

# LICENSING ACT 2003 SUB COMMITTEE MEETING

Date: Thursday 7 June 2018  
Time: 10.00 a.m.  
Venue: Town Hall, High Street, Maidstone

Membership: Councillors Mrs Hinder, Mrs Joy and Springett

Substitute: Councillor Garten

*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.*

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## **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. Application for a Club Premises Certificate Under the Licensing Act 2003 for Marden Cricket and Hockey Club, Maidstone Road, Marden, Kent, TN12 9AG 1 - 44

## **ALTERNATIVE FORMATS**

If you require this information in an alternative format, please contact us, call 01622 602899 or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk)

To find out more about the work of the Licensing Committee, please visit [www.maidstone.gov.uk](http://www.maidstone.gov.uk)

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**Issued on Wednesday 30 May 2018**

*Alison Broom*

**Alison Broom, Chief Executive**

# Agenda Item 4

**Agenda Item No:** 1 - Summary of Report

**Licence Reference** 18/00977/LACPC  
**Report To:** LICENSING SUB – COMMITTEE  
(UNDER THE LICENSING ACT 2003)

**Date:** 23 MAY 2018

**Report Title:** Marden Cricket and Hockey Club, Maidstone Road, Marden, Kent, TN12 9AG

**Application for:** A club premises certificate under the Licensing Act 2003

**Report Author:** Lorraine Neale

- Summary:**
1. The Applicant – The Committee of Marden Cricket and Hockey Club
  2. Type of authorisation applied for: A club premises certificate under the Licensing Act 2003.
  3. Proposed Licensable Activities and hours: ( Appendix A)

E	Live Music (Indoors)	Mon - Sat Sun New Year's Eve	18:00 – 23:59 18:00 – 23:00 19:00 – 02:00
F	Recorded Music (Indoors)	Mon - Thurs Fri & Sat Sun New Year's Eve	18:00 – 23:59 18:00 – 01:00 18:00 – 23:00 19:00 – 02:00
J	Supply of Alcohol (On & Off the premises)	Mon - Thurs Fri Sat Sun New Year's Eve	11:00 – 23:59 11:00 – 01:00 10:00 – 02:00 11:00 – 23:00 11:00 – 03:00
L	Opening Hours	Mon - Thurs Fri Sat Sun New Year's Eve	11:00 – 23:59 11:00 – 01:00 10:00 – 02:00 11:00 – 23:00 11:00 – 03:00

**Affected Wards:** Marden and Yalding

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

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

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

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

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

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

**Contacts:** Mrs Lorraine Neale at: [lorraineneale@maidstone.gov.uk](mailto:lorraineneale@maidstone.gov.uk) – tel: 01622 602528

## **Agenda Item No. 1**

**Report Title:**        **Marden Cricket and Hockey Club, Maidstone Road, Marden, Kent, TN12 9AG**

**Application to:** For a club premises certificate licence under the Licensing Act 2003. (Appendix A).

### **Purpose of the Report**

The report advises Members of an application for a club premises certificate to be granted under the Licensing Act 2003, made by The Committee of Marden Cricket and Hockey Club, in respect of the premises Marden Cricket and Hockey Club, Maidstone Road, Marden, Kent, TN12 9AG, (Appendix B) in respect of which 4 objections have been received from other parties (Appendix C).

### **Issue to be Decided**

1. Members are asked to determine whether to:
  - 1) grant as applied for with conditions consistent with the club operating schedule and mandatory conditions
  - 2) grant as above subject to modified conditions as considered appropriate for the promotion of the licensing objectives.
  - 3) exclude any qualifying club activity to which the application relates
  - 4) or reject the application

### **Background**

- 2 The relevant sections are Part 4 S71 -79 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 4 remaining 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
Mr & Mrs Boatwright Smith	Crime & Disorder Public Nuisance	E-Mail	C
Mr Gareth Hughes	Public Nuisance Public Safety	E-Mail	C
Mr Paul Newton (Withdrawn 18.05.18)	Public Nuisance	E-Mail	C
Chris Bampton	Public Nuisance	E-Mail	C
Ronald & Elaine Locke	Public Nuisance Public Safety	E-Mail	C

The objections are that the granting of a club premise certificate for the hours requested would impact considerably on nearby residents and cause additional noise pollution. Also the requested hours will lead to excessive drinking and disorderly behaviour which will also affect residents in the vicinity. Other parties have requested that the hours of the club are reduced to be in line with other premises in the Village and have named the following premises:-

Premises	Objectors Letters	Licence (opening hours)
The Unicorn, TN12 9DR	11:00: - 23:00 Mon – Sun	07:00 – 02:00 Fri & Sat 07:00 – 04:00 Sun – Thurs
The Stile Bridge, TN12 9BH	11:00: - 23:00 Mon – Sun	07:00 – 03:00 Mon - Sun
West End Tavern, TN12 9JB	08:30 – 23:00 Mon – Sat 08:30 – 16:00 Sun	08:00 – 01:00 Fri & Sat 08:00 – 00:30 Sun - Thurs
Marden Village Club, TN12 9DT	18:00 – 23:00 Mon - Sun	10:00 - 23:30 Mon - Thurs 10:00 - 00:30 Fri & Sat 10:00 - 23:00 Sun
Marden Tandoori, TN12 9EA	12:00 – 23:00 Mon - Sun	10:00 – 00:00 Mon – Sat 12:00 – 23:30 Sun
Taj of Kent, TN12 9HS	17:30 – 23:00 Mon - Sun	12:00 -14:30 & 18:00 – 23:00 Mon – Sun

The table shows that there are premises in the area that have hours in place similar to the hours requested by The Committee of Marden Cricket and Hockey Club.

