

# 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](mailto:committee.services@tmbc.gov.uk)

1 June 2016

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 Thursday, 9th June, 2016 commencing at **3.00 pm or on the rising of the previous meeting of the Panel, whichever is the later.**

Yours faithfully

JULIE BEILBY

Chief Executive

## AGENDA

### 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 The Farmhouse, 97 High Street, West Malling 5 - 42

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 43 - 44

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**

**Decisions to be taken under Delegated Powers**

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 Mrs J A Anderson (Chairman)

Cllr Mrs F A Kemp

Cllr H S Rogers

This page is intentionally left blank

## TONBRIDGE & MALLING BOROUGH COUNCIL

### LICENSING & APPEALS COMMITTEE

09 June 2016

#### Report of the Director of Central Services and Monitoring Officer

#### Part 1- Public

#### Delegated

### **1 APPLICATION FOR A NEW PREMISES LICENCE FOR THE FARMHOUSE, 97 HIGH STREET, WEST MALLING, KENT, ME19 6NA**

#### **1.1 Executive Summary**

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 the premises called The Farmhouse, 97 High Street, West Malling, Kent, ME19 6NA

1.1.2 This is a new application for the performance of live music; playing of recorded music; Provision of late night refreshment and supply of alcohol.

#### **1.2 Background and Introduction**

1.2.1 The application was validated on the 22 April 2016, with the 28 day consultation period running from the 22 April 2016 until the 20 May 2016.

1.2.2 A map showing the location of The Farmhouse and surrounding properties is shown at **Annex 1**

1.2.3 A Satellite map showing the location of The Farmhouse and surrounding properties is shown at **Annex 2**

1.2.4 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.

- 1.2.5 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 2011 and will remain in force for three years. The Policy will be available at the meeting, for reference purposes.
- 1.2.6 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.

### 1.3 The application

- 1.3.1 The applicant is Heritage Taverns LTD, Greenway Court Farmhouse, Greenway Court Road, Maidstone, Kent, ME 17 1QD.
- 1.3.2 The application which was received on 22 April 2016, is attached to this report as **Annex 3**
- 1.3.3 A copy of the new plan is shown at **Annex 4**
- 1.3.4 The application details are as follows:

Section e)	<b>Performance of live music –</b> Monday until Sunday from 08:00 hours until 24:00 hours (Midnight).
Section f)	<b>Playing of recorded music –</b> Monday until Sunday from 11:00 hours until 24:00 hours (Midnight).
Section g)	<b>Performance of dance –</b> Monday until Sunday from 11:00 hours until 24:00 hours.
Section i)	<b>Late Night Refreshment –</b> Monday until Sunday from 23:00 hours until 01:00 hours. Non Standard times – News Year's Eve – the end of permitted hours on NYE until the start of permitted hours on New Year's Day.
Section J)	<b>Supply of alcohol –</b> Monday until Sunday from 11:00 hours until 24:00 hours.

1.3.5 The Designated Premises Supervisor will be Rajmund Istvan Mezes.

#### **1.4 Reasons for referral**

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

1.4.2 The Licensing Authority has, during the representation period received one representation from interested parties, (Parish Council)

1.4.3 A copy of the Representation received is shown at **Annex 5**

1.4.4 The applicant and other persons that have made representations have been invited to attend the hearing.

#### **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

1.5.2 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 Section 4 of the Licensing Act 2003 requires the Licensing Authority to carry out its functions with a view to promoting the following Licensing Objectives -

- 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 Licensing Policy and any guidance issued by the Secretary of State under section 182.

1.6.4 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 Panel**

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 appropriate for the promotion of the licensing objectives, and
  - ii. any conditions which must under section 19, 20 or 21 of the Licensing Act 2003 be included in the licence (the mandatory conditions).
2. Modify the conditions of the licence. (a condition is modified if any of them is altered or omitted or any new condition is added)
3. Exclude from the scope of the licence any of the licensable activities to which the application relates;
4. Refuse to specify a person in the licence as the premises supervisor;
5. 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 Equality Impact Assessment**

1.10.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## **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:

Licensing Act 2003

Licensing Act Guidance

Statement of Licensing Policy

Contact:

