the noise management plan that would be great. I will respond fully once I have reviewed this.

Kind regards,
Scott

From: Debbie Matthews
Sent: 05 September 2018 12:15
To: Scott Bernini; Lorraine Neale
Subject: FW: Battel Hall - Licensing Application- OBJECTION

Dear Lorraine and Scott

Thank you for your email.

Please see attached the noise management plan we have in place for functions.

I should be happy to assist with any further questions regarding the license application.

Kind regards

Debbie

Battel Hall
Outdoor Amplified Music
Noise Management Plan – Measures in place / to be taken

Amplified sound will cease by 0000 hours on up to 13 days per year, with up to 2 events per calendar week, and up to 5 events per calendar month.

Maximum volume noise levels will be set during sound check prior to any event, by event staff using a Type 2 sound level meter.

Sound level not to exceed 95dB $L_{eq,T}$ @ 1m in front of speaker or any other amplified noise source (including musicians).

Loud speakers will be pointed away and located as far away from noise sensitive properties as possible.

Telephone hotline number (01622 767870) to be advertised to local residents. An email alert system will advise residents of forthcoming events. Emails will be issued to the Parish Council and any other residents who submit contact details

All complaints to be logged, see attached log sheet.

At critical times during an event including sound checks or following a complaint noise levels will be monitored at the venue and or outside the most affected noise sensitive properties.

Details of the assessment are to be logged, see attached sheet.

Noise levels at the venue should not exceed 95dB $L_{Aeq,T}$ @ 1m in front of a speaker or any other amplified noise source (including musicians) to ensure a noise level of 43dB $L_{Aeq,15mins}$ is not exceeded @ 1m from the nearest noise sensitive residential façade. Noise levels will be recorded by event staff using a Type 2 Sound Level Meter.

The noise management plan will be reviewed annually or in the event of complaint and updated as necessary.

From: Scott Bernini
Sent: 10 September 2018 09:14
To: Lorraine Neale
Cc: Debbie Matthews; SophieWelsh
Subject: Re: Battel Hall - Licensing Application- OBJECTION

Good Morning Lorraine,

Hope you had a good weekend.

I reviewed the noise management plan again over the weekend and have come to the following conclusion. The main reason for my objection as stated in my original email was noise disruption and the interruption of sleep that my family may encounter, especially my children. I do not feel the applicant has responded fully against all of the concerns I raised in my original email. I have summarised below including the response to the noise management plan (NMP).

- The noise levels stated in the NMP, 95db and 45db mean nothing to me and I have no way of understanding whether these levels are acceptable or not, nor do I have any visibility of the setup of either amplified or LIVE music. Does the applicant intend to run a test of the proposed setup between the hours of 20.00 and 00.00 in clear weather conditions before this can be signed off?
- No response from the applicant in regards to the 100 guest attending and leaving the venue at unsociable times. Again I can only assume the route will be down Burberry lane and onto either Penfold Hill or Lower street, directly adjacent to my property.
- For consistency as it was raised in my original email, the potential noise levels of the 100 guests attending the event.

I also wanted to add that we support Leeds Castle fully in everything it does and love being part of that. With the recent classical concert and the lunar cinema we can clearly hear these events from my property as well as the fireworks and have no problem with this. My feeling is that the Battel Hall application is just one step too far in regards to the proximity of the residents.

Regards,
Scott.

From: Debbie Matthews
Sent: 11 September 2018 15:38
To: Scott Bernini
Cc: Lorraine Neale
Subject: RE: Re: Battel Hall - Licensing Application- OBJECTION

Dear Mr Bernini

Thank you for your recent correspondence, I can appreciate a more detailed explanation of how we plan to run functions at Battel Hall is needed and I am sorry not to have answered more fully before.

Please find attached our management plan for how we will run functions at Battel Hall.

I head up the team, there are two function managers and six function staff who support them in the set up and delivery of our functions at Leeds Castle Estate.

It is a small team who are very professional and environment sensitive, these are essential requirement for running functions within a former royal historic palace as Leeds Castle. The managers will work with the staff on duty and the guests to see the management plan is followed.

