

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

Gibson Building
Gibson Drive
Kings Hill, West Malling
Kent ME19 4LZ
West Malling (01732) 844522

NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Committee Services
committee.services@tmbc.gov.uk

26 September 2014

To: MEMBERS OF THE LICENSING AND APPEALS PANEL
(Copies to all Members of the Council)

NB ONLY MEMBERS OF THE PANEL MAY PARTICIPATE

Dear Sir/Madam

Your attendance is requested at a meeting of the Licensing and Appeals Panel to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Monday, 6th October, 2014 commencing at **10.00 am**

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

1. Apologies for absence
2. Declarations of Interest

Decisions to be taken under Delegated Powers

3. Application for a New Premises Licence for Reynolds Retreat, 5 - 48
Basted House, Harrison Road, Borough Green

4. Urgent Items

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive

5. Exclusion of Press and Public

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information

PART 2 - PRIVATE

6. Urgent Items - Part 2

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr C Brown (Chairman)

Cllr Mrs J A Anderson

Cllr O C Baldock

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TONBRIDGE & MALLING BOROUGH COUNCIL

LICENSING & APPEALS COMMITTEE

06 October 2014

Report of the Director of Central Services and Monitoring Officer

Part 1- Public

Delegated

1 APPLICATION FOR A NEW PREMISES LICENCE FOR “REYNOLDS RETREAT”, BASTED HOUSE, HARRISON ROAD, BOROUGH GREEN, SEVENOAKS, KENT TN15 8PB

1.1 Introduction

- 1.1.1 The Licensing & Appeals Committee sitting as a Panel is asked to consider an application for a Premises Licence under section 17 of the Licensing Act 2003 for premises called “Reynolds Retreat” of Basted House, Harrison Road, Borough Green, Sevenoaks, Kent, TN15 8PB.
- 1.1.2 This is a new application for the provision of films, recorded music, Performance of dance and supply of alcohol for consumption on the premises. The application was validated on the 15 August 2014, with the 28 day consultation period running from the 15 August 2014 until the 11 September 2014. All Responsible Authorities received a copy of application.
- 1.1.3 At any stage, during the 28 day public consultation period, a responsible authority, or an interested party, may make representations in connection with any of the four licensing objectives namely:-
- Prevention of crime and disorder
 - Prevention of public nuisance
 - Public safety
 - Protection of children from harm
- Provided that the grounds for the request are relevant to the promotion of the licensing objectives and, in the case of requests by interested parties, are not vexatious, frivolous or repetitive, a hearing must be held to consider the application.
- 1.1.4 6 representations were received during the 28 day consultation period.

- 1.1.5 The Licensing Act 2003 requires the Council to publish a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act. The Council's current Statement of Licensing Policy was published in January 2014 and will remain in force for five years. The Policy will be available at the meeting, for reference purposes.
- 1.1.6 Under the 2003 Act, it is the duty of all licensing authorities that, in carrying out their functions, they must have regard to Guidance issued by the Secretary of State under section 182. The Guidance cannot anticipate every possible scenario or set of circumstances that may arise. Provided that the licensing authority has properly understood and considered the guidance, it may depart from it when it has reason to do so. However, as the licensing authority is under a duty to have regard to the Guidance, it will need to give full reasons for its departure from it. The Guidance will be made available at the meeting for reference purposes (Revised Guidance – June 2014).

1.2 The application

- 1.2.1 The applicant is Reynolds Group, 173 – 175 London road Sittingbourne Kent ME10 1PA.
- 1.2.2 The application was received on 14 August 2014. A copy of the application is shown as **Annex 1**.