Anthony Garnett 6151

Katie Rigg - 6027

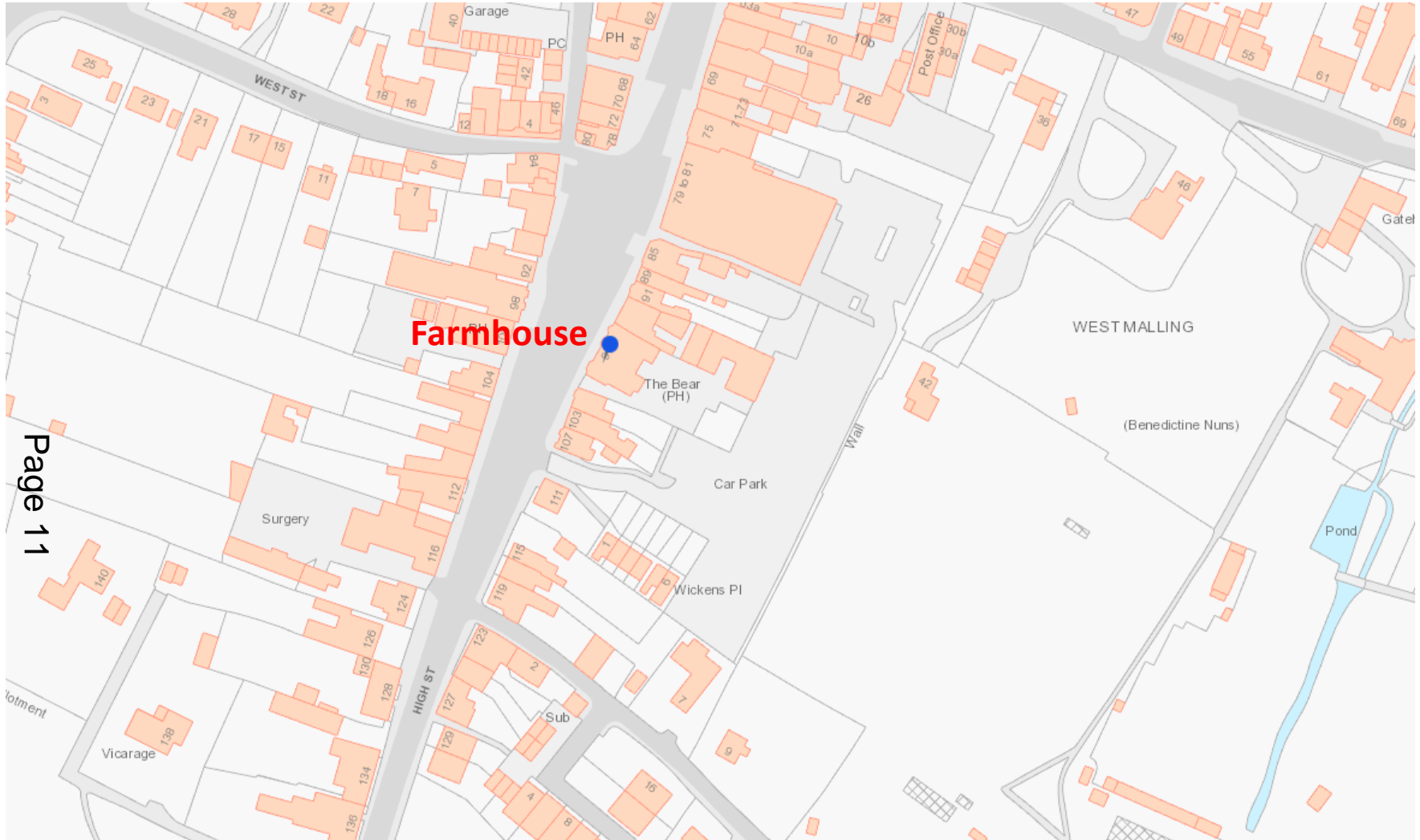
Adrian Stanfield

Director of Central Services and Monitoring Officer

## **1.12**

This page is intentionally left blank

# A map showing the location of The Farmhouse and surrounding proprieties



This page is intentionally left blank

A Satellite map showing the location of The Farmhouse and surrounding properties



This page is intentionally left blank

*Tonbridge & Malling Borough Council*

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 HERITAGE TAVERNS LTD  
(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			
THE FARMHOUSE 97-99 HIGH STREET WEST MALLING KENT			
Post town	WEST MALLING	Postcode	ME19 6UA
Telephone number at premises (if any)	01732 843257		
Non-domestic rateable value of premises	£ 41,000		

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *               | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *          |                                     |                             |
| i. as a limited company                         | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/>            | 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	HERITAGE TAVERNS LTD
Address	GREENLAW COURT FARMHOUSE " " ROAD MAIDSTONE KENT, ME17 1QA
Registered number (where applicable)	280 8998
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY.
Telephone number (if any)	07715 103398.
E-mail address (optional)	natasha@elitepubs.com.

