

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Wednesday, 12th April, 2023**

**Present:** Cllr D Keers (Chair), Cllr R V Roud and Cllr C J Williams.

**PART 1 - PUBLIC**

**LAP 23/7 DECLARATIONS OF INTEREST**

There were no declarations of interest made in accordance with the Code of Conduct.

**DECISIONS TO BE TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE CONSTITUTION**

**LAP 23/8 APPLICATION FOR A NEW PREMISES LICENCE - KENTFIELD ESTATE, ASHTREE FARM, TESTON ROAD, OFFHAM**

The Panel gave careful consideration to an application for a premises licence in respect of Kentfield Estate, Ashtree Farm, Teston Road, Offham, Kent, ME19 5RL.

Careful consideration was given to the written report of the Director of Central Services and Monitoring Officer, the application set out at Annex 1 and the written representations received during the statutory consultation period (as set out at Annex 7 to the report). Furthermore, consideration was given to the verbal representations of the applicant, five 'other persons' and Environmental Health.

The Panel felt that the main objections could be summarised as follows:

- Public nuisance created by the noise that would be emitted from the premises; and
- Dangers posed to public safety by traffic issues, particularly near to the access and egress points to the premises.

The Panel were of the view that there was insufficient information in the operating schedule to ensure that the licensing objectives could be promoted. Even after obtaining quite a lot of additional information from the applicant orally during the hearing, the Panel was still not satisfied that the licensing objectives could be promoted if the application were granted.

There was insufficient detail about how the events would be managed, the number of staff that would be in attendance and the quality of

training that would be given to staff. There was also no traffic management plan.

The Panel felt also that the applicant should have made more effort to liaise with local residents and the responsible authorities. The Panel felt that the issue of noise nuisance should have been re-considered and it was inadequate to rely on a 5 year old noise nuisance report, which was not included in the application, especially when the numbers that the applicant was now hoping to entertain was up to 950 per event.

Having taken into account all representations, the Panel

**RESOLVED:** That the application for a new premises licence be refused.

**LAP 23/9 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 12.41 pm

Having commenced at 10.00 am