The application details were as follows:

Section	Details of proposed licensable activities
b)	Films – (Indoors) Monday to Sunday 18:30 hours until 22:00 hours
f)	Recorded Music – (Indoors) Monday to Sunday 09:00 hours until 00:30 hours New Year's Eve 09:00 hours until 02:00 hours Christmas Eve 09:00 hours until 00:30 hours Bank Holidays 09:00 hours until 00:30 hours
g)	Performance of dance – (Indoors) Monday to Sunday 09:00 hours until 01:00 hours New Year's Eve 09:00 hours until 02:00 hours Christmas Eve 09:00 hours until 00:30 hours Bank Holidays 09:00 hours until 00:30 hours

Section	Details of proposed licensable activities
j)	<p>Supply of alcohol – (On sales)</p> <p>Monday to Sunday 11:00 hours until 00:00 hours</p> <p>New Year's Eve 11:00 hours until 01:30 hours</p> <p>Christmas Eve 11:00 hours until 00:30 hours</p> <p>Bank Holidays 11:00 hours until 23:30 hours</p>
l)	<p>Opening Hours</p> <p>Monday to Sunday 06:30 hours until 01:00 hours</p> <p>New Year's Eve 06:30 hours until 02:00 hours</p> <p>Christmas 06:30 hours until 00:30 hours</p> <p>Bank Holidays 06:30 hours until 00:30 hours</p>

1.2.3 The Designated Premises Supervisor will be Mr Simon Barker.

1.3 Reasons for referral

1.3.1 The Licensing Authority must under the Act refer any application for hearing to the Licensing Sub - Committee if relevant representations are made by a responsible authority or an interested party.

1.3.2 The Licensing Authority has received six (6) valid representations by email from interested parties within the twenty eight day notice period.

1.3.3 The Representations from interested parties is shown at **Annex 2**

1.3.4 Members are reminded that representations are only relevant if they relate to one or more of the 4 licensing objectives (i) Prevention of crime and disorder, (ii) Public safety, (iii) Prevention of public nuisance and (iv) Protection of children from harm.

1.3.5 A copy of the plans of the Premises to show the area where the licensable activities will be held is shown at **Annex 3**.

1.4 Representations received from statutory consultees:

Fire Safety	has made no comments
Trading Standards	has made no comments
Social Service	has made no comments
Police	has no objections
Environmental Health	has no objections
Health & Safety	has no objections
Planning	has no objections

1.5 Policy Considerations

1.5.1 The following provisions of the Secretary of State's Guidance apply to this application:

- Chapter 2 – The licensing objectives
- Chapter 8 – Applications for premises licences
- Chapter 9 – Determining applications
- Chapter 10 – Conditions attached to Premises Licences

1.5.1 The following paragraphs of the Councils' Statement of Licensing Policy apply to this application:

Sections 1.8 to 1.13 – These sections set out the Council's approach with regard to licensing and details other mechanisms to deal with potential problems.

Sections 2 – 6 – These sections set out the four licensing objectives and identifies matter that may be relevant to the promotion of each licensing objective.

1.6 Legal Implications - Determining the application

1.6.1 The Licensing Act 2003 at section 4(1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as:-

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

Having regard to the relevant representations, the Panel must take such of the steps set out at paragraph 1.7.1 below, as it considers appropriate, for the promotion of the licensing objectives.

1.6.2 Section 18(10) of the Licensing Act permits the authority to grant a premises licence so that it has effect subject to different conditions in respect of:-

- Different parts of the premises concerned
- Different licensable activities covered

1.6.3 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of the Licensing Policy and any guidance issued by the Secretary of State under section 182.

1.6.4 Whilst the applicant, responsible authorities or persons making representations all have a right of appeal to the Magistrates Court dependant on the decision of the Sub Committee, the decision made takes immediate effect.

1.6.5 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant and those making representations, against decisions of the Licensing Authority to the Magistrates Court.

1.7 Options Open to the Sub – Committee

1.7.1 The steps an authority may take are –

1. Grant the licence subject to
 - i. such conditions as are consistent with the operating schedule accompanying the application modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and
 - ii. any conditions which must under section 19, 19(A), 20 or 21 of the Licensing Act 2003 be included in the licence (the mandatory conditions).
2. Exclude from the scope of the licence any of the licensable activities to which the application relates;
3. Refuse to specify a person in the licence as the premises supervisor;
4. Reject the application.

1.8 Financial and Value for Money Considerations

1.8.1 None unless there is a successful appeal against the panel decision to the magistrates' court. This could result in costs being awarded against the council.

1.9 Risk Assessment

1.9.1 Departure from the Guidance and Policy could lead to an increased risk on an appeal. Similar risks arise if any decision made is not evidence based and proportionate.

