

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

18 October 2017

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, 26th October, 2017 commencing at **10.00 am** 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 New Premises Licence for Hengist Village Restaurant and Bar, 7 - 9 High Street, Aylesford 5 - 74

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 75 - 76

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 S M Barker

Cllr O C Baldock

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TONBRIDGE & MALLING BOROUGH COUNCIL

LICENSING & APPEALS COMMITTEE

26 October 2017

Report of the Director of Central Services and Monitoring Officer

Part 1- Public

Delegated

1 APPLICATION FOR A NEW PREMISES LICENCE FOR HENGIST VILLAGE RESTAURANT AND BAR, 7-9 HIGH STREET, AYLESFORD, KENT. ME20 7AX

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 Hengist Village Restaurant and Bar, 7-9 High Street, Aylesford, Kent. ME20 7AX This is a new application for Sale of alcohol, Live music, Recorded music and Late night refreshment.

1.2 Background and Introduction

1.2.1 The application was validated on the 15 September 2017, with the 28 day consultation period running from the 16 September 2017 until the 13 October 2017.

1.2.2 A map showing the location of Hengist Village Restaurant and Bar and surrounding properties is shown at **Annex 1**

1.2.3 A Satellite map showing the location of Hengist Village Restaurant and Bar 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 2014 and will remain in force until 2019. The Policy will be available at the hearing, 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 also be made available at the hearing for reference purposes.

1.3 The application

- 1.3.1 The applicant is Mr Frank Prescott, 41High Street, Aylesford, Kent. ME20 7AY
- 1.3.2 The application which was received on 15 September 2017, is attached to this report as **Annex 3**
- 1.3.3 The application details are as follows:

Section E	<p>Performance of live music (indoors only) - Monday until Sunday 12:00 hours until 02:00 hours.</p> <p><i>Not Licensable – a performance of live amplified music in on-licensed premises with an audience of no more than 500 people (Implemented from 6 April 2015)</i></p> <p><i>Between the hours of 08:00 hours and 23:00 hours</i></p>
Section F	<p>Playing of recorded music (indoors only) - Monday until Sunday 12:00 hours until 02:00 hours.</p> <p><i>Not Licensable – a performance of recorded music in on-licensed premises with an audience of no more than 500 people (Implemented from 6 April 2015)</i></p> <p><i>Between the hours of 08:00 hours and 23:00 hours</i></p>
Section I	<p>Provision of late night refreshment (indoors only)</p> <p>Monday until Sunday 23:00 hours until 02:00 hours.</p>
Section J	<p>Supply of alcohol for consumption both on and off the premises - Monday until Sunday 12:00 hours until 02:00 hours.</p>

- 1.3.4 The Designated Premises Supervisor will be Mr Frank Prescott.

1.3.5 The application states that the premises is to be operated as a restaurant, bar and gardens.

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 15 representations from interested parties these representations are attached to this report as **Annex 4**

1.4.3 Representations received from statutory consultees:

Fire Safety	No comments received
Trading Standards	Comments received and conditions have been agreed with the applicant prior to this hearing. This is shown at Annex 5
Social Service	No comments received
Police	Comments received, conditions and timings have been agreed with the applicant prior to this hearing. This is shown at Annex 6
Environmental Health	Comments received. This is shown at Annex 7
Health & Safety	Has no objections
Planning	No comments received

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.

In particular, Section 5 states that an applicant should demonstrate in their operating schedule that suitable and sufficient measures to prevent public nuisance have been identified and will be implemented. Paragraphs 5.1.5 and 5.1.6 require the applicant to demonstrate they have considered the relevant factors which may impact upon public nuisance, and the sorts of measures which should be considered.

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. Exclude from the scope of the licence any of the licensable activities to which the application relates;
3. 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.

