

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Thursday, 13th January, 2011

Present: Cllr Miss J L Sergison (Chairman), Cllr A W Allison and Cllr J R H Clements.

PART 1 - PUBLIC

**LA
11/008** **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
11/009** **APPLICATION FOR REVIEW OF PREMISES LICENCE FOR
LIDL, QUARRY HILL ROAD, TONBRIDGE**

The Panel gave consideration to an application made by Kent Trading Standards for a review of the premises licence in respect of Lidl, Quarry Hill Road, Tonbridge. The Panel was advised that the application for review had been made under the licensing objective of "The protection of children from harm" following a test purchase operation in which alcohol had been sold to an under 18 year old volunteer.

The Panel heard from Mr M Norfolk and Ms G Powell of Kent Trading Standards and from Ms A Pilliger and Mr R Jeffrey on behalf of Lidl.

Having considered very carefully the application for the review made by Kent Trading Standards, the representations made on behalf of Lidl and the issues set out in the report, the Licensing and Appeals Committee, sitting as a Panel,

RESOLVED: That, in accordance with the objectives contained in the Licensing Act 2003 and the objectives contained in the Licensing Policy of Tonbridge and Malling Borough Council, the Premises Licence be modified by the addition of the following conditions:-

1. A Challenge 25 policy, where all potential purchasers who are under 25 should produce acceptable proof of age, should be published in store with use of sufficient notices for all potential purchasers to be aware of the policy and this policy should be adhered to in all instances. Should any member of staff question a purchaser's age

then a sale cannot be made unless acceptable photographic evidence is produced;

2. A refusals register is to be completed every time a refusal is made to someone because they appear under 25 in a format agreed by Kent Trading Standards. Reasons for refusal (or acceptance) must be a true and accurate representation. Where ID is shown and this is logged in the refusals register, the type of ID must also be recorded; and

3. The refusals register should be checked and reviewed weekly by the Designated Premises Supervisor and a signature applied to the book to verify this. The Designated Premises Supervisor must also use this log to identify any members of staff who are not recording refusals and making as many entries as other members of staff. The Designated Premises Supervisor is to explore the reasons for these variances with the member of staff and keep a log of these discussions. This log should be kept for a minimum of 12 months and be made available to any officer of Kent Police or Kent Trading Standards to view.

MATTERS FOR CONSIDERATION IN PRIVATE

**LA
11/010**

EXCLUSION OF PRESS AND PUBLIC

No matters were considered in private.

The meeting ended at 2113 hours
having commenced at 2015 hours