1.10 S.17 Crime and Disorder Act 1998

1.10.1 There are obvious links to community safety and the perception of crime and disorder if licensed premises supplying alcohol are not adequately enforced.

1.11 Recommendations

1.11.1 That Members determine the application carefully, considering the application along with any representations made and take such steps as the Panel consider appropriate for the promotion of the Licensing Objectives.

Background papers:

Nil

contact:

Mohammad Bauluck 6027
Anthony Garnett 6151

Adrian Stanfield
Director of Central Services and Monitoring Officer

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	N/A	The Panel decision will be made in accordance with legislation and licensing objectives
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	NO	
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.

Tonbridge & Malling Borough Council

ADMIN/LEGAL SERVICES	
14 AUG 2014	
PASS TO	FOR INFO FOR DET FOR ACTION

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Reynolds Group

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Name and Postal address of premises or, if none, ordnance survey map reference or description			
Reynolds Retreat Harrison Rd Borough Green, Sevenoaks Kent, UK TN15 8PB			
Post town	Borough Green	Postcode	TN15 8PB
Telephone number at premises (if any)		01322 522209	
Non-domestic rateable value of premises		£176,000	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)

- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Reynolds Group
Address 173-175 London Road Sittingbourne Kent ME10 1PA
Registered number (where applicable) 07579844
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 01322 522209
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

15	09	2014
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆
┆	┆	┆

Please give a general description of the premises (please read guidance note 1)
Country club and spa situated in Borough Green with restaurant, bar and conference facilities. Seating capacity for bar, restaurant and terrace up to 150 guests.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- | | |
|---|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | X |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | X |
| g) performances of dance (if ticking yes, fill in box G) | X |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	18.30	22.00	Please give further details here (please read guidance note 3)		
Tue	18.30	22.00			
Wed	18.30	22.00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	18.30	22.00			
Fri	18.30	22.00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	18.30	22.00			
Sun	18.30	22.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	X
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	0900	0030	Please give further details here (please read guidance note 3) The small conference room could be used for small gatherings of 50 people who may wish to hold a disco for small parties.		
Tue	0900	0030			
Wed	0900	0030	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	0900	0030			
Fri	0900	0030	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) New Years Eve until -0200 Christmas Eve until – 0030 Bank Holidays until - 0030		
Sat	0900	0030			
Sun	0900	0030			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	X
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0900	0100			
Tue	0900	0100			
Wed	0900	0100	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	0900	0100			
Fri	0900	0100	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	0100	New Years Eve until -0200 Christmas Eve until – 0030 Bank Holidays until - 0030		
Sun	0900	0100			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

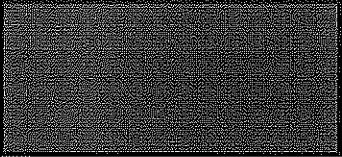



I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Pri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	X
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	1100	0000	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1100	0000			
Wed	1100	0000			
Thur	1100	0000		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) New Years Eve until - 01.30 Christmas Eve until – 00.30 Bank Holidays until – 23.30	
Fri	1100	0000			
Sat	1100	0000			
Sun	1100	0000			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Simon Barker

Postcode 
Personal licence number (if known) 
Issuing licensing authority (if known) 

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0630	0100	New Years Eve until -0200 Christmas Eve until - 0030 Bank Holidays until - 0030
Tue	0630	0100	
Wed	0630	0100	
Thur	0630	0100	
Fri	0630	0100	
Sat	0630	0100	
Sun	0630	0100	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

There will be CCTV at the Retreat to ensure that the licensing objectives are met.

b) The prevention of crime and disorder

All staff dispensing liquor will have carried out the statutory liquor and licensing instruction. All dispensing staff will be trained on the signs of intoxication and be educated in the areas of the '3 strikes rule' when dealing with customers who appear to have consumed adequate levels of alcohol. The staff will be trained in licensing restrictions regarding age, police officers on duty etc.

c) Public safety

At no time will any room designated for a public gathering have its agreed capacities increased which would cause a danger to public safety. All designated fire exits and escapes will be monitored and all staff trained on the importance of keeping exits clear and free of debris.