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
07	06	2016

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

DD	MM	YYYY
1	1	1

Please give a general description of the premises (please read guidance note 1)

*Village Pub / Restaurant*

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)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

- 
- 
- 
- 
- 
- 
- 
-

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)			Will the performance of a play 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	18.00	20.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for performing plays (please read guidance note 4)	
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					



**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur					
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					

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)			Will the performance of a play 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	18:00	20:00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			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 (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			





C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			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 (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> 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"/>
					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 boxing or wrestling entertainment</u> (please read guidance note 4)			
Wed						
Thur			<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)			
Fri						
Sat						
Sun						



E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	08:00	24:00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	08:00	24:00			
Wed	08:00	24:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	08:00	24:00			
Fri	08:00	24:00	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 (please read guidance note 5)		
Sat	08:00	24:00			
Sun	08:00	24:00			

F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)	
Mon	11.00	24.00		
Tue	11.00	24.00		
Wed	11.00	24.00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)	
Thur	11.00	24.00	<b>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</b> (please read guidance note 5)	
Fri	11.00	24.00		
Sat	11.00	24.00		
Sun	11.00	24.00		

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	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	24:00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	11:00	24:00			
Wed	11:00	24:00		State any seasonal variations for the performance of dance (please read guidance note 4)	
Thur	11:00	24:00			
Fri	11:00	24:00	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	11:00	24:00			
Sun	11:00	24:00			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>	
Day	Start	Finish	<p><b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)</p>	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<p><b>Please give further details here</b> (please read guidance note 3)</p>	
Wed				
Thur			<p><b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)</p>	
Fri				
Sat			<p><b>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</b> (please read guidance note 5)</p>	
Sun				

I

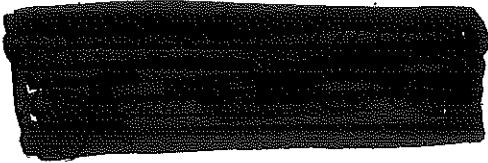

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	01:00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	01:00			
Fri	23:00	01:00	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	23:00	01:00			
Sun	23:00	01:00			

*New Year's Eve: From the end of permitted hours on NYE until the start of permitted hours on New Year's Day.*

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption –</b> <u>please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	08:00	24:00			
Tue	08:00	24:00			
Wed	08:00	24:00			
Thur	08:00	24:00			
Fri	08:00	24:00			
Sat	08:00	24:00			
Sun	08:00	24:00			
			<b>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</b> (please read guidance note 5)		

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

Name	MR RAYMOND MEZES.
Address	
Postcode	ME19 5E7
Personal licence number (if known)	
Issuing licensing authority (if known)	TOWNSEND & MALLING BOROUGH COUNCIL



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	08:00	01:00	<p><b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</b></p>
Tue	08:00	01:00	
Wed	08:00	01:00	
Thur	08:00	01:00	
Fri	08:00	01:00	
Sat	08:00	01:00	
Sun	08:00	01:00	

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)

We ensure that the full management team and team members are continually trained & fully aware and have a full understanding of the premises licensing objectives.

b) The prevention of crime and disorder

- We ensure we have a strong management team in place with at least 4 holding personal licences
- Strong induction programme in place for new recruits.
- Full provision of CCTV + continual monitoring.
- Outside lighting system in place.
- Employment of door security staff, Friday & Saturday nights.

c) Public safety

- We ensure we have adequate number of members of staff on duty at all times, particularly during or busy periods
- We ensure our H&S risk assessments are in place & staff trained accordingly.
- We ensure equipment & procedure are tested regularly.

d) The prevention of public nuisance

- We ensure operating hours are followed diligently.
- CCTV provision
- provision of door security on Friday & Saturday evening.
- Ensuring windows are closed if live music taking place within the building.

e) The protection of children from harm

- We ensure proof of age cards are verified.
- We ensure that there are sufficient members of staff in place to ensure the protection of children.

*Please note:  
All conditions on the current Premises licence to be transferred across.*

**Checklist:**

- |  |  |
|--|--|
|  | <b>Please tick to indicate agreement</b> |
| • I have made or enclosed payment of the fee.  | <input type="checkbox"/>                 |
| • I have enclosed the plan of the premises.  | <input type="checkbox"/>                 |
| • I have sent copies of this application and the plan to responsible authorities and others where applicable.              | <input type="checkbox"/>                 |
| • I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. | <input type="checkbox"/>                 |
| • I understand that I must now advertise my application.   | <input type="checkbox"/>                 |
| • I understand that if I do not comply with the above requirements my application will be rejected.                        | <input type="checkbox"/>                 |

