

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Wednesday, 23rd February, 2011

Present: Cllr Miss J L Sergison (Chairman), Cllr O C Baldock and Cllr Mrs M F Heslop.

PART 1 - PUBLIC

**LA
11/018** **DECLARATIONS OF INTEREST**

There were no declarations of interest made.

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

**LA
11/019** **APPLICATION FOR THE VARIATION OF THE PREMISES LICENCE
FOR THE VIGO INN, FAIRSEAT**

The Panel gave consideration to an application by Mr A Forrest and Ms V Hobbs for the variation of the premises licence in respect of The Vigo Inn, Fairseat. The application sought to vary the licence to allow the performance of live and recorded music and for the provision of dancing. The application further sought to vary the hours during which alcohol could be supplied.

Notice of the application had been displayed on the premises and in a local newspaper and the Panel were advised that representations had been received from a local resident and from Environmental Health and Housing Services (as a Responsible Authority).

The Panel heard from the Mr C Kennard, Environmental Health Officer and the applicant, Mr A Forrest.

Having considered very carefully the application, representations made by the applicant, the responsible authorities and a local resident in accordance with the objectives contained in the Licensing Act 2003 and taken into account the issues set out in the report and the objectives contained in the Licensing Policy of Tonbridge and Malling Borough Council, the Licensing and Appeals Committee, sitting as a Panel

RESOLVED: That the Premises Licence be varied by the addition of the following conditions:-

1. The times for the performance of live music, the playing of recorded music and the provision of dancing shall be Monday to Sunday 13.00 to 23.30 hours;
2. All doors and windows to the premises to be kept closed during the playing of live or recorded music;
3. Noise attributable to the playing of live or recorded music within the premises shall not be audible within neighbouring houses with windows open in a manner typical for ventilation; and
4. Signage to be installed requesting customers to respect local residents and to leave the premises quietly.

**LA
11/020**

**APPLICATION FOR A PREMISES LICENCE FOR
THE ROSE AND CROWN, EAST PECKHAM**

The Panel gave consideration to an application for a premises licence made by Mr and Mrs G Laybourne in respect of The Rose and Crown, Branbridges Road, East Peckham.

Notice of the application had been displayed on the premises and in a local newspaper and the Panel was advised that a representation had been received from Environmental Health and Housing Services, as a Responsible Authority.

The Panel heard from the Estates Manager, representing the Licensing Authority and from Mr C Kennard, Environmental Health Officer.

Having considered very carefully the application and the representations made by the responsible authorities in accordance with the objectives contained in the Licensing Act 2003 and taken into account the issues set out in the report and the objectives contained in the Licensing Policy of Tonbridge and Malling Borough Council, the Licensing and Appeals Committee, sitting as a Panel

RESOLVED: That

(1) the Premises Licence be granted subject to the following conditions:-

1. The hours of operation for the sale of alcohol, indoor sporting events and late night refreshment shall be as applied for;

2. The hours of operation for live and recorded music shall be 10.00 to 23.30 hours Monday to Saturday and 10.00 to 22.00 hours on Sunday. Live and recorded music shall end at 01.00 hours on Christmas Eve, Christmas Day, New Year's Eve, St Valentine's Day, St Patrick's Day, St George's Day, Easter Thursday, Good Friday, Easter Sunday and Monday, May Bank Holiday Sunday and Monday, Spring/Whitsun Bank Holiday Sunday and Monday and August Bank Holiday Sunday and Monday;

3. The hours of operation for the activities specified in Sections G-K inclusive of the application shall be coterminous with those hours for live and recorded music;

4. The opening hours for the premises shall be as applied for except for those days specified as seasonal variations where the closing time shall be 01.30 hours;

5. Use of the outside areas for licensable activities (but not for the consumption of alcohol) shall cease by 21.00 hours;

6. Bottle bins shall not be used between 20.00 and 08.00 hours;

7. All doors and windows to the premises to be kept closed during the playing of live or recorded music;

8. Noise attributable to the playing of live or recorded music within the premises shall not be audible within neighbouring houses with windows open in a manner typical for ventilation.

(2) The Premises Licence Holder be advised to liaise with Environmental Health and Housing Services regarding the proposed use of the Courtyard Area as a designated smoking area.

MATTERS FOR CONSIDERATION IN PRIVATE

**LA
11/021**

EXCLUSION OF PRESS AND PUBLIC

No matters were considered in private.

The meeting ended at 2109 hours