d) The prevention of public nuisance

Senior staff will be trained to deal with loud, unsociable guests and use the '3 strike rule' when dealing with any unnecessary members of the public. We will ensure that the local neighbourhoods are not affected by loud music.

e) The protection of children from harm

Staff will be trained to request appropriate identification from any member of the public who looks or appears to look under the age of 18.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	[Redacted]
Date	13 th August 2014
Capacity	Reynolds Group Area Manager

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



www.tmbc.gov.uk

LICENSING ACT 2003**REPRESENTATION FORM**

Your name/organisation name/name of body you represent	Alan & Jennifer Cant
Organisation name/name of body you represent	Individual
Postal address	<input type="checkbox"/> Crowhurst Road Borough Green Sevenoaks Kent TN15 8SJ
Email address	<input type="text"/>
Daytime contact telephone number	<input type="text"/>

Name of the premises you are making a representation about	Reynolds Retreat
Address of the premises you are making a representation about	Harrison Road Borough Green TN15 8PB

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	No	
Public safety	No	

Prevention of public nuisance	Yes	<p>Recorded Music concerned about the finish time. Sunday-Thursday 00:30 is too late when neighbours have to go to work/school the next day. Similarly for the non-standard timings – New Years Eve 02:00 is much too late, not everyone celebrates – Christmas Eve 00:30 is too late when neighbours are trying to settle children – Bank Holidays 00:30 is too late when the following day is a normal day for most people. This area is very quiet and sound carries.</p> <p>Performances of Dance concerned about the finish time. Presumably this will involve music so my comments above still remain although the timings are worse – Sunday-Thursday 01:00 is too late and the non-standard timings are all too late.</p> <p>Supply of alcohol concerned about the finish time. Sunday-Thursday 00:00 is too late when neighbours have to go to work – alcohol often results in noise from the individuals involved or their cars. Non-standard timings are also too late – New Years Eve 01:30 is too late, Christmas Eve 00:30 is too late</p>
Protection of children from harm	No	
Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing & Appeals Committee to take into account		This is a very quiet area – especially at night – and from experience sound carries very easily. Too much noise – especially late at night will spoil the area.

SIGNED: 

DATED: 16/8/2014

NOTES

1. If you do make a valid representation you will be invited to attend a meeting of the Licensing & Appeals Committee sitting as a Panel of 3 Councillors and any subsequent appeal proceeding. If you do not attend, the Committee will consider any valid representations that you have made.
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4. All valid representations will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Committee, which will be publicly available. Names and addresses will only be withheld from the Committee report at your request.
5. Please return this form when completed to:
Licensing Section, Legal Services, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ
Tel: 01732 87 6368 or by email to licensing.services@tmbc.gov.uk



www.tmbc.gov.uk

LICENSING ACT 2003**REPRESENTATION FORM**

Your name/organisation name/name of body you represent	Capt Stephen Hayman
Organisation name/name of body you represent	Woodlands Residents Association
Postal address	Crowhurst Rd. Borough G, Kent TN158SH
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Reynolds Retreat
Address of the premises you are making a representation about	Harrison Rd. Borough Green.

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary.
Prevention of crime and disorder		
Public safety		

28.01.2013

TMBC Licensing Services

Prevention of public nuisance	Yes	The residents of Woodlands are concerned about the noise from any outside activities particularly at night as the openings hours are till 0100 hrs. Also customers and staff are going to have to leave the property after 0100 hrs. The access road being next to some 24 houses which back on to the road.
Protection of children from harm		
Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing & Appeals Committee to take into account	Yes	As other venues have a limit of 2300hrs this would be seen as fair but with the caveat that Reynolds have the option to apply for individual extensions as and when required.

SIGNED:

DATED:

9/9/14

NOTES

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28.01.2013

TMBC Licensing Services

Licensing Services - Mail From: [REDACTED]

File Edit View Actions Tools Window Help

Close Reply Reply All Forward [REDACTED]

Mail Properties Personalize Message Source Discussion Thread

From: David Skinner [REDACTED] 09/09/2014 10:03:13
 To: Licensing Services [REDACTED]
 Subject: Reynolds Retreat 14/00782/PREM

Dear Sir,

With regard to Reynolds Retreat, Borough Green, licence application 14/00782/PREM

Whilst we have no immediate objection to the granting of a license we do have concerns with regard to sound disturbance and the duration of licensed hours.