- 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 Club Operating Schedule submitted by the Applicant has addressed the licensing objectives in the following manner:**

**a) General – all four licensing objectives:**

The Club is a members only club, with access restricted to members and their guests and not open to the general public.  
Premises are fully secured and alarmed to protect stock of alcohol.  
Staff are trained not to serve inebriated or abusive customers.  
Premises have no immediate neighbours and opportunities to cause a public nuisance are limited.  
Minors are permitted in the bar area, staff trained in Challenge 18 protocol.  
All staff are DBS checked through either the England Hockey or England Cricket Board system.

**b) The prevention of crime and disorder:**

Premises are fully secured and alarmed to protect stock of alcohol.  
CCTV in operation.  
Cash secured in safe on premises.  
Those already inebriated are refused alcohol.

**c) Public Safety:**

The Club is not open to the public, only to members and their guests and therefore public safety is not an issue.  
Hirers of the facilities, visiting sports teams and their supporters are considered to be guests of the club.

**d) The prevention of public nuisance:**

The location of the premises on the edge of the village reduces the risk of any public nuisance.  
Vehicles leaving the premises don't exit onto residential roads, no immediate neighbours.  
CCTV and security measures in place to prevent theft and vandalism.

**e) The Protection of children from harm:**

Over 40 members of the Club are DBS checked, including the bar staff and General Manager.  
Minors are permitted in the bar area and the appropriate safety measures are taken.  
The staff operate Challenge 18.  
All recommendations from England Hockey, the England Cricket Board and the Lawn Tennis Association with regards to child protection are incorporated into the Club's policies.

On the 26<sup>th</sup> April 2018 the applicant responded to the objections received (Appendix E ).  
They offered amended hours and gave information to clarify some of the points raised by the other parties. Please see table

On the 13.5.2018 an other party responded to the applicants offer and maintained that they continued to wish the licence to be restricted to an end time of 23:00 7 days a week and would not withdraw their representation (Appendix F ).

On the 14.05.2018 the applicant responded to the other parties further reducing the hours on the proviso they had their 8 occasions per year (Appendix G), see table.

			Application	Proposed amended hours 26.04.18	Proposed amended hours 14.05.18
E	Live Music (Indoors)	Mon Tues Wed Thurs Fri Sat Sun New Year's Eve	18:00 – 23:59 18:00 – 23:59 18:00 – 23:59 18:00 – 23:59 18:00 – 23:59 18:00 – 23:59 18:00 – 23:00 19:00 – 02:00	18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:59 18:00 – 23:59 18:00 – 23:00 No change	18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 No change
F	Recorded Music (Indoors)	Mon Tues Wed Thurs Fri Sat Sun New Year's Eve	18:00 – 23:59 18:00 – 23:59 18:00 – 23:59 18:00 – 23:59 18:00 – 01:00 18:00 – 01:00 18:00 – 23:00 19:00 – 02:00	18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:59 18:00 – 01:00 18:00 – 23:00 No change	18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 18:00 – 23:00 No change
J	Supply of Alcohol (On & Off the premises)	Mon Tues Wed Thurs Fri Sat Sun New Year's Eve	11:00 – 23:59 11:00 – 23:59 11:00 – 23:59 11:00 – 23:59 11:00 – 01:00 10:00 – 02:00 11:00 – 23:00 11:00 – 03:00	11:00 – 23:00 11:00 – 23:00 11:00 – 23:00 11:00 – 23:00 11:00 – 23:59 10:00 – 01:00 11:00 – 23:00 No change	11:00 – 23:00 11:00 – 23:00 11:00 – 23:00 11:00 – 23:00 11:00 – 23:00 10:00 – 23:00 11:00 – 23:00 No change
L	Opening Hours	Mon Tues Wed Thurs Fri Sat Sun New Year's Eve	11:00 – 23:59 11:00 – 23:59 11:00 – 23:59 11:00 – 23:59 11:00 – 01:00 10:00 – 02:00 11:00 – 23:00 11:00 – 03:00	No change	No change
Also requested extended hours for up to 8 occasions a year, always on a Friday or Saturday. Live Music 18:00 – 01:00 Recorded Music 18:00 – 01:00 Supply of Alcohol 18:00 – 02:00					

On the 18.05.18 one other party withdrew their representation on the basis that the hours offered on the 14.05.18 would be applied. There has been no contact from any of the other parties in response to the proposed amended hours of 14.05.18.

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

**Chapters 6 & 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**:

### **13.1 – 13.8 Club Premises Certificates**

The Licensing Authority acknowledges the importance and history of members clubs and the privileged position held by clubs historically in relation to alcohol licensing.

Members clubs are able to obtain a club premises certificate to authorise licensable activities for their members and their guests. There is no requirement for any members to hold a personal licence under the Licensing Act 2003, and there is no requirement to specify a designated premises supervisor. It is acknowledged that alcohol is supplied by and for the members through their membership of the club.

In order to apply for a club premises certificate the Licensing Authority must be satisfied that the club is a qualifying club and satisfies the legal conditions set out in the Act. Applicants for a club premises certificate will be required to complete a club declaration form setting out how the club will meet the conditions and definitions stated in the Act. Licensing officers will have delegated authority to make additional enquiries where appropriate in order to satisfy that a proposed club meets the criteria laid out in the Act.

The fundamental principles for premises licence applications set out at section 15 of this Policy will apply to applications for club premises certificates subject to exemptions in respect of the DPS and the requirement for evidence of the club's status.

Any qualifying club wishing to offer licensable activities at events to which non-members will attend will be required to authorise such activities by way of a Temporary Event Notice or by ensuring compliance with the club rules to allow the public to enjoy the clubs facilities and activities without jeopardising the validity of the club premises certificate.

