

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Thursday, 9th June, 2016

Present: Cllr Mrs J A Anderson (Chairman), Cllr Mrs F A Kemp and Cllr H S Rogers

Together with representatives of the Licensing Authority, Mr R Collins (Applicant) and Mr S Goode (Designated Premises Supervisor); and Mrs L Gregory, Ms E Hoyle and Mr N Stillwell (Interested Parties)

PART 1 - PUBLIC

LA 16/34 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 16/35 APPLICATION FOR A NEW PREMISES LICENCE FOR THE OLD FIRE STATION, CASTLE STREET, TONBRIDGE

The Panel gave consideration to an application made by FirestationTN Limited for a Premises Licence under Section 17 of the Licensing Act 2003 in respect of premises known as "The Old Fire Station" at Castle Street, Tonbridge. The application related to the performance of plays; exhibition of films; performance of live music; playing of recorded music; performance of dance; and supply of alcohol.

The Panel gave careful consideration to the written report of the Director of Central Services and Monitoring Officer, the application set out at Annex 3 to the report, and the written representations received during the statutory consultation period (as set out at Annex 4 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 The Panel was advised that the representation from Kent Police had been withdrawn following the agreement of the Applicant to the conditions proposed in the written representation dated 17 May 2016 set out at Annex 4 to the report. The Panel was further advised that the Environmental Protection Team was content with the noise management plan which had been submitted by the Applicant.

The Panel listened carefully to the representations made by Mr R Collins and Mr Goode and by local residents Mrs Gregory, Ms Hoyle and Mr Stillwell who made particular reference to their concerns in respect of the proximity of residential properties to the proposed licensed premises.

The Panel was mindful of its obligations under Section 18(3) of the Licensing Act 2003, which stated that, having regard to the relevant representations, the Licensing Authority must take such of the steps set out in Section 18(4) (if any) as it considers appropriate for the promotion of the licensing objectives. The Panel had particular regard to the provisions of Chapter 9 of the amended guidance issued under Section 182 of the 2003 Act. Having had regard to the representations, both written and oral, and in accordance with the objectives contained within 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 subject to the mandatory conditions as set out in the Licensing Act 2003, such conditions as are consistent with the operating schedule and to the following further conditions:-

Section J	Supply of alcohol – Monday until Sunday from 11:00 hours to 23:00 hours
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Conditions:

1. Signs will be clearly displayed at all exits requesting patrons leave the premises and area quietly;
2. Challenge 25 will operate at all times within the premises and sufficient signage will be displayed to ensure that patrons are aware;
3. All staff will have received training in the sale of alcohol including Challenge 25 and refusals. Records of all such training shall be kept and made available to Police, Local Authority or Trading Standards Officers upon request;
4. A refusals register will be kept detailing all refusals made for the sale of alcohol, this will include the date, time, reason for refusal and member of staff making refusal;
5. Bottle Bins will not be used between 20:00 hours and 08:00 hours;
6. No use of the area to the front of the premises by patrons at any time, save for entrance and exit to the premises, with signage to be used to advise patrons and Staff to monitor this;
7. No use of the side courtyard area at any time save for the purposes of smoking;
8. For events where the sale of alcohol is one of the primary activities one SIA registered doorman should be used at the main entrance;

9. Front doors and street facing windows to be closed at 20:00 hours;
and
10. Tonbridge and Malling Borough Council are to be notified in writing of planned events. Residents in the vicinity of the premises are also to be kept informed of planned events.

LA 16/36 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 10.56 am
having commenced at 9.30 am