Why do they need a license from 6.30am to 1.00am? This seems excessive for a retreat and spa?

Performance of dance – is this to be performed inside their premises only or do they intend to have events outside? Will doors etc. remain shut to contain noise?

The website indicates that the venue can be booked for parties, weddings, fine dining, conferences etc. which means that there is a very real possibility of late night entertainment seven days a week. There is also a terrace which again indicates outside use and noise pollution. The location of the Retreat is in a residential area not a town centre and therefore the proposed opening hours until 1am seven days a week are excessive.

Far from being a relaxing, quiet environment it seems that they are changing to an all-round entertainment venue and this is not what we believed was happening here. Far from being a members only venue it is open to everyone for different types of events which means traffic in the immediate area will increase bringing more noise pollution, some of it late at night.

We live in Harrison Road and know from experience that noise carries extremely well as we live an equal distance from Reynolds Retreat to the Parish Hall in Quarry Hill Road and we can hear music from events held at this venue.

We are in a valley so sound carries and if a party is held on the Woodlands Estate it causes disturbance.

If an application is to be granted it should carry provisions that if complaints regarding noise are made the license will be amended or revoked or sound pollution monitoring equipment installed.

We hope you will take our concerns seriously when considering this application.

Yours faithfully,

Kim & David Skinner

Start [REDACTED] 16:12 09/09/2014

Licensing Services - Mail From: [REDACTED]

File Edit View Actions Tools Window Help

Close Reply Reply All Forward

Mail Properties Personalize Message Source Discussion Thread

From: [REDACTED] 08/09/2014 15:05:59

To: Licensing Services

CC: [REDACTED]

Subject: Re: Reynolds Retreat New Premises Licence application

Dear Mohammad

Thank you for sight of Reynolds Retreat application (14/00782/REM) to increase their hours of operation and I have to say that I am concerned that on the outskirts of Borough Green in a very rural setting the increased hours of operating do not sit well with either the nearby residents or myself. I therefore object to the proposed hours of operation.

The licenses for both BG Village Hall and the hall at Potters Mede are to 12 midnight and, I think, 11.30pm respectively and I would not wish to see the hours of operation at Reynolds Retreat exceed these timings. I also have a concern that those accessing, and more particularly leaving the site, do so via the access road running between the Doctors' Surgery and the office block so as to minimise disturbance by headlights and general traffic noise to residents living along Harrison road and Quarry Hill Road.

Kind regards

Sue

From: "Licensing Services" <Licensing.Services@tmhc.gov.uk>

To: [REDACTED]

Sent: Tuesday, 2 September, 2014 9:27:36 AM

Subject: Reynolds Retreat New Premises Licence application

Good morning

Please find attached the new application for Reynolds Retreat of Harrison Road Borough Green TN15 8PB.

A representation form is also attached should you wish to make a representation.

The Consultation period will end on **11 September 2009**

Message Part.002

Start [REDACTED] 15:29 09/09/2014

Licensing Services - Mail From: [redacted]

File Edit View Actions Tools Window Help

Close Reply Reply All Forward [redacted]

Mail Properties Personalize Message Source Discussion Thread

From: [redacted] 08/09/2014 14:18:44
To: Licensing Services
Cc: [redacted]
Subject: Reynolds Retreat

We have been approached by numerous residents on the Woodlands Estate and Quarry Hill Rd, concerned about the risk of disturbance to a residential area caused by music and traffic into the early hours of the morning.
We would like to see a limit of 2300 hrs set for functions under the terms of the license.
We note that whilst not licensed, Potters Mede Sports Pavilion, which is much further from residences than Reynolds Retreat, has a 2300 limitation. Borough Green Village Hall, in the heart of the village retail centre, has a 2400 limit.
It may be acceptable to allow entertainment and noise into the early hours in an urban environment, but not in a predominantly rural residential area.