They will ensure guests are quiet and respectful of our neighbours and our plan is for our front line function team to escorted guests to their cars (much the same way we do at the Castle) where we use golf buggies to transport guests to their cars.

This enables us to control the situation and limit door slamming and cheery but loud farewells between guests as they depart.

It is true that cars will exit Burberry lane, in the main probably turning right down the hill.

If guests are leaving late in the evening, the traffic on this road will be considerably lighter than it is during the day and their access into onto the road should be quicker and smooth rather than require a revved engine as might happen pulling into busy traffic say during rush hour.

I have attached the original survey held by Hann Tucker, Consultants in Acoustics Noise & Vibration, I think that this might help to explain the processes the company went through to decide what level the sound should be set to for a function.

I spoke to John Gibbs, who carried out the work, and he confirmed the music noise level outside the closest property, has been set to ensure the noise would be barely audible at the quietest time of the event, late evening.

With regards to the size of the function, I have set it at 100 for an outside function as we have space for this number. In reality we are rarely likely to attract many functions of this size.

We have two venues on the Castle island; the Maidens Tower which is licenced for 80 guest has an average of 50 day wedding guests and the Castle which is licenced for 100 wedding guests has an average of 80 guests per wedding.

At Battel Hall clients will be able to choose the time of their wedding ceremony, here at the castle we are restricted by our day visitor opening times to a 4 or 5pm wedding.

The ability to start a wedding earlier in the day will mean the evening reception is likely to begin from 5pm or 6pm, this would mean the function would finish at 9 – 10pm.

We would restrict the length of the function to ensure guests were not drinking for a prolonged period of time, this is our custom in the Castle and it has served us well.

I have asked for the maximum number and the midnight finish to cover should we have an exceptional event where the later time is desired rather than this being the norm for a function.

I hope that the level of detail given in my email helps to reassure you that we take the impact of our functions on the local community seriously.

We have engaged professionals to ensure we can operate considerately and keep the disturbance to an absolute minimum and that we are experienced and skilled at managing weddings and celebrations and all the potential scenarios these can bring with them.

We will manage Battel Hall as we do any other function taking place in our beautiful and historic castle, to ensure that they do not impact negatively on the local community or our reputation, nor the very special premises where the function takes place.

Thank you for your kind words regarding your family's enjoyment of Leeds Castle, the events you mention such as the summer concert and fireworks are both large outdoor events promoted to audiences of 12,000 and 8,000 respectfully. The noise levels at these massive public events is very different to what we are proposing for the private functions we wish to use Battel Hall for.

Please do come back to me if you would like to talk through any of the details contained within my email or if you would like me to address and other concerns you have regarding Battel Hall's proposed licence.

Kind regards

Debbie Matthews

MANAGEMENT PLAN FOR FUNCTIONS AT BATTEL HALL

Overview:

Battel Hall is going through a major redecoration, with the design work being carried out by nationally renowned interior designer. On its completion, Battel Hall will comprise of a dining room and two breakout spaces (drawing room & library) and five en-suite bedrooms. It will be a high end home for hosting exclusive house parties, corporate events and small intimate weddings within the venue and occasionally marquee weddings for up to 100 guests.

We believe Battel Hall's extraordinary history, its unique position as part of the Leeds Castle estate and the exquisite layout created by an imaginative interior designer, will pull it apart from the run of the mill. Additionally the romantic gardens and top class catering will help establish it as something special.

Target Audience:

- UK and overseas small niche group travel and special interest groups
- Family house parties and special occasions
- Corporates – *board meetings, away days, small business meetings, training days*
- Weddings – *smaller, more intimate, vow renewals*
- Golfing groups

Objectives:

- To offer guests luxury and tranquillity in refined surroundings at Battel Hall
- Be strong advocates for using fresh local produce and vineyards
- To protect and maintain Battel Hall, the venue, grounds and interiors.
- Offering the same high standards of service and customer care appreciated by customers of Leeds Castle

Type of events:

It is understood that events will not be undertaken that put at risk either the fabric of the Hall and Gardens or the reputation of Leeds Castle Foundation. The majority of events will focus around wedding ceremonies and celebrations, dinners, canapé receptions, Leisure overnight stays, corporate away days, meetings and conferences. High-risk events such as 18th/21st birthday celebrations will not be permitted.