The Licensing Authority expects 'public' events on club premises to be authorised by a Temporary Event Notice. It is expected that club committee members will seek advice from the Licensing Authority prior to providing such activities for non-members to prevent any unauthorised activities..Where the Licensing Authority identifies that a club no longer meets the conditions set out in section 62 of the Licensing Act 2003 or where the Licensing Authority obtains evidence to demonstrate that a club no longer acts in good faith as a qualifying club, it will give the club a notice withdrawing the club premises certificate.

Suspension of Club Premises Certificates may also occur under section 92A of the LA2003, failure to pay annual fee.

### **17.9 – 17.15 Prevention of Crime and Disorder**

### **17.16 – 17.18 Promotion of Public Safety**

### **17.19 – 17.22 Prevention of Public Nuisance**

#### **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.

### **Promotion of 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.

## **12. Options**

Legal options open to members -

1. grant as applied for with conditions consistent with the club operating schedule and mandatory conditions
2. grant as above subject to modified conditions as considered appropriate for the promotion of the licensing objectives.
3. exclude any qualifying club activity to which the application relates
4. or reject 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".

## **13 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.

## **14 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

## **15 Conclusion**

Members must ensure that the application is considered on its merits, as well as against

the relevant guidance, policy and statutory framework.

## 16 List of Appendices

Appendix A	Application Form
Appendix B	Plan of Premises
Appendix C	Other parties representation
Appendix D	Plan of area
Appendix E	Applicants proposed amended hours 26.04.18
Appendix F	Other parties response e-mail to 26.04.18
Appendix G	Applicants proposed amended hours 14.05.18
Appendix H	Human Rights Articles
Appendix I	Order of Proceedings

## 17 Appeals

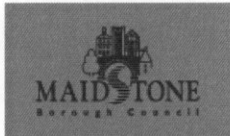
**The applicant or any other person (objector) may appeal the Licensing Act 2003 Sub Committee's decision within 21 days beginning with the day on which the Appellant is notified. All/any appeals must be lodged with the Magistrates' Court. Parties should be aware that they MAY incur an Adverse Costs Order should they bring an appeal.**

Contact: Email:	<b>Senior Licensing Officer</b> <a href="mailto:lorryneale@maidstone.gov.uk">lorryneale@maidstone.gov.uk</a>
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18/00977/LACPC

LICENSING PARTNERSHIP £100 - LBC - web. 23 MAR 2018 SEVENOAKS DISTRICT COUNCIL	For help contact <a href="mailto:licensing@sevenoaks.gov.uk">licensing@sevenoaks.gov.uk</a> Telephone: 01732 227004
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**Maidstone**  
**Application for a new club premises certificate**  
**Licensing Act 2003**

\* required information

**Section 1 of 17**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

First name

~~Charlotte~~

Family name

~~Hope~~

E-mail address

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?

☐ Yes

☒ No

Is your business registered outside the UK?

☐ Yes

☒ No

Business name

Marden Cricket and Hockey Club

If your business is registered, use its registered name.

VAT number

GB

203559382

Put "none" if you are not registered for VAT.

Legal status

Charity or Association

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 17**

**APPLICATION DETAILS**

Name of club

The above named club applies for a club premises certificate under section 71 of the Licensing Act 2003 for the premises described in this section 2 (the club premises).

The club is making this application to you as the relevant licensing authority in accordance with section 68 of the Licensing Act 2003.

**Postal Address Of Club**

☒ Address ☐ OS map reference ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

### Contact Details Of Club

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

### Name Of Person Performing Duties Of A Secretary To The Club

First name

Family name

### Address Of Person Performing Duties Of A Secretary To The Club

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Secretary Contact Details

E-mail

Telephone number

Other telephone number

Non-domestic rateable value of club premises (£)

Are the club premises occupied and habitually used by the club?

☒ Yes

☐ No

## Section 3 of 17

### CLUB OPERATING SCHEDULE

When do you want the club premises certificate to start?

<input type="text" value="01"/>	/	<input type="text" value="04"/>	/	<input type="text" value="2018"/>
dd		mm		yyyy

**Continued from previous page...**

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

dd

mm

yyyy

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

### General Description Of Club

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.

Two storey sports clubhouse sited centrally to a cricket pitch, hockey pitches and tennis courts. Bar, social area and balcony on 1st floor. No neighbours in immediate proximity to the clubhouse. No intention to provide a place for consumption of off-supplies.

### Section 4 of 17

#### PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

### Section 5 of 17

#### PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

### Section 6 of 17

#### PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

### Section 7 of 17

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

### Section 8 of 17

#### PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing live music?

☒ Yes ☐ No

**Standard Days And Timings**

MONDAY

Start 18:00

End 23:59

Start

End

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.

TUESDAY

Start 18:00

End 23:59

Start

End

WEDNESDAY

Start 18:00

End 23:59

Start

End

THURSDAY

Start 18:00

End 23:59

Start

End

FRIDAY

Start 18:00

End 23:59

Start

End

SATURDAY

Start 18:00

End 23:59

Start

End

SUNDAY

Start 18:00

End 23:00

Start

End

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State 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.

Occasional live music, likely to be amplified

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.



Continued from previous page...

No seasonal variation

Non-standard timings. Where the club intends to use the premises for the performance of live music at different times from those listed in the column on the left, provide list

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Year's Eve 19:00 - 02:00

## Section 9 of 17

### PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start 18:00

End 23:59

Start

End

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.

##### TUESDAY

Start 18:00

End 23:59

Start

End

##### WEDNESDAY

Start 18:00

End 23:59

Start

End

##### THURSDAY

Start 18:00

End 23:59

Start

End

##### FRIDAY

Start 18:00

End 01:00

Start

End

##### SATURDAY

Start 18:00

End 01:00

Start

End

Continued from previous page...