Mike Taylor
Chairman, Borough Green Parish Council
T&M Ward Member, Borough Green & Longmill

Start [Taskbar icons] 15:33 09/09/2014



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LICENSING ACT 2003**REPRESENTATION FORM**

Your name/organisation name/name of body you represent	[REDACTED]
Organisation name/name of body you represent	Local Resident
Postal address	Crowhurst Road Borough Green Kent Tn15 8SJ
Email address	[REDACTED]
Daytime contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Reynolds Health and Leisure Spa
Address of the premises you are making a representation about	Basted House Harrison Road Borough Green

Your representation must relate to one of the four Licensing Objectives (see note 4)

LICENSING OBJECTIVE	Yes or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder		
Public safety		

Prevention of public nuisance		<p>My understanding is Reynolds health and leisure spa was granted planning permission within very specific conditions in order the customers did not cause a public nuisance to the local residents.</p> <p>I must therefore request the application by the Reynolds Group for an alcohol licence and associated licences be struck out in their entirety. My understanding is that Planning Consent was granted in December 2011 by Steve Baughens Delegated report with the following planning conditions.</p> <p>Property shall be used as a health and fitness spa ONLY. Between 06.30 and 23.00 Monday to Friday And 08.00 to 21.00 Saturday, Sundays and Bank holidays. The license they have applied for extend far beyond the planning consent use and hours</p> <p>I fail to see where Alcohol can be part of a health and fitness spa as I do not believe there is any medical evidence that shows alcohol improves health or fitness, and for this application to succeed they should provide evidence to this fact. Further I fail to see anywhere where the property was given planning consent to hold conferences and weddings, film shows and overnight stays, in Eco pods. The application to serve alcohol and other activities is well in excess of the planning conditions and it is my understanding planning permission was not granted for these activities.</p>
Protection of children from harm		
Please suggest any conditions that you think could be added to the licence to remedy your representations or other suggestions you would like the Licensing & Appeals Committee to take into account		

SIGNED: BY 

DATED:

28.01.2013

TMBC Licensing Services

NOTES

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Tel: 01732 87 6368 or by email to licensing.services@tmbc.gov.uk

Licensing Services - Mail From

File Edit View Actions Tools Window Help

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Mail Properties Personalize Message Source Discussion Thread

From: [REDACTED] 02/09/2014 20:39:44

To: Licensing Services

Subject: Re: Reynolds retreat

Could you explain why this does not come under a public nuisance there will be a massive increase in traffic and people coming and going from a very rural location very late at night on small narrow roads right behind people's houses and the activities are very close to residential properties. I think Reynolds said 25% of the visitors will be using public transport do I guess they will be walking to these travel links after having been consuming alcohol.

Many thanks

[REDACTED]

DO NOT REPLY TO THIS EMAIL ADDRESS. PLEASE REPLY TO [REDACTED]

On 2 Sep 2014, at 22:32, Licensing.Services@tmbc.gov.uk wrote:

Good morning [REDACTED]

Thanking you for your representation received on 1st September 2014 in respect of Reynolds Retreat premises application of Harrison road Borough Green TN15 8PB

Your representation does not specifically relate your concerns to one of the four licensing objectives as stated under the Licensing Act 2003 which

(1) Public Nuisance (2) Prevention of children from harm (3) Public Safety and (4) Crime and Disorder.

The weighting of your current representation will be judge accordingly against the Licensing Objectives at the forthcoming Licensing Hearing (date to be confirmed).