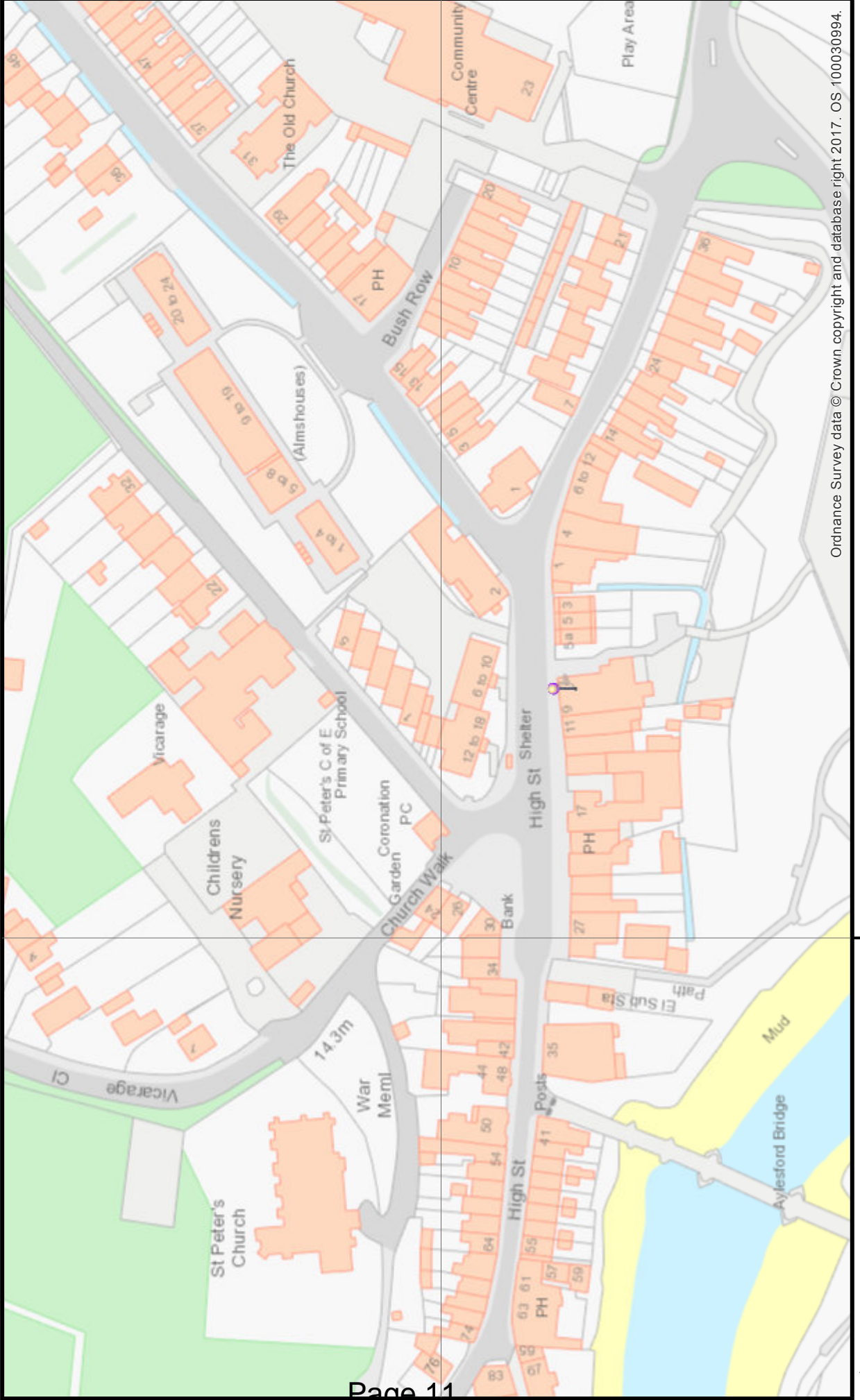
contact: Leeann Leeds
Ext 6132

Background papers:
Licensing Act 2003
Live Music Act 2012
Deregulation Act 2015
Licensing Act Guidance
Statement of Licensing Policy

Adrian Stanfield
Director of Central Services and Monitoring Officer

HENGIST 1

Subtitle



Scale 1:1,250

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Map Dated: 17 Oct 2017

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HENGIST 2

Subtitle



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Map Dated: 17 Oct 2017

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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 FRANCIS WALTER PRESCOTT
(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

Postal address of premises or, if none, ordnance survey map reference or description			
HERFORD VILLAGE RESTAURANT AND BAR 7-9 The High Street Aylesford Kent			
Post town	AYLESFORD	Postcode	ME20 7AY

Telephone number at premises (if any)	01672 885800
Non-domestic rateable value of premises	£ 600,000 8,000.00

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/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) 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 (by ticking yes to one box below):

- 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname PRESCOTT			First names FRANCIS WALTER		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address		24 BRIDGE PLACE AYLESFORD KENT			
Post town	AYLESFORD			Postcode	ME20 2JJ
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		

Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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)

Restaurant Bar and Gardens

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all 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 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
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 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	12.00	02.00	Please give further details here (please read guidance note 4) <i>Moderately amplified</i>	Both	<input type="checkbox"/>
Tue	12.00	02.00			
Wed	12.00	02.00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	12.00	02.00			
Fri	12.00	02.00	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 6)		
Sat	12.00	02.00			
Sun	12.00	02.00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	12.00	02.00	Please give further details here (please read guidance note 4) Background music	Both	<input type="checkbox"/>
Tue	12.00	02.00			
Wed	12.00	02.00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	12.00	02.00			
Fri	12.00	02.00	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 6)		
Sat	12.00	02.00			
Sun	12.00	02.00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><u>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</u> (please read guidance note 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	22.00	02.00	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	22.00	02.00			
Wed	22.00	02.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	22.00	02.00			
Fri	22.00	02.00	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 6)		
Sat	22.00	02.00			
Sun	22.00	02.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	12.00	02.00						
Tue	12.00	02.00						
Wed	12.00	02.00						
Thur	12.00	02.00				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 6)		
Fri	12.00	02.00						
Sat	12.00	02.00						
Sun	12.00	02.00						

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	FRANCIS WALTER PRESOTT
Date of birth	
Address	
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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			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 6)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

All areas kept safe, child to be accompanied at all times in the restaurant, No children to be unsupervised.
All area to be clean tidy and hygienic and maintained to prevent risk.

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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

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 10)

Full CCTV IN ALL inside area, CCTV of front Building, side, entrance, Back Patios and Garden, Panic Alarms at reception and Bar and office. CCTV held for 7 days.

b) The prevention of crime and disorder

Under 21 Age verification, Trained staff, 3 Person licence Holders, Daily staff meetings, Full list of tuned licensing laws to be on show, CCTV and records on site

c) Public safety

A log Book of all Systems to be recorded All area of the Restaurant and Gardens to be maintained for Public Safety, Lighting in the evening, correct signage, Heating lighting, sanitary maintained at all time

d) The prevention of public nuisance

Full Management and signs for customers respecting the Neighbours when leaving the Premises, Assuring noise levels are kept low, Assuring smoking area is used.

e) The protection of children from harm

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her entitlement to work, if appropriate (please see note 15)
Signature	
Date	14th September
Capacity	DESIGNATED PREMISES SOLICITOR