SUNDAY

Start 18:00

End 23:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

Occasional recorded music, amplified

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

No seasonal variation

Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, provide list

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Year's Eve 19:00 - 02:00

#### Section 10 of 17

##### PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes ☒ No

#### Section 11 of 17

##### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

#### Section 12 of 17

##### SUPPLY OF ALCOHOL

**Continued from previous page...**

Will you be supplying alcohol by or on behalf of a club to, or to the order of a member of the club?

☒ Yes ☐ No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

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.

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

Will the supply of alcohol be for consumption?

☐ On the premises ☐ Off the premises ☒ Both

If the club wishes members and their guests  
to be able to consume alcohol on the  
premises tick on, if the club wishes people to  
be able to purchase alcohol to consume  
away from the premises tick off. If the club  
wishes people to be able to do both tick  
both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

No seasonal variation



Continued from previous page...

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Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, provide list

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Year's Eve 11:00 - 03:00 New Year's Day

**Section 13 of 17**

**HOURS CLUB PREMISES ARE OPEN TO THE MEMBERS AND GUESTS**

Will you be selling by retail alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place?

☒ Yes

☐ No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

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.

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

Continued from previous page...

SUNDAY

Start 11:00

End 23:00

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

No seasonal variation

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, provide list.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Year's Eve 11:00 - 03:00 New Year's Day

#### Section 14 of 17

##### ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the club premises that may give rise to concern in respect of children.

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 etc gambling machines etc.

No nudity, semi-nudity, age restricted films or gambling machines.

#### Section 15 of 17

##### LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The Club is a members only club, with access restricted to members and their guests and not open to the general public. Premises fully secured and alarmed to protect stock of alcohol. Staff are trained not to serve inebriated or abusive customers. Premises have no immediate neighbours and opportunities to cause a public nuisance are limited. Minors are permitted in the bar area, staff trained in Challenge 18 protocol. All staff are DBS checked through either the England Hockey or England Cricket Board system.

b) The prevention of crime and disorder

Premises fully secured and alarmed to protect stock of alcohol. CCTV in operation. Cash secured in safe or off premises. Those already inebriated are refused alcohol.

*Continued from previous page...*

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c) Public safety

The Club is not open to the public, only to members and their guests and therefore public safety is not an issue. Hirers of the facilities, visiting sports teams and their supporters are considered to be guests of the club.
---

d) The prevention of public nuisance

The location of the premises on the edge of the village reduces the risk of any public nuisance. Vehicles leaving the premises don't exit onto residential roads, no immediate neighbours. CCTV and security measures in place to prevent theft and vandalism.
--

e) The protection of children from harm

Over 40 members of the Club are DBS checked, including the bar staff and General Manager. Minors are permitted in the bar area and the appropriate safety measures are taken. The staff operate Challenge 18. All recommendations from England Hockey, the England Cricket Board and the Lawn Tennis Association with regards to child protection are incorporated into the Club's policies.
--

**Section 16 of 17**

**NOTES ON REGULATED ENTERTAINMENT**

**Continued from previous page...**

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 17 of 17**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. The fee amount you will pay is based on the business rate band of your club premises. Please calculate your fee based on the following:

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00
Band E - £125001 and over	£635.00

Please call the Licensing section on 01622 602000 if you have any questions.

Fee amount (£)

100.00

**DECLARATION**

\* I am aware of the provisions of the Licensing Act 2003. All the information and documentation provided in this application is true and accurate to the best of my knowledge and belief.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

CHARLOTTE JANE HOPE

Capacity

CHAIRMAN



Continued from previous page...

Date

/  /   
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/club-licensing/maidstone/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**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.**