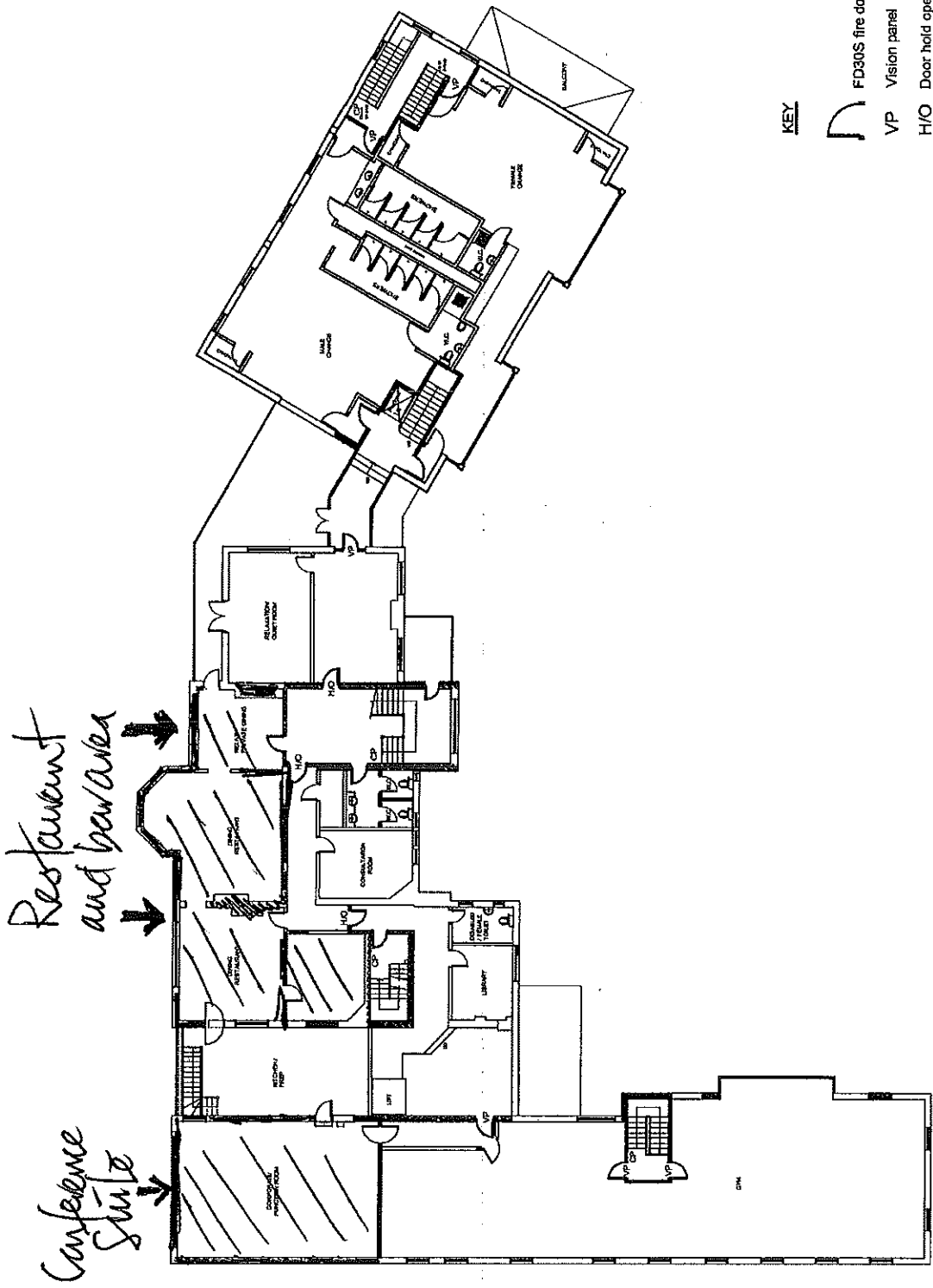
If you wish to add additional comments to your representation to further address your concerns against one of the four licensing objectives, the Licensing Team need to receive your response by **11 September 2014**. A representation form is attached for use.

Should you have any queries regarding the above please do not hesitate to contact the Licensing Team