Room	Usage	Capacity
Dining room	Lunches & dinners, wedding ceremonies	24 40
Drawing room	Board room meetings	118
Library	Board room meetings	8
Gardens	Wedding ceremony and receptions. private dining	100
Combined ground floor function space	Drinks receptions buffets	50 30
Bedrooms	Overnight guests	2 adults per room (some rooms with space for 1 to 2 cots or children's z beds.)

Frequency:

The number of events will be reviewed regularly between the Hospitality Manager, Head Gardener and Curator to assess the impact of the Hall.

Marquee events in Battel Hall gardens will be limited to 13 a year.

Diary planning

Leeds Castle hospitality sales team and the House Manager will take enquiries for bookings and carry out show rounds for potential private parties, weddings and conference bookings. The reception and accommodation team will handle holiday letting enquiries and group travel bookings.

Upon receiving a provisional / confirmed booking, the house manager will enter it into Battel Hall's diary. The event planning will be carried out by the Sales Team and the House Manager in the same format as Leeds Castle.

Battel Hall House Manager will advise Leeds Parish council of confirmed outdoor functions requiring amplified music as the booking confirms. The Parish Council will feature the booking and date on their community website.

Each event will have operational notes which will be circulated across the estate, including Maintenance, gardener, Curator and security.

At the weekly Operational Estate Meeting each event will be discussed with attendees cascading information down through their teams.

All of Battel Halls functions will be discussed in more detail at the Weekly Hospitality Management Meeting to ensure staffing levels and operational details are correct.

Functions:

No Hall furniture may be moved unless by prior agreement with the function Manager/Curator. Historic objects may only be moved by curators, or permanent members of Leeds Castle staff with suitable training, providing permission has been gained in advance from the Curator

The House Manager will advise the client of the following restrictions at Battel Hall:

- Red wine and other deep coloured/staining drinks can only be served during seated dinners
- No black, blue or red berries to be served in any form.
- No smoking permitted within the Hall
- Battel Hall will be a licensed premise no alcohol is to be served to under 18's. ID will be required for proof of age.

Floristry:

Only the Leeds Castle Floristry team are to provide floral arrangements within the House and wedding ceremony venue.

- No water is allowed in floral arrangements. Oasis bases and weighted vases only.
- Candles can be used on dining tables and are to be provided by the floristry team. Any candles not placed on tables must be placed in lanterns.

Fireworks are not permitted

Smoking inside the venue is not permitted, a smoking area will be allocated within the grounds away from doorways and with suitable receptacle for extinguishing cigarettes and cigars.

Exploding balloons, confetti cannons, flutter fetti, detonation devices, dry ice, smoke machines, foam machines, and paper confetti are strictly prohibited anywhere inside the Hall and grounds. Rose petals and bubbles will be allowed outside during wedding photographs.

Helium filled balloons may be used outside so long as the canister used to inflate them is kept well clear of the Hall. Flambeaus/flaming torches/candles/sparklers may be used outside with prior permission of the House Manager and only in locations agreed with the Function Manager and Head Gardener providing firefighting equipment is placed nearby. Clients are not able to use any confetti – only biodegradable pale coloured rose petals.

Leeds Castle Foundation operates a zero tolerance policy on drugs. Any guests found using or distributing drugs will be removed from the premises.

Customers car Parking

As with functions at the Castle, Battel Hall will have function staff to look after the guests parking, welcome, carrying bags, check into bedrooms, answering questions and directing throughout the function. These staff are provided purely to look after the guests and they will accompany guests to their cars and taxi's, whilst assisting their egress they will actively promote and encourage a quiet departure.

This supervision of car parks at critical times especially late at night will prevent loitering, chatting or inconsiderate and noisy driving. Signs will promote respect for our neighbours, emphasise the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos.

Small residential events, parking for guests:

Parking in front of the Hall and behind Castle View Oast for residential guests.

