

I refer to the above application that has been passed to this team for comment.

The application is to vary the times that various forms of regulated entertainment may occur, including live and recorded music and facilities for dancing. The variation applied for is extensive, and proposes that the time that live and recorded music may be played is changed from 22.00 hours on every day to 23.00 hours on Sunday to Thursday and 00.00 on Friday and Saturday.

The Environmental Health Team has not received extensive previous noise complaints concerning this premises but in 2008 logged a complaint alleging regular noise from drunken customers leaving the premises. A further complaint was received in 2009 alleging noise from a live music event and noise from people drinking outside. Visits were not made by this department and it is therefore not possible to confirm or refute the allegations.

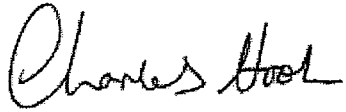
Nevertheless, the restaurant is located within a busy residential area and I am concerned that there is potential for neighbours to be caused significant disturbance from the extension proposed. In addition to the potential for loud music to be an issue, another consideration is that the variation appears designed to encourage customers to stay at the premises after their meal and to consume more alcohol. This may lead to noisy drunken behaviour outside the premises, both by smokers taking breaks, for example, and when customers are leaving the establishment.

If Committee are minded to grant the application I would recommend that the following conditions are imposed. Condition 3 is intended to reduce the number of customers / length of time that they spend outside the restaurant, where they are more likely to cause disturbance to neighbours.

- 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 limiter 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.

(Informative: It may be necessary on occasions for an Officer of the Environmental Health Team to modify a level previously set, either to increase or decrease the volume. Cooperation from the Licence holder is appreciated and expected but ultimately the Council would consider a review of the licence or Statutory Nuisance action where necessary).

- 3) Customers shall be prohibited from taking any drinks outside the building.

A handwritten signature in cursive script that reads "Charles Hook".

Charles Hook
Environmental Health Officer
Environmental Health Team

Vincent, Rachel

09/00768/PRETRB.

From: Ann White [ann.white@sevenoakstown.gov.uk]
Posted At: 23 December 2009 14:34
Conversation: The Banana Leaf Restaurant
Posted To: Licensing (Licensing@sevenoaks.gov.uk)
Subject: The Banana Leaf Restaurant

The Banana Leaf Restaurant 47 Bethel Road

Sevenoaks Town Council was due to discuss licence application for variation of conditions at the Planning Committee meeting scheduled for 21 December 2009. Unfortunately this meeting had to be cancelled owing to adverse weather conditions.

The Town Council does not consider the application for extension of hours for live music, recorded music, performance of dance, facilities for making music and facilities for dancing should be granted as the noise generated by people leaving the premises at a later hour would cause public nuisance to the neighbouring residents.

The Town Council would also object to the removal of the embedded conditions from the Justices Licence being removed

Ann White
Acting Deputy Town Clerk

Contact Sevenoaks Town Council by email at ann.white@sevenoakstown.gov.uk or telephone 01732 459953



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Map center: 553335, 156011



PREMISES LICENCE

The Licensing Act 2003, Schedule 12, Part B

Premises Licence Number **KS0800558**

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town & Post Code

Banana Leaf Restaurant
47 Bethel Road
Sevenoaks
Kent. TN13 3UE

Telephone number 01732 465846

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Live music
Recorded music
Performances of dance
Facilities for making music
Facilities for dancing
Late night refreshment
Supply of alcohol

Times the licence authorises the carrying out of licensable activities

Live music (indoors)	Every Day	19:00 - 22:00
Recorded music (indoors)	Every Day	19:00 - 22:00
Performances of dance (indoors)	Every Day	19:00 - 22:00
Facilities for making music (indoors)	Every Day	19:00 - 22:00
Facilities for dancing (indoors)	Every Day	19:00 - 22:00
Late night refreshment (indoors)	Monday to Saturday	23:00 - 00:00
Supply of alcohol	Monday to Saturday	10:00 - 00:00
	Sunday	12:00 - 23:30

Non standard times for licensable activities

For live music, recorded music, performance of dance, facilities for making music and facilities for dancing the hours are extended until 00:30 hours.
Alcohol may be sold from the start of business on New Years Eve until the close of business on New Years Day.

Licence Number KS0800558
Application Number 08/00558/PRETRB

Issue Date 12/12/2008
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Licence issued by:
The Licensing Authority of Sevenoaks District Council, Council Offices, Argyle Road, Sevenoaks, Kent, TN13 1HG
Telephone number: 01732 227000

The opening hours of the premises

Monday to Saturday 10:00 - 00:20
 Sunday 12:00 - 23:50

The non-standard opening hours of the premises

The premises is open from the start of normal hours on New Years Eve until the close of business on New Years Day.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption on and off the premises.

Part 2**Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence**

Mr Kalisur Rahman
 47 Bethel Road
 Sevenoaks
 Kent. TN13 3UE

Registered number of holder, for example company number, charity number (where applicable)

None provided

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

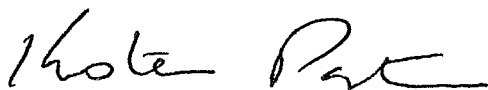
Kalisur Rahman

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number: KS0501012
 Licensing Authority: Sevenoaks District Council

State whether access to the premises by children is restricted or prohibited

None



Kristen Paterson
Community and Planning Services Director