Kind Regards
Mohanmad

Licensing Team
Email: licensing.services@tmbc.gov.uk

Start [REDACTED] 11:39 11/09/2014

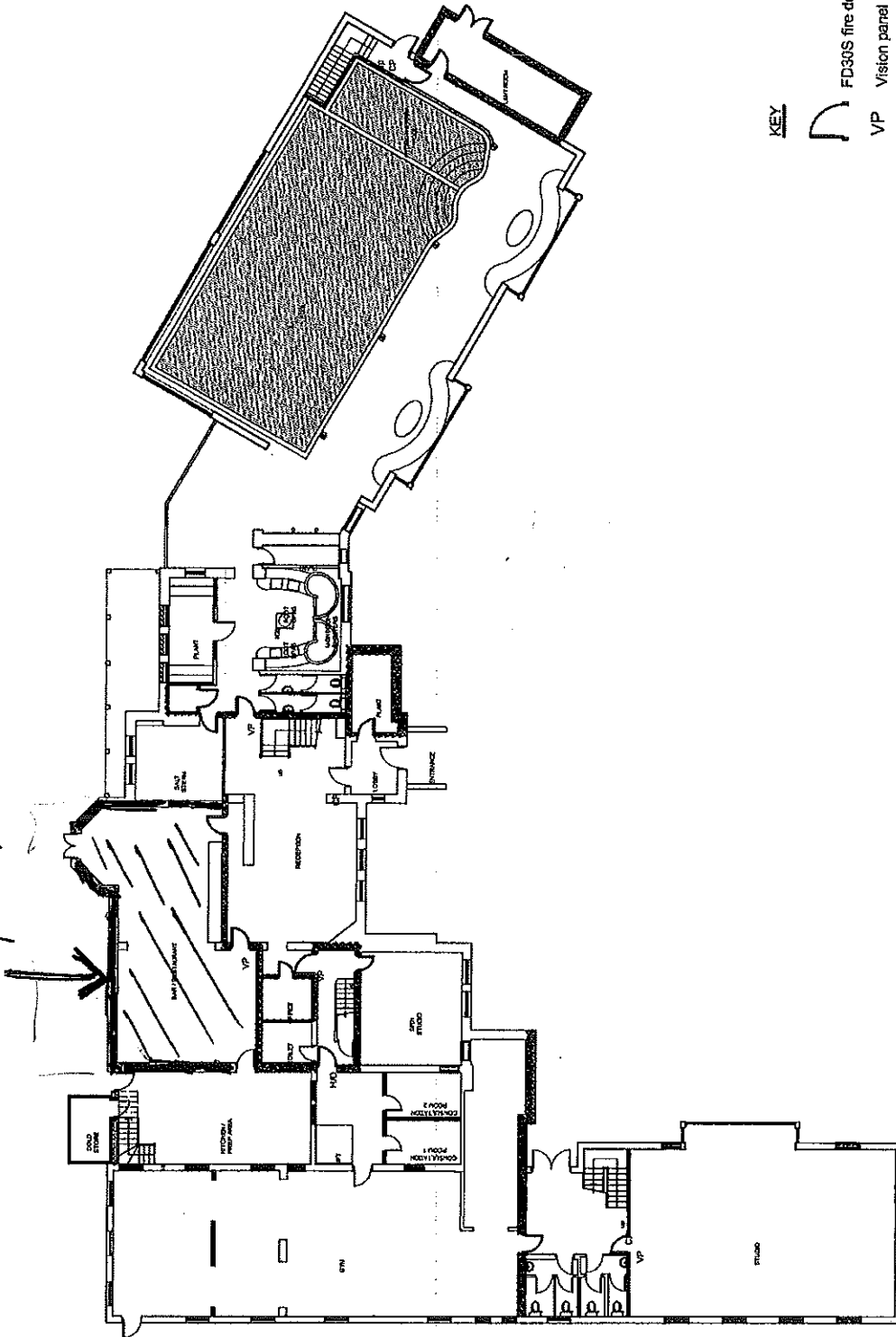


KEY






-  FD30S fire door
-  VP Vision panel
-  H/O Door hold open device wired to fire alarm
-  CP Manual fire alarm call point
-   Smoke detectors to BS 5839 part 1
-  Fire alarm to BS 5839 part 1
-  Emergency lighting to BS 5266 part 1
-  Fire exits signage to BS 5499 part 1
-  Fire extinguishers to BS 5306 part 1
- 60 minutes fire resistance to all floors

FIRST FLOOR PLAN 1:200

Bar/Restaurant



KEY

-  FD30S fire door
-  VP Vision panel
-  H/O Door hold open device wired to fire alarm
-  CP Manual fire alarm call point
-  SD Smoke detectors to BS 5839 part 1

- Fire alarm to BS 5839 part 1
- Emergency lighting to BS 5266 part 1
- Fire exits signage to BS 5499 part 1
- Fire extinguishers to BS 5308 part 1
- 60 minutes fire resistance to all floors

GROUND FLOOR PLAN 1:200