**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	11/03/16
Capacity	DIRECTOR

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	[REDACTED]
Date	11.03.16
Capacity	Director.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)		
MRS W. CHERRY Greenway Court Farmhouse " " Road		
Post town	Maldstone	Postcode
Telephone number (if any)	07715 103398	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)		

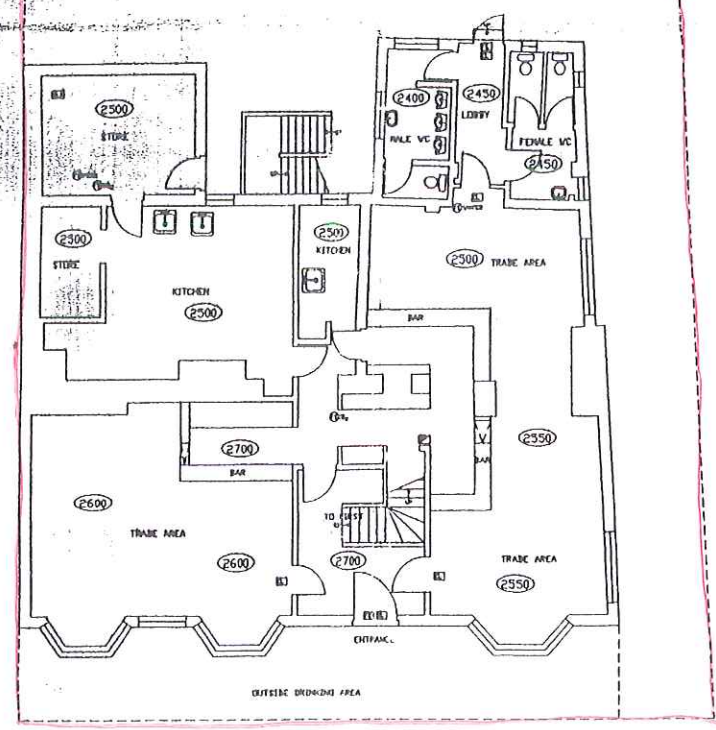
### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

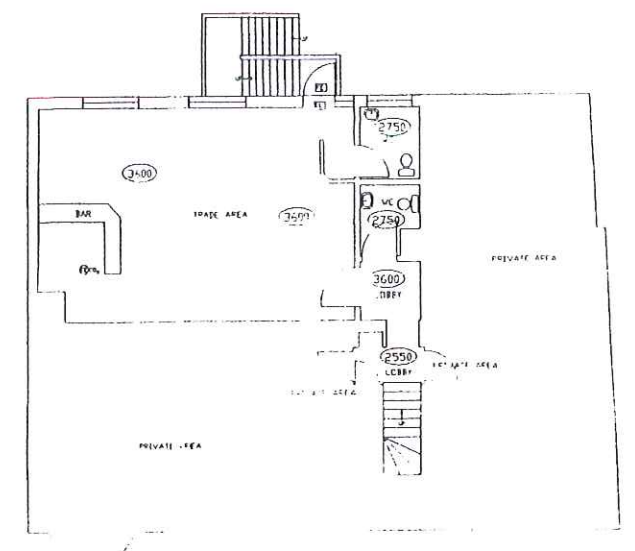
SYNOPSIS OF ADDITIONAL ACCOMMODATION

1 Number of storeys of building	2 storeys + cellar
2 Staff accommodation	6 bedrooms
3 Letting rooms with minibar	0 rooms
4 Letting rooms without minibar	0 rooms

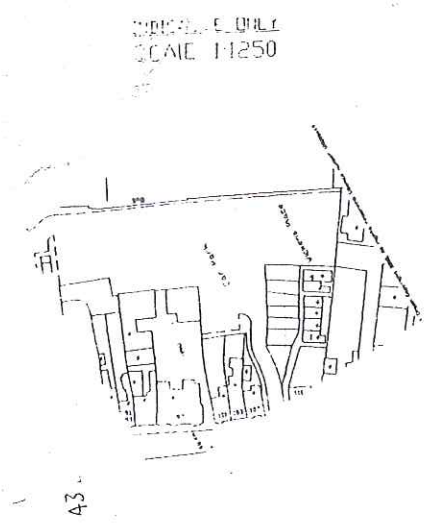
- LEGEND
- (2600) CEILING HEIGHT
  - WINDOW
  - DOOR
  - TOILET
  - URINAL
  - WASH HAND BASIN
  - BOILER
  - FIRE EXIT
  - EMERGENCY LIGHT
  - DISTRIBUTION BOARD
  - FIRE EXTINGUISHER CO<sub>2</sub>
  - FIRE EXTINGUISHER FOAM
  - FIRE EXTINGUISHER WATER
  - STEPS
  - SINK UNIT
  - BAR FLAP



