

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**LICENSING AND APPEALS PANEL**

**Wednesday, 26th January, 2011**

**Present:** Cllr Miss J L Sergison (Chairman), Cllr J R H Clements and Cllr Mrs E M Holland.

**PART 1 - PUBLIC**

**LA  
11/011**      **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  
11/012**      **APPLICATION FOR REVIEW OF PREMISES LICENCE FOR  
KENT MART, LUNSFORD LANE, LARKFIELD**

The Central Services Director advised that, following publication of the agenda, she had received a request from the agent acting on behalf of Kent Mart that consideration of the review be postponed to another date to allow the agent to be present.

**RESOLVED:** That the application for the Review of the Premises Licence for Kent Mart, Lunsford Lane, Larkfield be considered at the meeting of the Panel to be held on 9 February 2011.

**LA  
11/013**      **APPLICATION FOR REVIEW OF PREMISES LICENCE FOR  
THE SWEET SHOP, QUARRY HILL PARADE, TONBRIDGE**

The Panel gave consideration to an application made by Kent Trading Standards for a review of the premises licence in respect of The Sweet Shop, Quarry Hill Parade, 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 J Reilly and Ms E Flinders of Kent Trading Standards and from Mr Y Patel, the Premises Licence Holder.

Having considered very carefully the application for the review made by Kent Trading Standards, the representations made by Mr Patel 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 shall be operated at the premises and published in store with the use of sufficient notices for all potential purchasers to be aware of the policy. This policy must be adhered to in all instances. All notices referring to a Challenge 21 policy should be taken down to avoid confusion;
2. A refusals register should be maintained and completed every time a refusal is made to someone because they appear under 25 in a format agreed by Kent Trading Standards;
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 or 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;
4. There should be a written training procedure proportionate to the size of the business and number of staff with signatures gained from each member of staff to confirm that they have been trained in relation to sales of age restricted goods; and
5. Forms of identification which are acceptable as "proof of age" must be limited to a passport, driving licence (with photo) or "Pass Approved" proof of age card.

### **MATTERS FOR CONSIDERATION IN PRIVATE**

**LA  
11/014**

#### **EXCLUSION OF PRESS AND PUBLIC**

No items were considered in private.

The meeting ended at 1954 hours