**OFFICE USE ONLY**

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

☐

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 Next >

**Janet Lockie**

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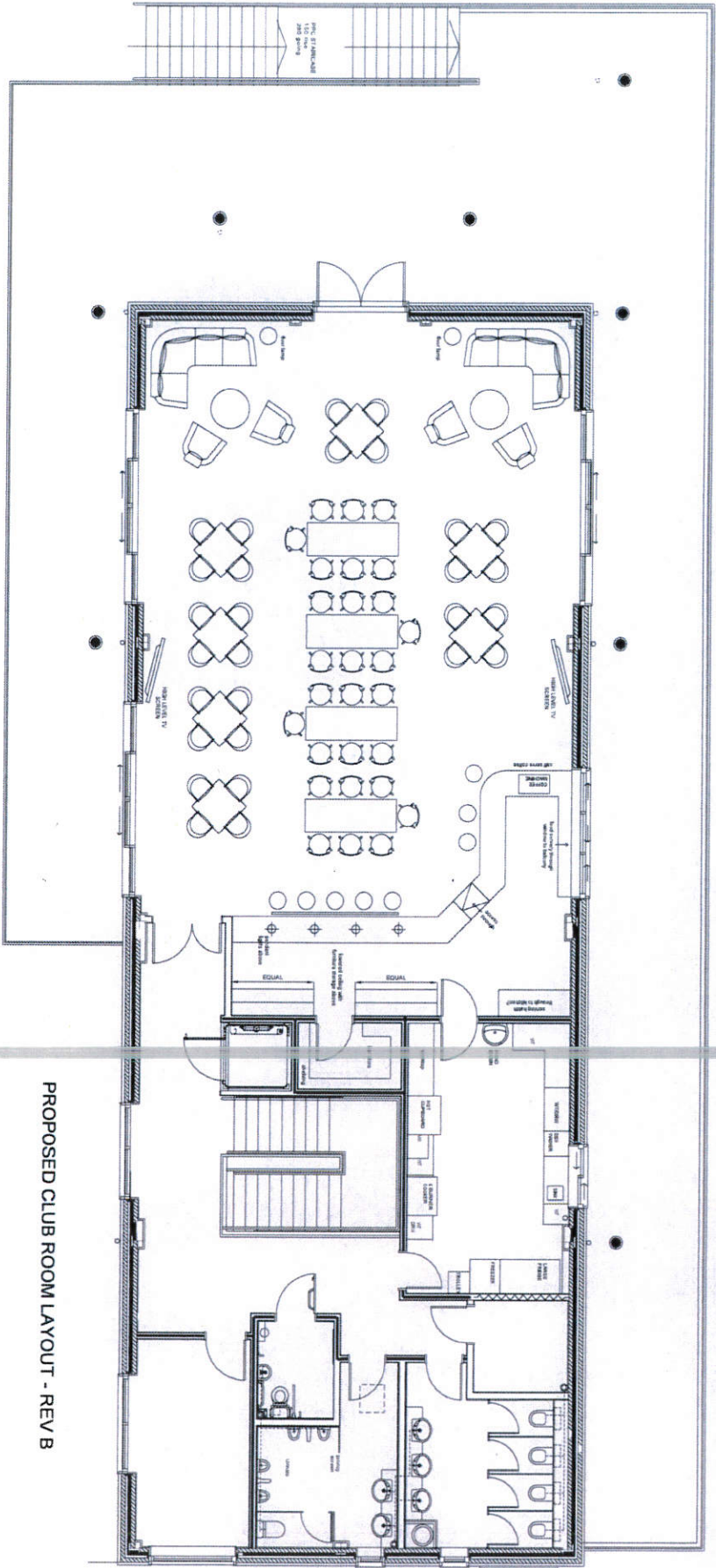
**From:** Charlotte Hope [REDACTED]  
**Sent:** 23 March 2018 22:56  
**To:** Licensing  
**Subject:** maidstone-597479

As discussed earlier, can this application please be made in the name of The Committee of Marden Cricket and Hockey Club, not in my name.

Just to clarify that we are in the process of moving premises from TN12 9EF to TN12 9AG and that there will be an overlap of a couple of months.

Many thanks

Charlotte Hope  
Chairman  
Marden Cricket and Hockey Club



PROPOSED CLUB ROOM LAYOUT - REV B







**Objections to an application for New Club Premises Certificate: 18/00977/LACPC****APPENDIX C**

Licensing Partnership  
PO BOX 182  
Sevenoaks, Kent  
TN13 1GP

Mr & Mrs R. Boatwright-Smith  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**REFERENCE**     **Application for New Club Premises Certificate: 18/00977/LACPC**  
**CPC Address**   **Marden Cricket & Hockey Club, Maidstone Road, Marden, Kent, TN12 9AG**

To Whom It May Concern,

It has come to our attention that a new club premises certificate application has been submitted under reference **18/00977/LACPC** relating to the clubhouse for the new Marden Cricket & Hockey Club on Maidstone Road. Whilst we have no objection to a license being granted for these premises, we kindly request standard timings for the provision of music (Live & Recorded) and the serving of alcohol be reduced in line with all other premises certificates in the village and immediate vicinity. The reason for this request is on the grounds of the impact to neighbouring properties from additional noise pollution and excessive drinking hours and subsequent disorderly behaviour it will generate. Our primary concern is the times requested to serve alcohol as standard during the year: 23:59 Mon-Thurs and 02:00 on Saturday nights.

We would urge you to request standard hours be reduced to align to other venues within the village (23:00 Mon-Sun – see overleaf) which would adequately support the premises' primary objective of supporting local sporting events that occur during the day/afternoons. As an alternative, we would support later operating hours by 'special dispensation' up to a maximum of 2-3 per year e.g. Annual Summer Party, Christmas, New Year's Eve etc.

We also wish to raise awareness to the fact there are significant inaccuracies in relation to the impact on the neighbouring properties that have been either deliberately omitted OR falsely represented on the application leading to a potential decision being made without properties and their families fairly considered.

The concerns and inaccuracies with regards to the application are noted below and we would welcome the opportunity to discuss proposed operating hours with the applicants via a consultation process where more Howland Road residents are able to be involved than are currently aware of this application (see below).

## ISSUES/CONCERNS

1. No attempt made to provide signage and raise awareness on Howland Road in relation to the application for the residents to review and raise objections. A number of residents (ourselves included) would be directly impacted by the building's license operating hours on the basis of its location and proximity. Evidence of how far the sound travels can easily be obtained by witnessing existing sporting match noise levels.
2. 100% of active licenses for music and the serving of alcohol in the public houses and restaurants in the village and surrounding 5 mile radius all finish at 23:00 for the entire week (including weekends). By considering a 'late license' applicable for the entire year as standard (as opposed to regular hours (and extended hours 'by special request' e.g. New Year's Eve) it will encourage dangerous levels of anti-social behaviour and mass-migration from the pubs upon closing to a venue which is not safely accessible on-foot (see bullet below).
  - The Unicorn Pub & Restaurant, TN12 9DR      11:00 – 23:00 Mon-Sun
  - The Stile Bridge, TN12 9BH      11:00 – 23:00 Mon-Sun
  - West End Tavern, TN12 9JB      08:30 – 23:00 Mon-Sat, 16:00 Sun
  - Marden Village Club, TN12 9DT      18:00 – 23:00 Mon-Sun
  - Marden Tandoori, TN12 9EA      12:00 – 23:00 Mon-Sun
  - Taj of Kent, TN12 9HS      17:30 – 23:00 Mon – Sun
3. Both entry/exit points (Maidstone and Howland Road) come out onto unlit residential roads with 40 and 60mph speed-limits respectively with neither exit possessing adequate lighting or pavements to safely transport patrons back into the village on-foot upon closing.
4. In the application, it's been stated that there are 'no immediate neighbours' and that the 'entrances/exits do not come out on to residential roads', both of these statements are incorrect. There are two houses within 150m of the premises itself (1) Bluebell Barn and (2) Bumpers Oast PLUS a number of houses <400m at both exits [Exit 1] the main entrance/exit on Maidstone Road] is neighboured by (3) Lamorna and [Exit 2] the public footpath on Howland Road is flanked on both sides by listed buildings (4) Bridgehurst Farmhouse (5) Bridgehurst Oast and (6) Bridgehurst Barn.
5. The application claims the club is 'members-only... Not Open to General Public'. The application subsequently contradicts itself by stating 'hirers of these facilities, visiting sports teams and their supporters are considered 'guests of the club' meaning anyone could attend the premises on match days and use the facilities without being a member. This allows events such as weddings to invite guests to use the facilities and thus not retain it's proposed 'members only' environment.
6. Alcohol: There has been a request for people to purchase alcohol and consume off-premises.