BUILDING SURVEYED AREA = 226.8 SQ. M  
 LOCATED IN CELLAR  
 SCALE 1:100  
 GROUND FLOOR



SCALE 1:100  
 GROUND FLOOR



PROPERTY		LICENSING SURVEY PLAN	
Property Name	Fornhouse	Date of Survey	21/06/05
Property ID	24971	Address	97 High Street West Malling ME19 6NA
		Dwg. Scale	AS SHOWN

This page is intentionally left blank



# WEST MALLING PARISH COUNCIL

Kent Rural Community of the Year 2012

9 High Street, West Malling, Kent ME19  
6QH

Telephone: 01732 870872

e-mail: [clerk@westmallingpc.kentparishes.gov.uk](mailto:clerk@westmallingpc.kentparishes.gov.uk)

website: [www.westmallingpc.kentparishes.gov.uk](http://www.westmallingpc.kentparishes.gov.uk)

Clerk to the Parish Council: Carole D'Silva

20 May 2016

Licensing Services  
Gibson Drive  
Kings Hill  
West Malling  
Kent  
ME19 4LZ

Dear Sirs

**Re: Premises License Application in respect of The Farm House Public House, 97-99 High Street, West Malling, Kent, ME19 6NA by Heritage Taverns Ltd of 74 College Road, Maidstone, Kent, ME15 6SL**

We write to submit representations in respect of the above application.

Members have been approached by a number of local residents wishing them to make representations on their behalf.

We would first wish to highlight the following facts:

- **A number of interested bodies, including the Chamber of Commerce and the Parish Council are very keen to promote West Malling as a destination for all of the family. We support responsible licensing practices which enable our 15 licensed premises to co-exist alongside numerous residential properties situated beside, between and above them.**
- The Farmhouse is situated in the centre of West Malling, in close proximity to a large number of residential properties, as well as a number of other licensed premises;
- The premises have significant open areas to the rear of the main building, including a courtyard with tables and chairs, covered beer garden and outbuildings now including a cocktail bar sales area;
- The pavement to the front of the premises is very narrow, with parking bays separating the pavement from traffic;
- The premises are situated adjoining the short-stay car park with a wide access gate to the public car park;
- The premises are also in close proximity to a number of sensitive sites, including the grounds of St Mary's Abbey which comprises a contemplative community of nuns who retire in the early evening and rise in the early hours. There are also residential facilities for periods of retreat available to non-residents.

In accordance with the licensing objectives set out in Part 2, section 4(2) of the Licensing Act 2003 we would wish to make the following observations in respect of the application and the facts above:

***1. The prevention of crime and disorder***

- Residents would wish to see the sale of alcohol restricted to the hours of 1100 to 2300 on all days in order to minimise the likelihood of disorder and noise arising from the excessive consumption of alcohol, particularly after 2300. We have had a number of issues in other establishments where they have been the only one open for refreshment after 2300 and disorder arising as a result;
- Residents have reported a number of incidents where police and/or ambulances have been called to the premises as the result of disorder. They would wish to see door supervisors being a mandatory requirement of the licence on Friday and Saturday nights, which must cover all entrances and exits to the premises, the bar and the outside courtyard and covered beer garden; and
- Residents would wish to see CCTV being required for the whole site, including all outside areas, exits on to the short-stay car park and on to the public highway.

***2. Public safety***

- Residents see no reason why customers to the premises should be allowed to congregate on the pavement to the front of the property at any time, forcing pedestrians, particularly those in wheelchairs or with pushchairs into oncoming traffic the other side of the parking bays. Residents would wish to see the license prohibit drinking to the front of the property and for door supervision to be a mandatory requirement on Friday and Saturday evenings in order to enforce this.

***3. The prevention of public nuisance***

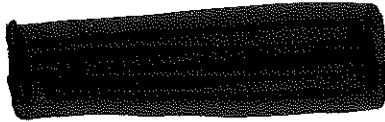
- As a result of the premises being in a residential area, there is a concern from residents that the proposed hours may cause a public nuisance as a result of arriving and departing taxis, dispersing groups and music being played late into the evening. They would wish to see all licensable activities cease no later than 2300 on any night, with no provision for late night refreshment.

***4. The protection of children from harm***

- The short-stay car park which adjoins the premises is used for the local school walking bus. Residents are therefore concerned as to the potential impact of the premises being open for the sale of alcohol from 0800 on any day.

Yours faithfully





Carole D'Silva  
Clerk to West Malling Parish Council

This page is intentionally left blank

# Agenda Item 5

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.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT  
INFORMATION**

This page is intentionally left blank