Guests to be advised not to park on Burberry Lane, causing upset to neighbours.

Larger marquee events, parking for residential guests:

Drop off to unload at front door, directed to park in Leeds & Broomfield Cricket ground across from Battel Hall in the designated parking.

Larger marquee events, parking for non-residential guests:

Parking on site in front of Hall or behind Castle View Oast

Cars may be left overnight at owner's risk.

Car parking for staff:

Battel Hall staff should park in the field car park in the first instance but may move to the on-site parking if there proves to be room.

Approved suppliers

Clients must undertake to use Leeds Castle Hospitality approved suppliers. The list of suppliers will be reviewed on an ongoing basis and is non-negotiable unless there is a specific area of expertise that is not covered.

All suppliers will sign a Supplier Agreement and undergo an auditing procedure. For marquee events where the catering is not provided by the in-house team the contract caterers will require a full Food Audit from our approved contractor, together with references and appropriate levels of insurance. This is generally a minimum of £5m public liability.

Only catering suppliers on the Leeds Castle approved list are permitted to work at the venue. In extreme circumstances, at the clients cost and with approval of the Hospitality Manager another supplier will be considered.

Gardens and external seating

Guest to Battel Hall will enjoy the garden as part of their time at the Hall. We will provide outdoor seating and serve refreshments in the garden. As far as practicable these will be sited away from residential properties and screened by local buildings or walls. Signs will be used to advise guests of noise sensitive areas, which we be checked and enforced by the management staff during the day and evening.

Outdoor music at functions

No more than 4 musicians / singers to perform at one time, to be provided from an approved supplier list, position of musicians to be agreed with the function manager prior to the event, not blocking emergency exits or access routes. All equipment must be PAT tested.

Music and amplified sound will cease by midnight on up to 20 days per year. Maximum volume noise levels will be set during the sound check prior to any event, special consideration will be given to bass frequencies, loud speakers will be pointed away and located as far away from noise sensitive properties as possible.

Outdoor music volume

Music volume will be strictly controlled and monitored in accordance with the Noise Management Plan.

Amplified outdoor music, whether live or recorded can only be agreed in advance of the function, will always end promptly at midnight. The Function Manager will monitor and control the noise level using a simple sound meter and/or a noise level warning indicator. Should residents have concerns and wish to contact the Function Manager during an event the number to call is on 01622 767870, this line is manned by Leeds Castle control room security team who will be in radio contact with the Function Manager.

Staffing

The Hospitality Business Manager will take overall responsibility for the running of the Battel Hall and will direct her management team to carry out the day to day running of the venue.

Battel Hall will have a House manager to run the venue, who will be supported by the function team operating at Leeds Castle. For larger functions, the footmen and function staff from the Castle will support the house manager with set up, check in, car parking and manning the function to ensure the upmost customer care is offered.

The house Manager or duty manager will remain on duty until the close of every event and the guests departure or retire to bed if residential.

Leeds Castles security team will patrol Battel Hall as part of its overnight route; the control room will monitor and man the cameras from the control room at Leeds Castle. Overnight staff and guests will be able to ring the control room and the patrolling staff will respond to the site if required.

The Hospitality Operations Manager will have overall control of the kitchen and banqueting staff and areas of operation, the profitability of the food and beverage element of a function and the health and safety.

The Castle housekeeping team will manage the housekeeping duties of the function rooms and bedrooms, operating as they currently do when working off site at holiday cottages using the House keeping vans.

The gardens will be looked after by the Head Gardener and his team, there will be a vegetable and herb garden to supple the kitchen with home grown produce.

The safety, upkeep and maintenance of the venue and bedrooms will be managed by the Facilities Manager and his team.

Invoicing and account management will be handled by the LC Accounts department, processes to be put in place for the taking and banking of cash and credit card sales taken at Battel Hall. To be administrated by the Cash Desk at LC.

Servicing the venue

Deliveries will only be allowed between the hours of 8.00 – 18.00 hours. Only delivery vans up to a transit van size can supply to Battel Hall. This can be managed by the purchase of fresh local produce per function.

