

LICENSING COMMITTEE

Minutes of the meeting of the Licensing Hearing
held on 8 February 2010 commencing at 10 a.m.

Present: Sub-Committee B: Cllrs. Orridge, Mrs Parkin and Pett

Also present: Mr Rahman - Applicant
Mr C. Hook - Environmental Health Officer
Mrs P. Walshe - Objector
Mrs L. Leeds - Licensing Officer
Ms L. Felton - Principal Solicitor
Mrs C. Beaumont - Democratic Services Officer
One member of the public
Cllrs. Mrs Purves and Walshe observed the meeting.

1. ELECTION OF CHAIRMAN

Resolved: That Cllr. Pett be appointed Chairman of the meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest in respect of any matter discussed or voted on at the meeting. However, all three Sub-Committee Members declared that they had been copied in to emails of objection and support that had been received after the statutory consultation period.

3. APPLICATION FOR A PREMISES LICENCE FROM THE BANANA LEAF RESTAURANT, 47 BETHEL ROAD, SEVENOAKS, KENT TN13 3UE FOR VARIATION UNDER THE LICENSING ACT 2003

The Hearing gave consideration to the report by the Community and Planning Services Director giving details of an application for a variation to a Premises Licence at The Banana Leaf Restaurant, 47 Bethel Road, Sevenoaks. It was noted that objections had been received and that accordingly the application had been referred to the Sub-Committee for determination.

The Hearing heard from Mr Rahman, the applicant, Mr Hook, Environmental Health Officer for Sevenoaks District Council and Mrs Walshe, speaking on behalf of Sevenoaks Town Council and local residents as objectors to the application.

At 10:39 a.m. the Hearing adjourned

At 10:54 a.m. the Hearing reconvened.

It was unanimously

Resolved: That a variation to the Premises Licence in respect of The Banana Leaf Restaurant, 47 Bethel Road, Sevenoaks, Kent, TN13 3UE as set out in the Appendix to these minutes, be granted.

THE MEETING WAS CONCLUDED AT 10.57 AM

LICENSING ACT 2003 – Sections 35 and 36

Notice of determination of application for variation of premises licence

To: The Banana Leaf Restaurant

Of: The Banana Leaf restaurant, 47 Bethel Road, Sevenoaks, Kent, TN13 3UE

Ref: 09/00768/PRETRB

Sevenoaks District Council being the licensing authority, on the 18 November 2009 received an application for a variation to a premises licence in respect of premises known as The Banana Leaf restaurant, 47 Bethel Road, Sevenoaks, Kent, TN13 3UE

On the 8 February 2010 there being valid representations which were received had not been withdrawn, a hearing was held to consider these representations, and having considered them the Licensing Sub-Committee determined as follows:

To grant the variation of the Premises Licence

Section E To allow live music indoors on Monday to Thursday from 19:00 hours until 22:00 hours, Friday and Saturday from 19:00 hours until 23:30 hours and Sunday from 19:00 hours until 22:00 hours.

On New years eve until 00:30 hours the following day

Section F To allow recorded music indoors on Monday to Thursday from 19:00 hours until 22:00 hours, Friday and Saturday from 19:00 hours until 23:30 hours and Sunday from 19:00 hours until 22:00 hours.

On New years eve until 00:30 hours the following day

Section G To allow performances of dance indoors on Monday to Thursday from 19:00 hours until 22:00 hours, Friday and Saturday from 19:00 hours until 23:30 hours and Sunday from 19:00 hours until 22:00 hours.

On New years eve until 00:30 hours the following day

Section I To allow the provision of facilities for making music indoors on Monday to Thursday from 19:00 hours until 22:00 hours, Friday and Saturday from 19:00 hours until 23:30 hours and Sunday from 19:00 hours until 22:00 hours.

On New years eve until 00:30 hours the following day

Section J To allow the provision of facilities for dancing music indoors on Monday to Thursday from 19:00 hours until 22:00 hours, Friday and Saturday from 19:00 hours until 23:30 hours and Sunday from 19:00 hours until 22:00 hours.

On New years eve until 00:30 hours the following day

Mandatory Conditions:

The supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

(a) at a time where there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Conditions attached at the hearing:

- 1) All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving Live and Recorded music are taking place;
- 2) Details of a suitable noise limiting device shall be submitted to Sevenoaks District Council's Environmental Health Team (hereafter "the Council"). Upon approval by the Council the noise limit shall be installed and maintained in such a manner as to control all sources of amplified music at the premises. No regulated entertainment shall occur until after the noise limiter has been set at a level agreed with the Council.
- 3) Customers shall be prohibited from taking any drinks outside of the building.

The reason for the qualified variation permitted is to promote the licensing objectives, namely prevention of public nuisance.

This licence granted at the Hearing is effective from the 8 February 2010.

Dated: 8 February 2010

Signed

Chair – Licensing Hearing

Signed

Designation – Leeann Leeds, Licensing Officer

Please address any communications to:

Licensing Regime
Community and Planning Services
Council Offices
PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Note: Pursuant to Part 1 of Schedule 5 of the Licensing Act 2003 as amended, any party eligible to appeal must appeal to a magistrates' court within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

