

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Friday, 17th May, 2013

Present: Cllr C Brown (Chairman), Cllr Mrs F A Kemp and Cllr D J Trice.

Together with representatives of the Licensing Authority, PC M Beresford, PC B Murray and Ms E Shaw on behalf of Kent Police and Mr S Thomas, Mr M Chaussy and Mr K Patel on behalf of Heritage Taverns Limited.

PART 1 - PUBLIC

**LA
13/036 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

MATTERS FOR CONSIDERATION IN PRIVATE

**LA
13/037 EXCLUSION OF PRESS AND PUBLIC**

The Chairman moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information the following matter be considered in private.

PART 2 - PRIVATE

**LA
13/038 LICENSING ACT 2003 - INTERIM STEPS REGARDING
SUMMARY REVIEW OF A PREMISES LICENCE
(Reason: LGA 1972 Sch 12A Para 1 - Information relating to an
individual)**

The report of the Director of Central Services and Monitoring Officer set out details of a request received from the Chief Officer of Police, Kent Constabulary for a summary review of an existing premises licence in accordance with Section 53A of the Licensing Act 2003. The Panel was advised that a Summary Review allowed interim conditions to be attached to a premises licence and an early review of a licence where the police considered that the premises concerned was associated with serious crime and/or disorder.

The Panel heard from Kent Police regarding an incident which had occurred at the premises on 10 May 2013 and from the legal representative of Heritage Taverns Limited who outlined action taken regarding the management of the venue. A list of proposed interim

steps for the Summary Review application was presented to the Panel for its consideration. The Panel gave serious consideration to the removal of glass bottles and drinking vessels but decided against this. The Panel was extremely concerned that a failure of management control had led to the incident and trusted that the licence holder would take appropriate steps to improve procedures and to avoid this type of incident occurring again. The Panel noted that the Summary Review application would be heard in the Civic Suite at the offices of Tonbridge and Malling Borough Council on Friday 7 June 2013 commencing at 1400 hours.

Having listened very carefully to the representations made by Kent Police and the Premises' solicitor and having had regard to the policy considerations set out in paragraph 1.4 of the report of the Director of Central Services and to Home Office Summary Review Guidance, the Panel

RESOLVED: That the following interim steps for the Summary Review application be AGREED:-

1 The function room to be used for seated functions only from Saturday 18 May 2013;

2a Four SIA door staff to be employed at the premises from 1900 hours to half an hour after the close of premises on Friday 17 May and Saturday 18 May and thereafter every Friday. Two door staff will be placed at the front door, one door staff will be in the rear car park/terrace/garden area and one will be at the back door and in the bar area;

2b On Saturday 25 May and thereafter every Saturday, two SIA door staff to be employed at the premises from 1900 hours to half an hour after the close of premises. One member of bar staff will remain on duty to exclusively supervise the terraced area from 1900 hours until 30 minutes after the close of the premises;

3 The sale of alcohol to stop at 2300 hours;

4 The premises to close at 2400 hours;

5 There will be a person who has passed their personal licence holder exams on duty at the premises at all times that licensable activities are taking place;

6 There will be a member of staff present at the premises during trading hours who is able to download CCTV images at the request of the police; and

7 All members of staff will be aware of all licensing conditions operating on the premises licence.

The meeting ended at 1626 hours
having commenced at 1500 hours