Kindest Regards,

**Robert & Jane Boatwright-Smith**



Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 5:16 PM on 19 Apr 2018 from Mr Gareth Hughes.

### Application Summary

**Address:** Street Record Maidstone Road Marden Kent

**Proposal:** Club Premises Certificate

**Case Officer:** Louise Davis

[Click for further information](#)

### Customer Details

**Name:** Mr Gareth Hughes

**Email:** [REDACTED]

**Address:** [REDACTED]

### Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Licensing Application

**Reasons for comment:**

- Noise Disturbance
- Opening Hours
- Prevention of Public Nuisance
- Public Safety

**Comments:** 5:16 PM on 19 Apr 2018 I object to the late licence for the cricket club on the following grounds  
Public Nuisance - The club has stated that they do not have neighbours. This is not the case and they are in fact surrounded by residential premises. There is no barrier to any sounds from the venue due to the flat and open nature of the venue.  
Public safety - There is no path for pedestrians to use and this will mean patrons walking on an unlit 40mph rural windy road. this will also encourage patrons to take short cuts across residents property.  
There are no other venues locally that require such late hours on a permanent basis. It raises the questions as to why this is required.  
They have failed to consult with any residents on this topic and as to why they require such late opening.  
Regards

-----Original Message-----

From: Sally Bampton [REDACTED]

Sent: 19 April 2018 21:43

To: Licensing

Subject: \*Possible SPAM\* Application for late license -Ref 18/00977/LACPT/Club Premises Certificate

We would like to comment on the application for this new extended licence to sell alcohol and play music until much later and more frequently than is usual for a Cricket and Hockey Club venue. More usual for a nightclub. We would also like to note that we have had no notification of the intended licence request even though we live in Howland Road and the clubhouse is in clear view from our windows and probably no more than a 100 or so meters away. There is only open space separating us from the clubhouse and any noise coming from there at these sort of hours late at night and early morning will obviously have a major impact on us. We realize that the Club needs to have a bar that will help raise funds . But the request for music and alcohol until 1am Friday and 2am Saturday every week is not acceptable. We understand there is to be a balcony going completely around the outside of the clubhouse, are there to be restrictions to this area late at night? Also is there going to be any noise levels monitored outside the venue? I understand that there are automatic noise sensor equipment that can cut out the music at certain levels that can be fitted. Would there be any responsibility for the club to fit one and at what sound level?

As for the Clubs claim that there are no immediate neighbors I dont agree as we live in a rural enviroment with open space directly around the Clubhouse noise will travel uninterrupted. Currently there are 44 houses being built as close if not closer to the clubhouse than us currently and the purchasers of these houses will not even get to comment on this application and will probably move into their home not having experienced any noise that may be a result of this licence if granted. There will also be noise from people leaving the premises late at night especially over vocal ones that may have slightly over indulged themselves.

Chris Bampton

Licensing Partnership, PO BOX 182, Sevenoaks, Kent, TN13 1GP

Dear Sir/Madam,

**Application for New Club Premises Certificate: 18/00977/LACPC**

A new club premises certificate application has been requested (ref: **18/00977/LACPC**) for the new Marden Cricket & Hockey Club on Maidstone Road. We have no objection to the granting of a license **BUT** request timings for serving alcohol and playing Live/Recorded music are reduced in line with other premises in the village. Of particular concern is serving alcohol every night of the week until very late (Monday – Thursday's until midnight, 1am on Friday's and 2am on Saturdays).

We request standard hours are reduced to 11pm Monday – Sunday to align to all other venues in the village and surrounding 5 mile area (examples below). This does not impact the club's ability to provide facilities for members and visitors on match days. We have no objection to 1 or 2 extension requests per year by way of special dispensation e.g. New Year's Eve.

o The Unicorn Pub & Restaurant, TN12 9DR	11:00 – 23:00 Mon-Sun
o The Stile Bridge, TN12 9BH	11:00 – 23:00 Mon-Sun
o West End Tavern, TN12 9JB	08:30 – 23:00 Mon-Sat, 16:00 Sun
o Marden Village Club, TN12 9DT	18:00 – 23:00 Mon-Sun
o Marden Tandoori, TN12 9EA	12:00 – 23:00 Mon-Sun
o Taj of Kent, TN12 9HS	17:30 – 23:00 Mon – Sun

There are also application errors regarding impact on neighbouring properties. They state 'there are no immediate neighbours' and 'exits do not come out onto residential roads' – both are factually incorrect. Three properties reside within 150m (Lamorna, Bluebell Barn and Bumpers Oast) and three further properties within 400m (Bridgehurst Barn, Bridgehurst Farmhouse and Bridgehurst Oast). In addition, both entry/exit points (Maidstone and Howland Road) are onto unlit residential roads with neither exit having pavements to return to the village safely.

