

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Friday, 7th June, 2013

Present: Cllr Mrs F A Kemp (Chairman), Cllr Mrs P Bates and Cllr M A Coffin.

Together with representatives of the Licensing Authority, PC N Barnes of Kent Police and Mr S Thomas and Mr M Chaussy on behalf of Heritage Taverns Limited.

PART 1 - PUBLIC

**LA
13/051** **DECLARATIONS OF INTEREST**

There were no declarations of interest made.

MATTERS FOR CONSIDERATION IN PRIVATE

**LA
13/052** **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
13/053** **LICENSING ACT 2003 - CONSIDERATION OF AN APPLICATION
FOR A SUMMARY REVIEW OF THE PREMISES LICENCE AT
THE FARMHOUSE, 97/99 HIGH STREET, WEST MALLING, KENT
ME19 6NA**

**(Reason: LGA 1972 - Sch 12A Paragraph 1 - Information relating to
an individual)**

Further to the meeting of the Licensing and Appeals Committee, sitting as a Panel, held on 17 May 2013 the report of the Director of Central Services and Monitoring Officer reviewed the interim steps placed on the premises licence for The Farmhouse, 97/99 High Street, West Malling. The Panel heard from the representative of Kent Police, which had sought the Summary Review of the Premises Licence following an incident at the premises on 10 May 2013. The Panel also heard from the Solicitor representing the Licensee and were presented with a list of proposed conditions which had been prepared following detailed negotiations between the Licensee, Kent Police and the Licensing Authority.

The Panel gave careful consideration to the representations made by Kent Police and the Licensee's Solicitor and had regard to the policy considerations set out at paragraph 1.4 of the report of the Director of Central Services and to the Home Office Summary Review Guidance and

RESOLVED: That the conditions applied to the Premises Licence for The Farmhouse be modified as follows:-

1. The Mandatory Conditions relating to the Sale of Alcohol be carried over from the previous licence;
2. The Mandatory Conditions for Door Supervision be carried over from the previous licence;
3. There shall be no use of the rear outside area after 2300 hours except for smoking;
4. There will be no new admissions after 2300 hours on any day;
5. Whenever Live Music (including Karaoke or similar) or Recorded Music is being played at the Licensed Premises, all doors and windows to the Licensed Area shall be kept closed to minimise the potential for disturbance from those activities;
6. In addition to the SIA requirements at condition 8 and 9, on Fridays when the function room is not used for seated functions only, or functions where food and incidental music is provided then one member of SIA door staff will be required to supervise the function room and a person who has passed their personal licence holders exams will be required to supervise the function throughout the period the function takes place at the premises;
7. Two SIA door staff to be employed at the premises from 1900 hours to half an hour after the close of the premises on Fridays. One of whom shall have specific responsibility for the area at the rear of the premises;
8. On any Saturday during the period 1st May to 31st October in any given year, two SIA door staff to be employed at the premises from 1900 hours to half an hour after the close of premises. One of whom shall have specific responsibility for the area at the rear of the premises;
9. On New Year's Eve two SIA door staff shall be employed at the premises from 1900 hours to half an hour after the close of premises. One of whom shall have specific responsibility for the area at the rear of the premises;

10. The sale of alcohol to cease at the premises at 2330 hours save for New Year's Eve.
11. Premises shall close at 0100 hours except for New Year's Eve;
12. 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;
13. 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;
14. CCTV to be fitted to a standard agreed by the Police that complies with the CCTV Code of Practice (Latest Edition), produced by the Information Commissioners Office, with all public areas, including all access and egress points covered;
15. The CCTV system shall be maintained and serviced on a regular basis and records kept to that effect;
16. The CCTV shall be operational at all times that premises are open for trading;
17. CCTV images will be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate; and
18. All members of staff will be aware of all licensing conditions appertaining to this premises licence.

The meeting ended at 1504 hours
having commenced at 1400 hours