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

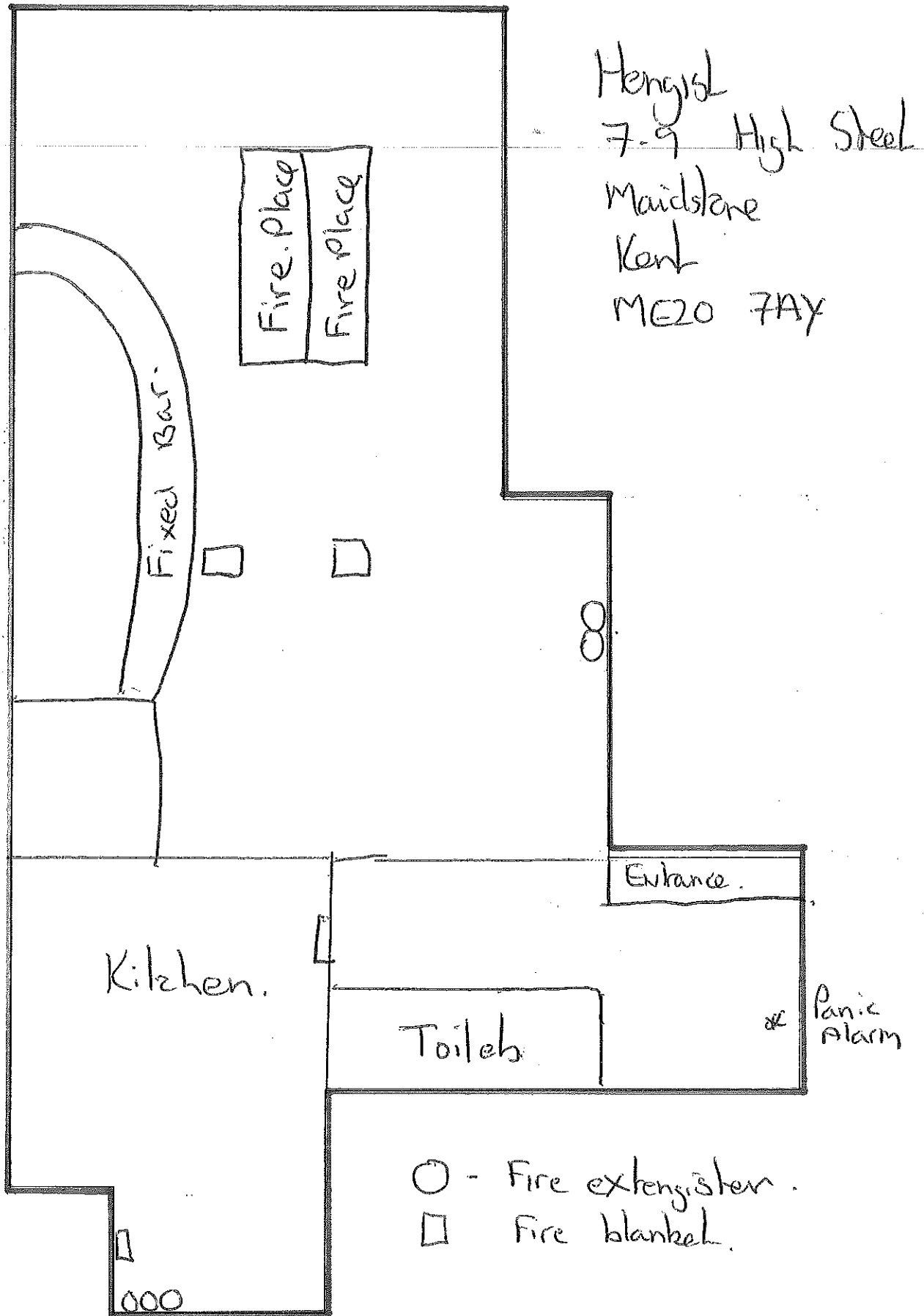
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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. In terms of specific regulated entertainments please note that:

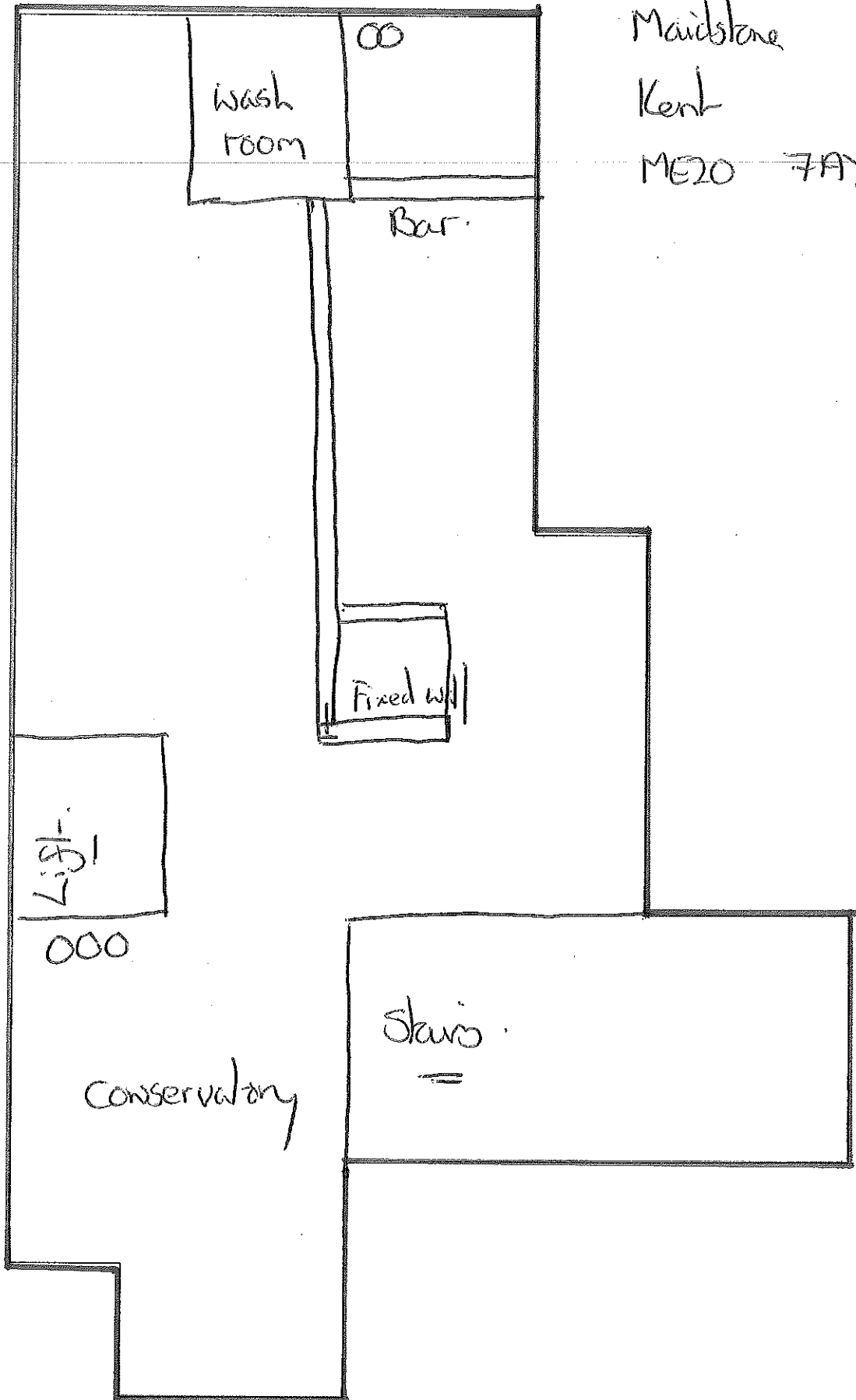
- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

GROUND FLOOR



FIRST FLOOR

Hengist
7-9 High Street
Maidstone
Kent
ME20 7AX.