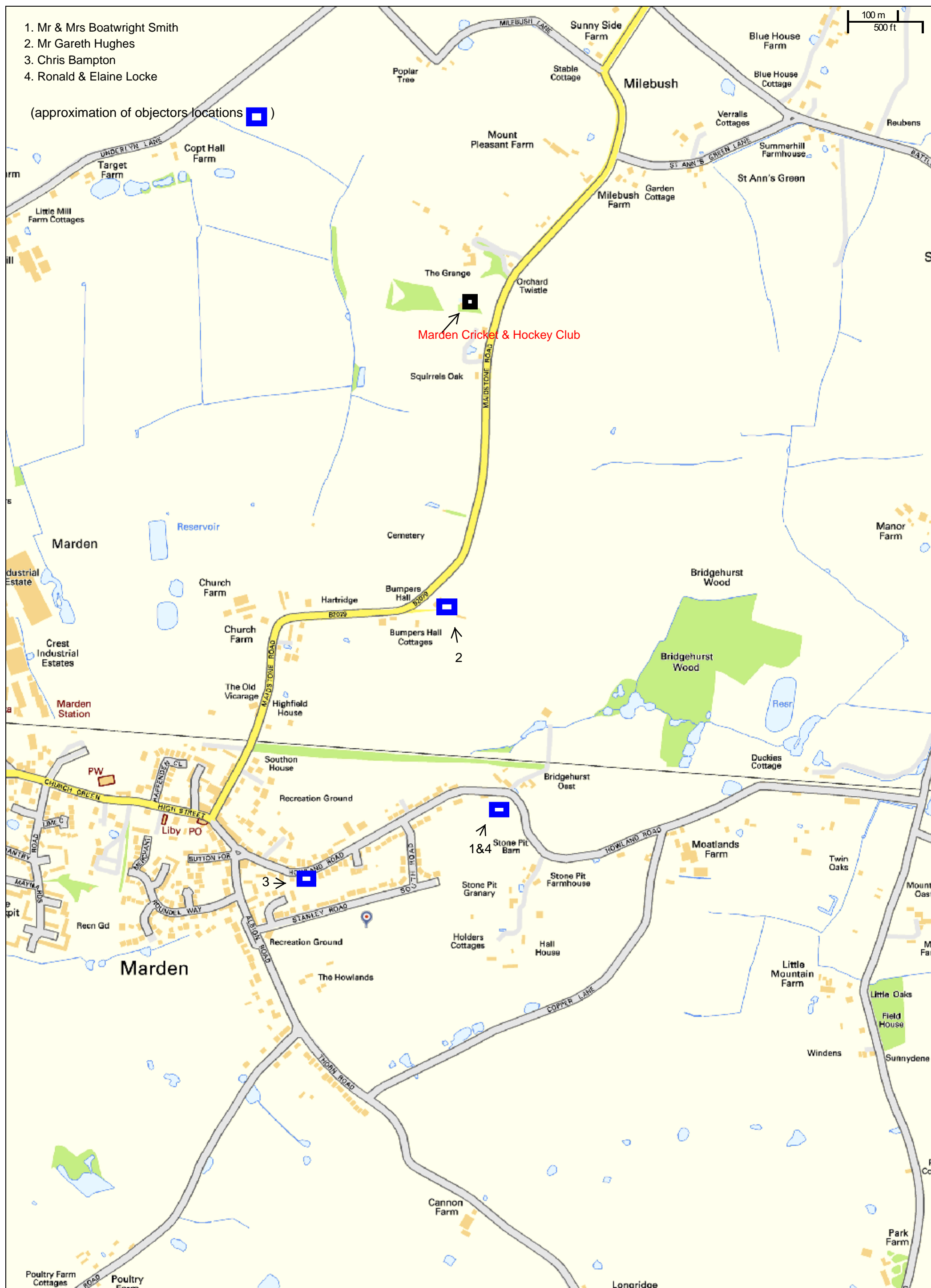
Finally, I would like to point out that no clear signage was posted on Howland Road regarding the application for residents to review and raise objections.

Kindest Regards,

*Ronald & Elaine Locke*







**From:** Charlotte Hope  
**Sent:** 26 April 2018 11:09  
**To:** Lorraine Neale  
**Subject:** Re: Marden Cricket And Hockey Club - New Club Premises Certificate Application  
**Attachments:** Amended application hours for Club Premises licence 18.pdf

Dear Lorraine

I am attaching an amended list of hours for our application. As you can see, I have brought forward almost every finishing time.

Just to clarify a couple of other points that have been raised by those commenting:

1. There is no boundary between the Club premises and Howland Road. We posted notices at the entrance to the premises on Maidstone Road as required and in the local newspaper.
2. As we are a sports club and not a public house, our licensing requirements will be different. We will rely on hiring the clubhouse out for functions to generate income, as I believe is normal practice for any sports club.
3. As can be demonstrated by past practice at our previous premises, very late nights are rare. We have run past midnight on one occasion in the last 12 months and we applied for a TENS for that event.
4. When the General Committee approves hire of the clubhouse for events, the hirers become our guests. This is written into our rules that were updated in May 2017:

*15. Admission to Clubhouse*

*There may be admitted to the Clubhouse except at such times as the General Committee may direct, and there may be sales of intoxicating liquor for consumption on the premises to*  
*(1) the guests of members, whose names must be entered in the book kept for this purpose, but each member is responsible for his or her guest's conduct and behaviour;*  
*(2) members of visiting teams playing or practising on the premises and their guests and officials;*  
*(3) persons attending functions on the premises with the approval of the general committee or (in emergency) of the chairman, vice-chairman or secretary or treasurer, to include members and their guests, in accordance with Section 67 of the Licensing Act 2003.*

Please let me know if you need any more information.

