

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Monday, 6th October, 2014

Present: Cllr C Brown (Chairman), Cllr Mrs J A Anderson and Cllr O C Baldock

Together with representatives of the Licensing Authority, Ms E Reynolds, Mr S Barker and Ms A McLaughlin (on behalf of the Applicant) Councillors Mrs S Murray and M Taylor and Mrs J Cant (Interested Parties).

PART 1 - PUBLIC

LA 14/86 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

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

LA 14/87 APPLICATION FOR A NEW PREMISES LICENCE FOR REYNOLDS RETREAT, BASTED HOUSE, HARRISON ROAD, BOROUGH GREEN

The Panel gave consideration to an application made by the Reynolds Group for a Premises Licence under Section 17 of the Licensing Act 2003 in respect of premises known as "Reynolds Retreat", at Basted House, Harrison Road, Borough Green. The application related to the provision of films, recorded music, performance of dance and supply of alcohol for consumption on the premises.

The Panel gave careful consideration to the written report of the Director of Central Services and Monitoring Officer, the application set out in Annex 1 of the report, and the written representations received during the statutory consultation period from six local residents (which included those of local Borough Councillors Mrs S Murray and M Taylor) set out at Annex 2 to the report. The Panel was advised that the representation from Kent Police had been withdrawn following the agreement of the Applicant to the conditions circulated at the start of the meeting. Details of a condition which had satisfied the concerns raised by the Environmental Protection Team were also circulated at the start of the meeting.

The Panel listened carefully to the representations made by the applicant, Emma Reynolds, and by local residents and interested parties

Mrs S Murray, Mr M Taylor and Mrs J Cant. Particular concern was expressed about the issue of noise arising from the proposed licensable activities, the times of those activities as well as the potential for such noise to cause a public nuisance. Concern was also expressed about the routes used by customers departing the site and the potential of encouraging vehicular traffic to use Quarry Hill Road.

The Panel had regard to the Policy considerations set out in paragraph 1.5 of the report of the Director of Central Services and Monitoring Officer. In accordance with the objectives contained within the Licensing Act 2003 and the Guidance received from the Secretary of State 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 granted as follows:-

Section B	Films – (Indoors) Monday to Sunday – 18:00 hours until 22:00 hours - As applied for
Section F	Recorded Music – (Indoors) Monday to Sunday 09:00 hours until 00:30 hours – As applied for New Year’s Eve 09:00 hours until 01:30 hours – Agreed by Panel Christmas Eve 09:00 hours until 00:30 hours – As applied for Bank Holidays 09:00 hours until 00:30 hours – As applied for
Section G	Performance of dance – (Indoors) Monday to Sunday 09:00 hours until 00:30 hours – Agreed by Panel New Year’s Eve 09:00 hours until 01:30 hours – Agreed by Panel Christmas Eve 09:00 hours until 00:30 hours – As applied for Bank Holidays 09:00 hours until 00:30 hours – As applied for

Section J	<p>Supply of alcohol – (On sales)</p> <p>Monday to Sunday 11:00 hours until 23:30 hours – Agreed by Panel</p> <p>New Year’s Eve 11:00 hours until 01:00 hours – Agreed by Panel</p> <p>Christmas Eve 11:00 hours until 00:00 (midnight) – Agreed by Panel</p> <p>Bank Holidays 11:00 hours until 23:30 hours – As applied for</p>
Section L	<p>Opening hours</p> <p>Monday to Sunday 06:30 hours until 00:30 hours – Agreed by Panel</p> <p>New Year’s Eve 06:30 hours until 01:30 hours - Agreed by Panel</p> <p>Christmas Eve 06:30 hours until 00:30 hours - As applied for</p> <p>Bank Holidays 06:30 hours until 00:30 hours - As applied for</p>

Subject to the Mandatory Conditions as defined in the Licensing Act 2003 and to the following conditions as agreed between the applicant and the responsible authorities:

Conditions agreed with Kent Police:

1. CCTV shall be fitted to a standard agreed by the police that complies with the CCTV code of practice (Latest Edition), produced by the information Commissioner’s Office.
2. The CCTV system shall be maintained and serviced on a regular basis. Records shall be kept to that effect.
3. CCTV shall be operational at all times that the premises are trading.
4. Images will be retained for a period of at least 30 days in an appropriate fashion.
5. The Police or Local Authority will be allowed to take a recording of the CCTV images by an appropriate format within 48hrs of the initial request being made by either the police or local authority.

6. All staff employed in the sale or supply of alcohol will be trained in their responsibilities under the licensing act 2003. Such training will be fully recorded.
7. A challenge 25 scheme will be adopted at the premises, all staff involved in the sale or supply of alcohol will be trained in the scheme and such training will be recorded. These records will be available to the police or other responsible authority upon request.
8. A refusal recording system will be in operation at the premises, all staff involved in the sale of alcohol will be fully trained in the system and it will record the following:
 - I. Date & time of refusal
 - II. Item refused
 - III. Name or description of person refused.
 - IV. Reason for refusal
 - V. Name of the staff member making the refusal
9. The refusal system will be available for inspection by any Police Officer, Local Authority Licensing Officer or Trading Standards officer at any reasonable time.

Conditions agreed with Environmental Health:

All amplified music should be contained within the buildings and be inaudible at the site boundary.

LA 14/88 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 11.08 am
having commenced at 10am