It is not clear, from the published notification, whether this is an application to re-instate the licence, as it was from last approved in 2014 or a new application with different conditions. Even if it is an application to re-instate, I think that the conditions for unregulated activities (since 2012) should be reviewed and regulated by the licence and the grey area created by the difference between the alcohol licence and the opening times needs to be addressed. However, if the application seeks to change the conditions and extend the hours of serving alcohol to 2am, I would object most strongly. Given the type of business it is, its location and history of causing a great deal of public nuisance to the local residents, it is not reasonable to extend the hours, in fact the 2am opening has often been abused in the past and taken to mean that the business can serve alcohol until that time, anyway so, for the removal of doubt, I would like to see the closing time brought into line with the serving time of midnight, which should be perfectly sufficient for the running of a restaurant. At the very least, I think the hours and terms should be very carefully considered and appropriate adjustments made, before any new licence is granted. Of the 4 main Licensing Objectives, listed in the document "Briefing notes for a premises licence", there is reason to object to this licence or its hours contained in at least 3.

Prevention of Crime and Public Safety:

The owner of this business has not applied for a licence in his own name but, none the less, it is the owner who runs the business, so the name on the licence is, somewhat irrelevant, in that respect. It is the owner who is the manager, supervisor and trainer of all the staff employed by the business and, as he has often displayed a cavalier approach to these roles, I would suspect that training, supervision and instruction regarding matters of safety, disorder and nuisance are sketchy at best and I doubt there are any manuals or training records to show that they have been properly addressed. Neither is there any evidence that any of the control measures listed in the briefing notes are given much consideration. For example, I doubt the owners are members of the pub watch scheme.

Prevention of Public Nuisance:

That having been said there are as many and more concerns regarding the public nuisance aspect of the business. Noise is a constant problem, especially from the recently introduced outside speakers and the location of the business makes it unsuitable for outside events or as a live music venue.

Hours of operation beyond midnight are greatly disturbing, as the entrance / exit is very close to residential property, nor is the building suitable for music or late night use, as it is terraced on one side with no effective sound barrier and the doors are constantly left open, when it is warm, because there is no air conditioning in the public areas.

Also the only extraction from the kitchen is via an extractor fan unit, which travels up the wall of the adjoining property, which causes a noise nuisance from the fans, when they are turned up high, not properly service or, as they appear to be now, positioned in the wrong place and without anti-vibration mounts.

This building does not have a car park, so Taxis wait in the high street, late at night and often for long periods, while their customers noisily assemble to be ferried away. This causes considerable disturbance, beyond that which might be caused elsewhere, because homes in this area are directly on the street, with bedrooms immediately above.

Also, the current owners have moved the bins from the yard, attached to the building, where they could be controlled, to an unsupervised and inappropriate, open area, next to the garden of a residential property, causing a smell and vermin problem.

For these reasons, I do not think this business should be allowed a licence for alcohol or music outside and it should not have a licence for live or amplified music inside, except with a TENS, nor do I think that they should be allowed to operate after midnight, on any day, except New Year's Day, all of which should be perfectly sufficient for a restaurant.

In addition, from a totally personal point of view, I would like there to be a binding agreement to rectify the nuisance problem from the extractor and other electrical equipment as a condition of issuing the licence.

Katie Shipman

From:
Sent: 12 October 2017 11:41
To: Licensing Services
Subject: Premises Licence Application: The Hengist

Categories: Katie

Objection to grant of premises license: The Hengist, High Street, Aylesford

Dear Licensing Services,

I write in order to object to the granting of a premises licence for the above premises. I object primarily on the grounds I do not believe the location is appropriate for both late night/early morning opening and music. It is a residential setting in a medieval village, where the impact of music and people leaving the premises late at night has a significant negative impact to the local residents.

I do not believe it appropriate that loud music be heard on the approach to the premises as I have experienced on several occasions including early on a Sunday morning for example because the staff want music on whilst they carry out their preparatory activities for service.

It is also not appropriate to have live music with the fire doors open directly onto the High Street, ensuring the music is not contained to the premises and creating an obstacle on the highway.

When there has been a private party in the garden of the Hengist, the gates to the public footpath have been closed, making it uncomfortable to walk through, not least as a lone female late at night.

Whilst this application is in the name of Francis (Frank) Prescott, I believe that the day-to-day ownership and management will remain the same. I strongly believe that the poor behaviours of staff and management noted by many residents, including the playing of music above agreed levels, attempting to restrict public access to the public footpath and using TMBC and KCC land to display advertising blocking line of sight to the public highway despite repeatedly being told to remove such items, will continue even if restrictions are placed any licence.

I would also question the type of clientele that the establishment is attracting given it seemed necessary to have a number of security guards present last Saturday afternoon; one outside the front door and one to entrance of the public footpath, in addition to individuals in the carpark. Once again, making one feel quite intimidated to walk through using the public footpath; especially as the other path to the carpark had been closed by the Environment Agency given the high tides.

I would ask that the Panel gives consideration to a condition of any licence that no music of any kind be allowed in the outside space.

I would also ask that:

1) The use of the garden and outside-spaces be regulated, so as to be clear of all activity by 10pm and that the gates are not closed to block, or seem to block, access to the public footpath; and

2) No music be played above background level within the main premises unless the fire-door to the front and all other doors and windows are fully closed. And that the fire door be fully closed even in cases of no music being played, by 10pm.

Any permitted noise level should take into account the structure of the building and the impact on neighbouring buildings.

Regarding the Sale of Alcohol I would ask that licensable activity on the premises should cease by 11pm.

Lisa Hicks
83 High Street, Aylesford, ME20 7AY

Objection to grant of premises license

The Hengist, High Street, Aylesford

Dear Licensing Services,

I write in order to object to the granting of a premises licence for the above premises. I object primarily on the grounds that any licence grant must take into account the distinct location of the premises at the heart of a medieval village, terraced on one side, surrounded on all sides by the residential village; which makes it unsuitable for many activities without causing considerable loss of amenity to surrounding residents and others.

As you may know, the Hengist operated as an upscale restaurant until three years ago largely without complaint. The intervening three years however have seen a stream of almost continuous complaints largely relating to noise nuisance, including known and documented breaches of Planning Regulations; which until this point have been the more stringent regulatory environment for matters of noise nuisance.