Regards

Charlotte



**Live Music**

Monday	18:00 – 23:00
Tuesday	18:00 – 23:00
Wednesday	18:00 – 23:00
Thursday	18:00 – 23:00
Friday	18:00 – 23:59
Saturday	18:00 – 23:59
Sunday	18:00 – 23:00

**Recorded Music**

Monday	18:00 – 23:00
Tuesday	18:00 – 23:00
Wednesday	18:00 – 23:00
Thursday	18:00 – 23:00
Friday	18:00 – 23:59
Saturday	18:00 – 01:00
Sunday	18:00 – 23:00

**Provision of Alcohol**

Monday	11:00 – 23:00
Tuesday	11:00 – 23:00
Wednesday	11:00 – 23:00
Thursday	11:00 – 23:00
Friday	11:00 – 23:59
Saturday	10:00 – 01:00
Sunday	11:00 – 23:00

We would also like to apply for the following on up to 8 occasions a year, always on a Friday or Saturday:

Live music	18:00 – 01:00
Recorded music	18:00 – 01:00
Provision of Alcohol	18:00 – 02:00

This would be to cover special events such as our end of season sports parties, Christmas and New Year.

**From:** Robert Boatwright-Smith  
**Sent:** 13 May 2018 20:54  
**To:** Lorraine Neale  
**Cc:**  
**Subject:** Re: FW: Marden Cricket And Hockey Club - New Club Premises Certificate Application

Good Evening Lorraine,

Many thanks for your email and the response from Charlotte.

We continue to remain deeply concerned with the revised timings and impact such a late license creates (specifically the provision of alcohol & recorded music) throughout the week including weekends. As a result we would like to be informed of when a hearing date is to be scheduled for this application to discuss further with the applicants. We also feel that not enough consideration was made to inform residents on Howland Road of this application despite the railway line being between the club's border and the residents.

In terms of a resolve, we stand by our original request of a finish of no later than 23:00hrs 7-days a week and remain open to TENS applications as required for special events/weddings etc. It is my understanding you can apply for up to 15x TENS licenses per year which would be ample for a handful of dedicated club events (of which we would fully support) PLUS supplementary income from weddings during the summer months.

I note in Charlotte's response that "*in our previous premises, very late nights are rare*" and that they "*have run past midnight on one occasion in the last 12 months*". With the utmost of respect, their previous venue is not remotely comparable to the new building for which they're applying for a license both in terms of facilities& capacity. I do see that in Charlotte's revised application she has requested "we would also like to apply for the following on up to 8 occasions per year, always on a Fri/Sat: (recorded music 01:00, provision of alcohol until 02:00)". With this additional request effectively bypassing a need for TENS licences for 8 events per year we kindly request the primary license remains restricted to 23:00hrs 7 days per week and would support the additional 8x events per year.

Kindest Regards, Robert

**From:** Charlotte Hope  
**Sent:** 14 May 2018 15:17  
**To:** Lorraine Neale  
**Subject:** Re: FW: FW: Marden Cricket And Hockey Club - New Club Premises Certificate Application  
**Attachments:** Amended application hours for Club Premises licence 18 v 2.pdf

Dear Lorraine

Further to our discussion this morning, I am attaching yet another amendment to our licence application. As you can see I have further reduced the hours for the supply of alcohol and the provision of live and recorded music, as per Mr Boatwright-Smith's suggestion, on the proviso that we can have the requested extended hours up to 8 times per year. We don't feel that this is an unreasonable request.

Please forward the revised times to the objectors.

Regards

Charlotte

**Live Music**

Monday	18:00 – 23:00
Tuesday	18:00 – 23:00
Wednesday	18:00 – 23:00
Thursday	18:00 – 23:00
Friday	18:00 – 23:00
Saturday	18:00 – 23:00
Sunday	18:00 – 23:00

**Recorded Music**

Monday	18:00 – 23:00
Tuesday	18:00 – 23:00
Wednesday	18:00 – 23:00
Thursday	18:00 – 23:00
Friday	18:00 – 23:00
Saturday	18:00 – 23:00
Sunday	18:00 – 23:00

**Provision of Alcohol**

Monday	11:00 – 23:00
Tuesday	11:00 – 23:00
Wednesday	11:00 – 23:00
Thursday	11:00 – 23:00
Friday	11:00 – 23:00
Saturday	10:00 – 23:00
Sunday	11:00 – 23:00

We would also like to apply for the following on up to 8 occasions a year, always on a Friday or Saturday:

Live music	18:00 – 01:00
Recorded music	18:00 – 01:00
Provision of Alcohol	18:00 – 01:00

This would be to cover special events such as our end of season sports parties, Christmas and New Year.

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 other person (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, other person If necessary, the applicant (or their representative) may clarify any matter that arose during questioning.

#### **ii) Responsible Authorities (where applicable)**

<b>RESPONSIBLE AUTHORITY</b>	<b>Tick if applicable</b>
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, other person and sub-committee member.
- ☐ If necessary, the officer (or representative) may clarify any matter that arose during questioning.

#### **iii) Other Persons**

- ☐ Opening remarks by the other person (or spokesperson/representative).
- ☐ Evidence of the other person and any witnesses.
- ☐ After each person has given evidence the person may be questioned by the applicant, responsible authorities, each other person 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 Other Person 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.