For kitchen deliveries temporary parking in front of the Hall with access via the side entrance. Under no circumstances should suppliers park, unload or wait on Burberry Lane.

The team within Battel Hall will recycle as much waste as possible. Staff will be sensitive to the noise this can create. Refuse/recycling stores will be located away from residential areas and no bottle recycling will be carried out during evening functions, this activity will wait until the following day.

Refuse/ recycling collection will be managed by the Leeds Castle maintenance team using small vehicles and removing to the main waste and sorting site based at Leeds Castle Estate. Food waste will be removed daily to prevent smell and rodents.

Marquee weddings

We understand that hosting weddings in marquees could impact on the local community living near Battel Hall and our management team and function staff will have consideration utmost in their minds for the local community. Staff briefings and operational working will focus on working quietly as we currently do in all our venues where guests are sleeping in the same building as staff setting up for functions late nights or early mornings.

It would be our intention to manage the type of bookings we take, through the way we advertise and the content of the hiring contract to ensure we minimise the impact as much as possible.

We would work with only our own approved marquee supplier and we would take responsibility for the hiring of the marquee and the timings of get in and break down.

Clients would only be able to use our approved entertainment, be it a DJ or live music. We would limit the number of performers and the types of instruments for live music. Written into the client contract and that of the performer would be a maximum sound level acceptable and a strict end time of midnight for all amplified music to end.

We would have a dedicated manager on site throughout all functions to manage the event, the guests and the egress.

Timetable for marquee wedding:

Day before wedding:

10.00am Delivery of marquee to site, complete set up with contractor off site by 3.00pm

Battel Halls own staff will set up the interior of the marquee using our own equipment housed in the store below Castle view oast.

On the day of the wedding:

10.00am Wedding party check into bedrooms, car park off site

Set up of wedding ceremony and reception continues by Battel Halls own staff

12.00 noon remaining residential guests check into bedrooms, car park off site

1.00pm Non-residential guests arrive and park on site (for swifter and quieter egress)

2.00pm wedding ceremony takes place in garden. Either recorded music or a harpist or string trio to play. No amplified music or microphones used for the ceremony

2.30 – 3.30pm drinks and photographs within grounds

3.30 – 6.30pm wedding breakfast and speeches – no microphones required

6.30 -7.30 guests mingle as entertainment arrives to set up

7.30 -12.00 evening party with dancing, music and evening buffet

No more than 2 musicians and 1 singer, or DJ. Function manager to be in charge of testing sound levels and managing performers.

10.00 – 12.30 a member of Battel Hall staff to be on the venue reception (front door) and assist guests to their cars and organise taxis. Encouraging a quiet departure, being considerate of our neighbours.

12.00 midnight residential guests move inside Battel Hall for run down and end of function.

Day after wedding

10.00am residential guests depart being assisted with their luggage to their cars by Battel Hall staff

10.00am Marquee Company arrives to break down the marquee and be off site by 2.00pm

Battel Hall & Castle View

Amplified Music Noise Survey Report

23415/ENS1

27 October 2017

For:
Leeds Castle
Maidstone
Kent
ME17 1PL



Hann Tucker Associates

Consultants in Acoustics Noise & Vibration

Head Office: Duke House, 1-2 Duke Street, Woking, Surrey, GU21 5BA (t) +44 (0) 1483 770 595

Manchester Office: First Floor, 346 Deansgate, Manchester, M3 4LY (t) +44 (0) 161 832 7041

(w) hanntucker.co.uk (e) enquiries@hanntucker.co.uk



Environmental Noise Survey Report 23415/ENS1

Document Control

Rev	Date	Comment	Prepared by and Authorised by
0	27/10/2017	-	
			John Gibbs Director MIOA, MSEE, CEnv

This report has been prepared by Hann Tucker Associates Limited (HTA) with all reasonable skill, care and diligence in accordance with generally accepted acoustic consultancy principles and the purposes and terms agreed between HTA and our Client. Any information provided by third parties and referred to herein may not have been checked or verified by HTA unless expressly stated otherwise. This document contains confidential and commercially sensitive information and shall not be disclosed to third parties. Any third party relies upon this document at their own risk.