I would estimate that most of my case-work of the last months has been taken up by diverse matters relating to the Hengist and its owner and previous license holder Mr David House.

That this application falls at this time due to the previous holder being declared a bankrupt in January 2017 is but fortuitous as many in the local community were already calling for a formal review and imposition of more stringent licensing conditions.

Whilst this application is in the name of Francis/Frank Prescott, whom I know, it is clear to me that the day-to-day ownership and management values will remain the same.

It is also clear that many of the issues raised are not related necessarily to the holder, assuming he acts in a fit and proper manner in seeing they are observed, but to the location and type of property regardless of the holder.

As such it is vital that the Panel address those matters which have been blighting the lives of residents for these last years; and impose clear and unambiguous conditions on this licence in order to have any hope of achieving the Licensing Objectives.

I would therefore take the unusual step of asking the Panel to consider in first instance a condition that no music of any kind be allowed in the outside space.

From my observations, and the observations of other ward members, it makes little difference to those drinking within the garden area that music is played at background level

Wednesday, 11 October 2017

(as per the current Planning Regulation), but a considerable difference to neighbours amenity and quality of enjoyment of their own property.

Likewise I would further ask that the use of the garden or outside-space be regulated, so as to be clear of all activity, by say, 10pm.

I would also ask that a condition be made that no music shall be played in the kitchen unless the kitchen door be fully closed and only then during hours that take into account reasonable sleeping patterns of the community.

I would also ask that no music be played above background level within the main premises unless the fire-door to the front and all other doors and windows are fully closed. And that the fire door be fully closed even in cases of no music being played by 10pm.

I would ask that in the evening/night all taxis must access customers from the TMBC car-park directly to the rear of the premises and not pick-up or drop-off in the High Street.

Regarding the Sale of Alcohol I think it reasonable in such a setting to ask that all licensable activity on the premises should cease by 12pm; and that the sort for grant until 2am be refused except on New Year's Eve.

As this is an old building with poor sound insulating properties I would ask that the Committee set a clear condition as to the hours and amount of noise allowed to 'leak' from the premises.

Another area of concern is the use of the extractor fan, which is situated directly on a party wall with a neighbouring property. Unless and until a technological solution can be found I would ask that it be mandated that the extractor-fan be shut down, for example, between 11pm and 7am.

It is clear that the Licensing Objectives will only be met if all these points are regulated in this manner. Whilst no-one in the village is anti business, it is incumbent upon those businesses to recognise that there are some activities for which such a sensitive location is not suitable.

With best regards,

Cllr Michael Base

Katie Shipman

From: A Hickmot <
Sent: 12 October 2017 13:09
To: Licensing Services
Subject: Application to extend licence for Hengist Restaurant, Aylesford

Categories: Katie

Dear Sirs,

I am writing to object to the application to extend the licensing hours. I can only see that that to be open until the early hours of the morning will cause problems. If people are on the premises until 2.00 am they will therefore be leaving at this time with the likelihood of noise. If they are drinking then the likelihood is that they will leave by taxi which again is another chance for more noise. If they are also expecting to have music playing until that time it is simply unacceptable for a residential street with houses adjoining the premises being subject to music the other side of a wall. I live at 16 Forstal Road and I have heard noise from the Hengist at my distance from their premises. The odd function where a licence is granted for one late night to celebrate a birthday etc can be tolerated , but not on a permanent basis even if they were only to use it on weekends. They are operating in a residential area and bought the premises in that full knowledge and must accept that their wants/needs/desires may be important to them but are totally unacceptable to the residents that they do not give any thought to whatsoever.

Andrew Hickmott
16 Forstal Road
Aylesford
Kent

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Katie Shipman

From: Laura West
Sent: 10 October 2017 21:44
To: Licensing Services
Subject: Hengist

Categories: Katie

I have just had a leaflet put through my door notifying that the hengist want to extend their alcohol licence until 2am every night.this is a small village and it's mostly peaceful and having people leaving in the middle of the night will be noisy and disruptive.i don't want to be woken up by people shouting and making excessive noise because of drinking until 2am.i am clearly against the hengist being allowed to extend their licence after 11pm

Sent from Yahoo Mail on Android

Katie Shipman

From:
Sent: 11 October 2017 19:03
To: Licensing Services
Subject: The Hengist, Aylesford

Categories: Katie

Good evening,

I understand the owners of The Hengist in Aylesford High Street are applying for an extended license to serve alcohol and play live music until 2am.

I have no objection in principle to any business extending its services to make more money - so long as it does not impact on the local community.

In this case, however, I believe it would have a detrimental impact on the community and residents of Aylesford.

Aylesford is a village and The Hengist is surrounded by domestic residences. Increased noise levels - whether it be from live music, increased foot traffic and/or taxis coming and going until well after midnight - would be an unacceptable public nuisance.

Added to that there is the increased probability of crime and disorderly conduct, no matter how 'responsibly' patrons drink until 2 in the morning.

There is already incidence of broken glass after Friday or Saturday night sessions. We do not want worse.

If The Hengist were in the middle of Maidstone, where residents are few and far between, or in the middle of a field, fine. But it is not. It is in the middle of a small village community, where most people are asleep, or trying to sleep, at 2am.

Please show us some consideration and deny this application. I personally do not want to hear any noise in the village (whatever the source) after 11pm.

Regards,

--

Leeann Leeds

From: [redacted] <[redacted]@tm>
Sent: 21 September 2017 07:49
To: Licensing Services
Subject: Fw: Hengist Restaurant Licensing Application

Categories: Leeann

Dear Sir or Madam,

Apologies for not including in my first email regarding the Hengist licensing application however we feel we must include these last two items, these are instances of items covered below falling I think into many categories

1. Empty beer bottles and glasses are constantly left in the street near and adjacent to the Hengist - I have had them on my door step and windowsill! How do I know they are not from another drinking establishment? As stated below we hear them leave, be noisy outside our property and have seen from windows them doing it. We have chosen not to challenge as this could be difficult!
2. A neighbour has advised us that they have seen people leaving the Hengist walk toward our house and then urinate up it; drunken and anti social behaviour?

I do not like repeating items however in this case I feel it necessary - The owners of the Hengist are not responsible people, it is my understanding that this is a prerequisite of having a license, if not clearly stated then implied.

Again thank you for your time

Best Regards

----- Forwarded Message -----

From: [redacted] <[redacted]@tm>
To: "licensing.services@tmbc.gov.uk" <licensing.services@tmbc.gov.uk>
Sent: Wednesday, 20 September 2017, 9:15
Subject: Hengist Restaurant Licensing Application

Dear Sir or Madam,

REF: Licensing Application, Hengist Restaurant 7-9 high St. Aylesford

We feel we must strongly object to this licensing application for the following reasons

1. Public Drunkenness - The gardens where there are often people (in large numbers) the worse for wear from alcohol are adjacent to what has now become a public footpath (it is owned by the Hengist but has been used for 30+ years as a route from the car park to the High St, it has never been closed off, even for a day) between the car park and the High St. This also leads to anti social behaviour in the form of loud and intrusive noise

2. Noise emanating from the premises - The emergency exit to the High St is always open (a breach of other planning, which seems impossible to rectify!?) thus allowing noise to "spill" out. See also points 3i & 4 below.
3. Noise from patrons using/leaving the premises, this takes three forms
 1. Patrons in the garden; as their level of alcohol consumption goes up so does the noise until it sounds as though there is a football crowd there. This has, on many occasions, meant that we cannot sit in our garden as the noise is unbearable (loss of amenity?). There is also the fact that there is no proper designated smoking area, and for patrons using the indoors parts of the restaurant this means just outside the door, on what is now the public footpath, right next to residential properties with of course the noise that this generates (10 people, who have been drinking!)
 2. Taxis waiting in the High St outside ours any many other properties with their engines running at all hours, sometimes as late as 2PM, waking us up. The village is not well served when it comes to public transport
 3. Patrons leaving in an intoxicated state, shouting and swearing, again at all hours and waking us up; some of the language that we have been forced to listen too is quite appalling!
4. Occupancy - I have never counted but sometimes the Hengist is so full that there is only room outside and this leads to further noise issues. It does appear that it is being used to a capacity to which it cannot cope. Also the amount of people using the garden can be huge (and of course noisy), these gardens share boundaries with other residents. The drinking of alcohol in these, what are in fact public places, should be stopped or at a minimum greatly restricted (time/numbers).
5. Location - This is a small residential village, the Hengist is surrounded by housing it is not in a town centre which has much less residents. This results in a lot of people being affected by just one establishment (many lose only one gains).
6. Activities - This was always a quiet well run restaurant it now appears that the owner wishes to turn it into something different; for all of the reasons described in this email this should not be allowed to occur. Tighter restrictions need to be placed (and enforced) on this establishment as it seems to have the view that it can do what it likes, when it likes to the detriment of all local residents.
7. Hours of Opening - Anything past 10PM for the garden and Midnight for the internal parts of the restaurant must not be allowed based on the items above

There is an opportunity here for the residents to gain some relief from the "blight" that is the Hengist restaurant. It has become quite obvious, based on discussions with other residents, that the "Hengist" will do as it wishes and has no care or thought (despite what they may say in the written word) for the residents of the village, it is all about the Hengist and not the wider community, surely this cannot be allowed to continue and even made worse?

Finally could you please send a copy of the licensing application either by post or if you have electronically to this email address

Thank you for your time

Best Regards

High St
Aylesford

Katie Shipman

From: Dave Griffiths
Sent: 12 October 2017 12:09
To: Licensing Services
Subject: The Hengist, Aylesford

Categories: Katie

Dear sir/madam

I am writing to you as a local resident of Aylesford. My property is around a 50 metre walk from the door of The Hengist pub which I understand is seeking to extend it's license and be able to put on live music.

I strongly support this application for a number of reasons. Aylesford is a small village and by providing local entertainment people will be able to stay within the village instead of looking elsewhere. Similarly with a later license people will be able to see out their evening without heading in to Maidstone.

By creating a later license people will leave venues across a wider time frame instead of everyone leaving at 11 or 12. Studies have shown that later licenses prevent "bingeing" towards closing time.

On a personal note I very much hope to see a venue able to provide entertainment on a local level as well as being about to enjoy later evenings out in Aylesford. This is a great village and without providing for what people want (ie greater local entertainment) people will go elsewhere which will simply lead to taxis coming back late in to the village.

Please note that my attention was drawn to this by a note dropped through my door encouraging me rally against this "ridiculous request". This same not encouraged people that "if you're a household of 3 or 4 email addresses, please use all of them." I can't help but feel that certain local residents lack foresight and encourage people to artificially inflate public displeasure.

Kind regards

David Griffiths
3 Mount Pleasant
Aylesford
ME20 7BE

14 Forstal Road

Aylesford

ME20 7AN

ADMIN/LEGAL SERVICES	
12 OCT 2017	
PASS TO	FOR INFO FOR DIST FOR ACTION

Re. THE HENGI ST.

Dear Sir,

As the previous owner of this restaurant for more than 20 years I wish to object to their application for licence music until 2AM thereby turning it into a nightclub!

There are many senior people living in the flats opposite and small children nearby. The noise in the small hours by people

leaving & car door slamming
apart from shouting when
drunk would be terrible.

I feel the 11 O'clock
licence is acceptable and
on special occasions an
extended one can be
applied for thus allowing
those who have to leave
early for work to get some
sleep!

Yours faithfully

MRS. S. A. LOADER.

ADMIN/LEGAL SERVICES	
12 OCT 2017	
PASS TO	FOR INFO FOR DIST FOR ACTION

Leeann Leeds

From: Nicola&Martin Bowden
Sent: 13 October 2017 00:47
To: Licensing Services
Subject: The Hengist

Categories: Katie

We object to the new application for The Hengist license due to many reasons.

By being open longer hours than any of the other licensed establishment in the surrounding area, we feel it will attract people from a distance as well as local. This will cause public nuisance from taxis coming and going at all hours, with noise coming from the vehicles keeping their engines running and their doors slamming shut. Also noise of people getting in and out of the vehicles. Multiple taxis turning up for dropping off or picking up will cause congestion and could double park, which has been done in the past, which would be a public safety hazard to passing traffic.

If people arrive drunk they may be loud without realising it, but cause a public nuisance. If they arrive drunk but are turned away, as a drunken person should be, they could become aggressive which could spill out onto the High Street. Or if people are allowed to stay drinking until late when they finally leave they could become loud or abusive or aggressive or all three.