Environmental Noise Survey Report 23415/ENS1

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2.0 Objectives	1
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4.0 Acoustic Terminology	2
5.0 Methodology	3
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7.0 Discussion Of Noise Climate	5
8.0 Conclusions	7

Attachments

Outdoor Amplified Music

Log Sheet of Telephone Complaints

Log Sheet – Noise Assessment



1.0 Introduction

Battel Hall & Castle View, Burberry Lane, Leeds, Kent has received planning permission for change of use for events including weddings. The planning permission included conditions limiting the activity of amplified sound outdoors, to protect residential amenity.

2.0 Objectives

Undertake a site survey to establish maximum sound levels. Based upon the results of the survey and Planning Condition No.8 prepare a noise management plan, for outside events with amplified music.

3.0 Site Description

3.1 Location

The site at Burberry Lane, Leeds, Kent ME17 1RH. The location is shown in the Location Map below.



Location Map

The site falls within the jurisdiction of Maidstone Borough Council.



3.2 Description

It is proposed weddings would be held in a marquee erected adjacent to the west façade of Battel Hall. The nearest residential properties are located approximately 95m north of Battel Hall. Residential properties are also located approximately 215m south west of Battel Hall.

The site is shown in the Site Plan below.



Site Plan

4.0 Acoustic Terminology

For an explanation of the acoustic terminology used in this report please refer to Appendix A enclosed.



5.0 Methodology

The survey was undertaken by John Gibbs MIOA, MSEE CEnv.

5.1 Manned Survey

5.1.1 Procedure

Fully manned environmental noise monitoring was undertaken from approximately 10:00 hours to 12:00 hours on Wednesday 11 October 2017.

A loud speaker mounted on a stand which was orientated facing south. It is understood this will be the location for a PA when used for an outdoor/marquee event. For the purpose of the survey various popular/dance music was played.

During the survey period the wind conditions were variable and from approximately a southerly direction. The sky was generally overcast. There was some rain during the survey. Measurements were undertaken during spells of calm weather.

Measurements were taken of the A-weighted (dBA) L_{eq} sound pressure levels over periods of not less than one minute. Atypical noises were excluded as far as reasonably possible.

In addition, at each position L_{eq} octave band spectra (from 63Hz to 8kHz) were taken during the period in order to gain a more detailed description of the prevailing noise climate.