With the garden of The Hengist allowing people to stay out there drinking it will likely get loud and possibly with abusive language. My children as well as other children sleep in the rear of properties that back onto The Hengist garden. In the summer the windows of their bedroom are open and will expose children to this and has already done so over the last 3 years. Also the public footpath through The Hengist garden exposes children as well as adults to this even though all they want to do is walk to or from the car park.

What troubles us the most is that we have had to put up with this already since The Hengist reopened, and many conditions were established that the establishment had to adhere to. But on many occasions these were ignored. Doors and windows left open, loud music inside and outside, external flood lights left on all night, customers coming and going loudly, taxis waiting with engines running, parties running until late and loudly and in the rear garden/balcony.

With The Hengist open the hours it already does incurs noise for long duration's due to kitchen extract fan running and kitchen staff having their door open so hearing staff loudly even when customers have gone and early in the morning.

Over the years since the present owners have had The Hengist, TMBC will have a very long list of complaints which should be used as evidence as to why The Hengist is not suitable for extended open hours or for music to be allowed. We have ample video evidence of license conditions being ignored, if required.

The main thing to remember is that The Hengist is in a conservation village surrounded by residential properties with occupants across a broad range of ages, but these residents did not complain about the establishment prior to the present owners or garden facility or license granted. The problem stems from the way it is run and the license TMBC granted, and has given people problems that they never had to deal with before.

Has any research been carried out to see if there is any other village in Kent that has an establishment like this surrounded by residential properties which has been granted this excessive license? We did and cannot find one.

If this was to be considered to be an acceptable application, on what grounds is that so?

We cannot use our garden as much as we would like to, for sitting in or hanging washing in, because building work happening at No. 17 all week then BBQ happening all weekend. Neighbours are of course

allowed to have a BBQ, but they do not normally occur for 5 hours every day of the weekend every weekend whilst warm weather.

Regards

Martin and Nicola Bowden

Leeann Leeds

From: Guy Baldwin
Sent: 13 October 2017 15:58
To: Licensing Services
Subject: Re: application for extended opening hours for Hengist restaurant Aylesford
Attachments: 15.09.17-Hengist-Village-Restaurant-and-Bar.pdf; ATT00001.txt

Categories: Leeann, Katie

Guy Baldwin

Aylesford

I am writing with regard to the application for extending the hours of business for the Hengist restaurant High Street, Aylesford, which I feel would be wholly inappropriate. This lovely village already has issues relating to the five establishments retailing alcohol - parking, littering, increased late night traffic namely the many taxi companies who think nothing of parking where they choose engines running. Noise nuisance and public order is probably more worrying, not only from the vehicles but from the people leaving the restaurant, who on occasion shout, argue and more in the street whilst leaving the village, this is such a nuisance during summer months when residents normally have their windows open. Having experienced music at the Hengist whilst in my garden on a Sunday afternoon I don't relish the thought of experiencing more live music at night whilst sat at home. Extending licensing hours for live music and alcohol sales can only add to these issues of noise nuisance and disorder, encouraging people to drink for longer and attract unwelcome elements to the village. Is this village restaurant wanting to morph into a nightclub? Or last port of call for heavy drinkers? If so it probably should find premises in a less residential area. In short, in the interest of preventing excessive nuisance, disorder the application for live music and extended opening hours for the Hengist Restaurant should be rejected by Tonbridge and Malling borough councils licensing services.

Yours faithfully
Guy Baldwin

Leeann Leeds

From: [redacted] m>
Sent: 03 October 2017 05:28
To: Licensing Services
Subject: Hengist Village Bar and Restaurant

Categories: Leeann

Dear Sir:

RE: Licence Application for Hengist Restaurants / High Street / Aylesford

I wish to object to one part of the above application in relation to the Hengist Village Bar and Restaurant. That is the length of the hours permitted in the application.

As it is located in a Village location, and also due to the outside areas, I feel that granting an licence till 2am is inappropriate and would be inconsiderate for the Village and neighbours. I am particularly concerned about the element of live and recorded music being played and the impact this can have on neighbours.

I live next door to the Chequers Pub, also in the High Street and can vouch for the front line impact noise and music can have on ones life if not properly controlled.

I would suggest that a licence is refused based on the time requested for the licence, or restrictions are placed to ensure that it is more suitable and appropriate for a Village location and to protect neighbours from noise pollution and other disturbances.

If you wish to have any more clarification or indeed wish to discuss more, please do not hesitate to contact me

Regards

Nick Bestwick
67 High Street
Aylesford
KENT
ME207AY

Katie Shipman

From: Lauren McLay
Sent: 10 October 2017 22:02
To: Licensing Services
Subject: Representation for The Hengist Licencing Request

Categories: Katie, Leeann

To whom it may concern,

We wish to register our representation against the application for the extension of the opening hours and licencing for Aylesford Village Bar & Restaurant 'The Hengist', High Street, Aylesford.

We have based our representation upon the likely effect that if an extension was granted it would negatively impact each of the 4 licencing objectives as follows.

Prevention of Crime and Disorder

We believe that there will be an increase in crime and disorder for the following reasons:

- It will become a magnet for excessive drinking as no other pubs are open past 12am in the local area therefore, a rise in drunken disorderly behaviour.
- There will be an increase in drunken disorderly behaviour with people leaving more intoxicated due to the extended drinking hours e.g. people leaving the premises between 2am and 3am with those awaiting collection in the street outside residential properties after 'last rounds' - from experience this can be up to an hour after the last drink is served.

Promotion of public safety

An extension in hours will lead to an increase in the risk to the public safety as follows:

- Increase in the number of intoxicated people in the small hours of the morning confronting local residents.
- No suitable door staff to control any altercations as currently the owner, manager or staff take any responsibility for those leaving the building (let alone the premises). Staff have previously told myself and other neighbours that once someone has left the building there is 'nothing they can do' to influence their behaviour.
- Glasses can be found outside the front doors of neighbouring properties on a Sunday morning after a Saturday night. No control measures are exercised by the owners/management to restrict patrons from taking unsafe glassware outside.