5.1.2 Measurement Positions

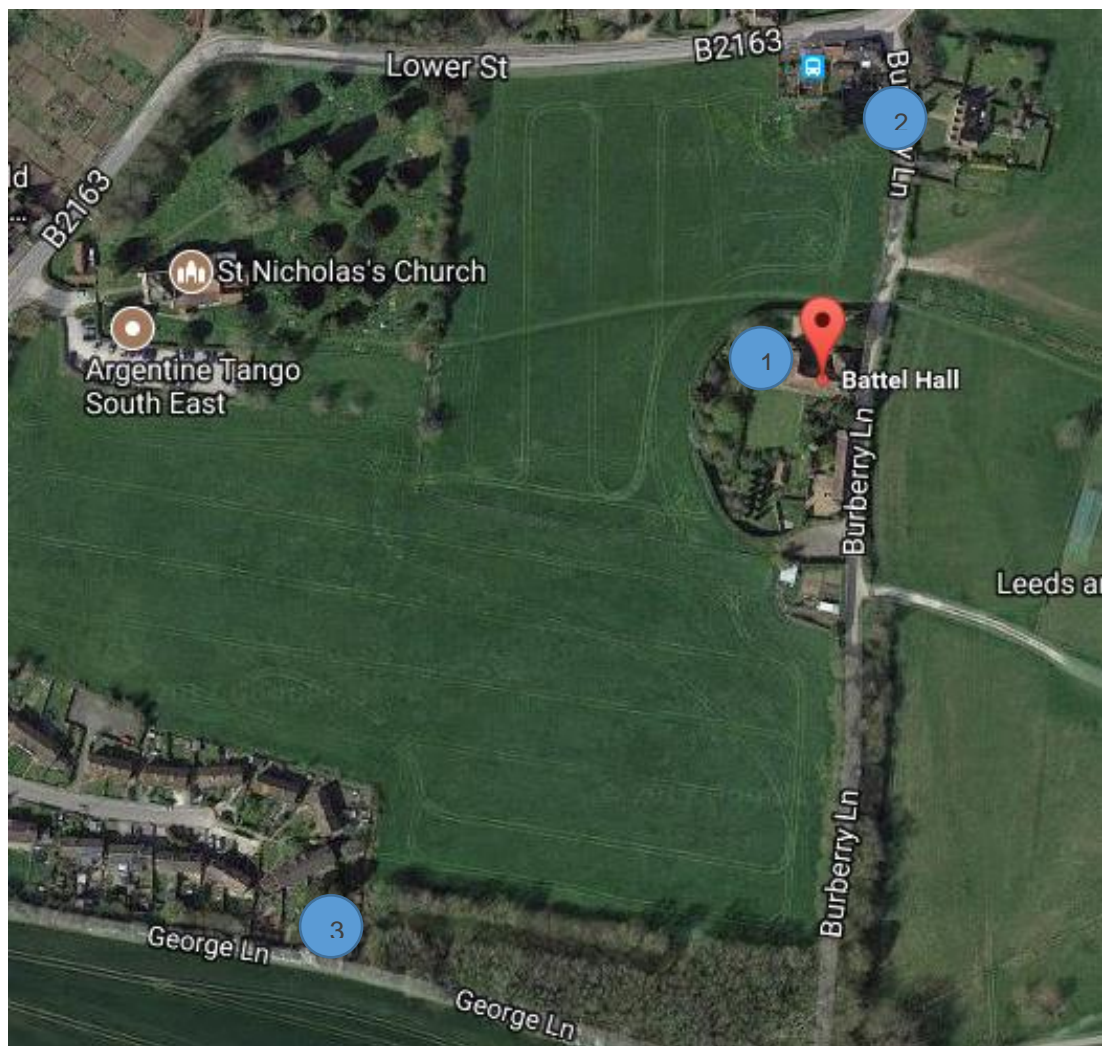
The noise level measurements were undertaken at 3No. positions around the development site. The measurement positions are described in the table below.

Position No	Description
1	In front of a speaker. The speaker was located 3m from the garden wall along the northern boundary, facing south.
2	In the Burberry Lane to the north, outside the nearest residential property.
3	In George Lane to the south west, outside the residential properties.

*All measurements 1.2m above ground level.



The measurements positions are shown on the plan below.



Plan Showing Manned Measurement Positions

5.1.3 Instrumentation

The instrumentation used during the manned survey is presented in the table below:

Description	Manufacturer	Type	Serial Number	Calibration
Type 1 Precision Sound Level Meter	Brüel and Kjær	2260	2180670	B & K calibration on
Type 1 Calibrator	Brüel and Kjær	4231	2115545	B & K calibration on
Pistonphone	Brüel and Kjær	4220	1297463	B & K calibration on



The sound level meter was mounted on a tripod and was fitted with a Brüel and Kjær microphone windshield.

The sound level meter was calibrated prior to and on completion of the surveys. No significant changes were found to have occurred (no more than 0.1dB).

6.0 Results

The results of the survey are summarised in the table below:

Position	Comment	Leq Sound level (dB) @ Octave Band Centre Frequency								dBA
		63	125	250	500	1k	2k	4k	8k	
2	Background	57	48	43	44	46	42	32	27	49
1	Maximum volume	97	110	101	102	104	106	104	97	111
2	Music very audible	62	52	48	44	45	41	36	28	49
3	Music audible	56	48	38	39	38	34	30	32	41
1	Reduced volume	94	101	99	93	92	91	85	82	101
2	Music not audible	63	51	42	41	44	42	34	28	48
3	Music just audible	57	48	43	39	38	33	28	25	43
2	Background	56	47	40	40	43	38	28	20	46
3	background	53	45	36	37	36	33	31	25	41

7.0 Discussion Of Noise Climate

7.1 Requirement

The Planning Permission Conditions 7 & 8 requires the following:

(7) Amplified sound shall not be created on the site outside of the confines of the buildings annotated on drawing 5305/25/D as Battel Hall and Castle View other than in accordance with all of the following requirements:

a) Outside of the confines of the buildings of Battel Hall and Castle View, amplified sound shall not be created between 2400 hours and 0700 hours; and

b) Outside of the confines of the buildings of Battel Hall and Castle View, amplified sound shall only be created within the confines of a marquee to be located within the area annotated as the proposed marquee zone on drawing 5305/25/D; and



c) Outside of the confines of the buildings of Battel Hall and Castle View, amplified sound shall be created for not more than 15 days in any calendar year; and

d) A log shall be kept available for inspection that details all of the times when amplified sound is created outside of the confines of those buildings;

Reason: In the interests of residential amenity.

(8) Prior to the creation of any amplified sound outside of the confines of the buildings annotated on drawing 5305/25/D as Battel Hall and Castle View, a noise management plan shall be submitted to and approved by the Local Planning Authority. The plan shall include, but not be limited to, maximum sound levels at an agreed monitoring position; how and by whom sound levels will be monitored; a contact complaint telephone number and how that would be reacted to; and set out the minimum gap between amplified sound events. The plan shall include a mechanism for demonstrating compliance with the noise management plan; and for its review and updating when considered necessary in agreement with the Local Planning Authority. The approved noise management plan shall be followed at all times;

Reason: In the interests of residential amenity.

7.2 Noise Impact Assessment

As part of the application a noise impact assessment was undertaken. The results of the assessment were advised in our Report 23415/NIA1 dated 28 July 2016. In summary our report advised event noise levels should not exceed 43dB $L_{Aeq,15mins}$ at 1m from the nearest residential façade.

7.3 Noise Levels at Venue

The purpose of the survey in Section 5.0 above was to determine the maximum noise levels at the venue to ensure a noise level of 43dB $L_{Aeq,15mins}$ is not exceeded at 1m from the nearest residential façade.

Based upon the results of our survey and assuming a PA with two speakers locked/orientated in similar positions as assessed above we recommend the noise level emitted at venue should not exceed 95dB $L_{Aeq,T}$ @ 1m in front of the speaker, to ensure a noise level of 43dB $L_{Aeq,15mins}$ is not exceeded at 1m from the nearest residential façade.



7.4 Noise Management Plan (Outdoor Amplified Music)

Please see Appendix A for our recommended Noise Management Plan for outdoor amplified music.

A sound level meter suitable for the measurements would be Sinas Boogie (www.sinus-leipzig.deen) available from AcSoft (www.acsoft.co.uk).

8.0 Conclusions

An acoustic survey has been undertaken to set limiting sound levels from outdoor amplified music.

Based upon the results of the survey and in accordance with Planning Conditions 7 & 8 a noise management plan for outdoor amplified music has been produced.

Battel Hall
Outdoor Amplified Music
Noise Management Plan – Measures in place / to be taken

Amplified sound will cease by 0000 hours on up to 15 days per year, with up to 2 events per calendar week.

Maximum volume noise levels will be set during sound check prior to any event, by event staff using a Type 2 sound level meter.

Sound level not to exceed 95dB $L_{eq,T}$ @ 1m in front of speaker.

Loud speakers will be pointed away and located as far away from noise sensitive properties as possible.

Telephone hotline number (01622 767870) to be advertised to local residents.

All complaints to be logged, see attached log sheet.

At critical times during an event including sound checks or following a complaint noise levels will be monitored at the venue and or outside the most affected noise sensitive properties.

Details of the assessment are to be logged, see attached sheet.

Noise levels at the venue should not exceed 95dB $L_{Aeq,T}$ @ 1m in front of a speaker to ensure a noise level of 43dB $L_{Aeq,15mins}$ is not exceeded @ 1m from the nearest noise sensitive residential façade. Noise levels will be recorded by event staff using a Type 2 Sound Level Metter.

Log Sheet of Telephone Complaints

[illegible]

Log Sheet – Noise Assessment

[illegible]



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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.