Prevention of Public Nuisance

There will be an increase of public nuisance in the small hours of the morning for the following reasons:

- Taxis regularly sitting with their engines running and radio's on in the Village high street.
- disrespectful noise volumes of patrons leaving the property with little to no control/responsibility taken by owners or management, this currently happens on a weekly basis.

- The Hengist hosts live indoor music events but from experience they do not keep their doors/windows closed which means it echo's throughout the Village - it may as well be an outdoor event it is so loud, excessively so considering the size of the venue.

Protection of Children from harm

There will be risk to children from the Village and coming to the Village for their primary education for the following reasons:

- Broken glass has been found outside of the Hengist and neighbouring properties on numerous occasions which has not been cleared prior to the School run commencing from 7am, the later the premises is open the less likely they are to clear up the broken glass at the end of the shift.
- As the premises must allow public pedestrian right of way to the large public car park to the rear, it is their responsibility to maintain the safety of this path. Things such as broken glass and poor lighting can present hazard for small children (and the elderly). This path is one of 2 routes from the car park to the local village primary school so this must be considered.
- Glass is used in the Garden area at all times whilst children play, this is unsafe irrespective of the time in which drinks are served.

In summary my objection is solely to the extended opening/licencing hours to 2am, we have had issues in the past with the previous agreement of 12am but these will only be exacerbated by an extension.

Please feel free to contact me at any time on the details below.

Many thanks,

Lauren McLay
5a High Street
Aylesford
ME20 7AX
Mobile:
Email:

Leeann Leeds

From: Steve Sinyard
Sent: 10 October 2017 22:05
To: Licensing Services
Subject: Representation against the application for the extension of the opening hours and licencing for Aylesford Village Bar & Restaurant 'The Hengist'

Categories: Katie, Leeann

To whom it may concern,

We wish to register our representation against the application for the extension of the opening hours and licencing for Aylesford Village Bar & Restaurant 'The Hengist', High Street, Aylesford.

We have based our representation upon the likely effect that if an extension was granted it would negatively impact each of the 4 licencing objectives as follows.

Prevention of Crime and Disorder

We believe that there will be an increase in crime and disorder for the following reasons:

- It will become a magnet for excessive drinking as no other pubs are open past 12am in the local area therefore, a rise in drunken disorderly behaviour.
- There will be an increase in drunken disorderly behaviour with people leaving more intoxicated due to the extended drinking hours e.g. people leaving the premises between 2am and 3am with those awaiting collection in the street outside residential properties after 'last rounds' - from experience this can be up to an hour after the last drink is served.

Promotion of public safety

An extension in hours will lead to an increase in the risk to the public safety as follows:

- Increase in the number of intoxicated people in the small hours of the morning confronting local residents.
- No suitable door staff to control any altercations as currently the owner, manager or staff take any responsibility for those leaving the building (let alone the premises). Staff have previously told myself and other neighbours that once someone has left the building there is 'nothing they can do' to influence their behaviour.
- Glasses can be found outside the front doors of neighbouring properties on a Sunday morning after a Saturday night. No control measures are exercised by the owners/management to restrict patrons from taking unsafe glassware outside.

Prevention of Public Nuisance

There will be an increase of public nuisance in the small hours of the morning for the following reasons:

- Taxis regularly sitting with their engines running and radio's on in the Village high street.

- disrespectful noise volumes of patrons leaving the property with little to no control/responsibility taken by owners or management, this currently happens on a weekly basis.
- The Hengist hosts live indoor music events but from experience they do not keep their doors/windows closed which means it echo's throughout the Village - it may as well be an outdoor event it is so loud, excessively so considering the size of the venue.

Protection of Children from harm

There will be risk to children from the Village and coming to the Village for their primary education for the following reasons:

- Broken glass has been found outside of the Hengist and neighbouring properties on numerous occasions which has not been cleared prior to the School run commencing from 7am, the later the premises is open the less likely they are to clear up the broken glass at the end of the shift.
- As the premises must allow public pedestrian right of way to the large public car park to the rear, it is their responsibility to maintain the safety of this path. Things such as broken glass and poor lighting can present hazard for small children (and the elderly). This path is one of 2 routes from the car park to the local village primary school so this must be considered.
- Glass is used in the Garden area at all times whilst children play, this is unsafe irrespective of the time in which drinks are served.

In summary my objection is solely to the extended opening/licencing hours to 2am, we have had issues in the past with the previous agreement of 12am but these will only be exacerbated by an extension.

Please feel free to contact me at any time on the details below.

Many thanks,

Steve Sinyard

Aylesford

Mobile: _____

Steve Sinyard

Sent from my iPhone

Leeann Leeds

From: Licensing Services
Sent: 17 October 2017 10:57
To: Leeann Leeds
Subject: FW: Hengist OBJECTIONS - Pls confirm receipt of my e mail

From: Licensing Services <Licensing.Services@tmbc.gov.uk>
Sent: 09 October 2017 09:46
To: Licensing Services <Licensing.Services@tmbc.gov.uk>
Subject: Hengist OBJECTIONS - Pls confirm receipt of my e mail

17/01325/PREM	NEW	Hengist Village Restaurant and Bar, 7-9 High Street, Aylesford	Aylesford North and Walderslade	16.09.17	13.10.17	New application for sale of alcohol and regulated entertainment
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Objection to above

First of all I would like to give a summary of the issues since this establishment has opened- as this character of the owner and the way the establishment has been run and flaunted most conditions should be considered as it shows the likelihood of this establishment to abide by any future rules. As you are aware there have been numerous complaints since they have been opened to the council around noise/both indoor and outdoor/opening past the agreed hours/public nuisance and disturbance of residents in the vicinity. I trust the council will revisit all of the complaints to date as this should inform their decision and understand the awful impact this has on the community and the distress that these extended hours/noise will cause to an already ongoing issue. I would also add that the restaurant removed the public notice from the drainpipe outside the restaurant- damaging the drainpipe and then added it to the wall partially obscured by the permanently open door!!!. They have since been asked by the council to display more notices where people can actually see them. They have been selling alcohol without TENS in place hardly a glowing character reference.

I wish to strongly object to the recent licence application by The Hengist for later opening hours 2 am /music indoors/music outside - on three of the key grounds listed below as granting this will interfere with the comfort and common rights of another person (myself & partner) and cause extreme distress and these are areas that the Hengist already causes extreme disturbance to the residents. I would ask the council to take this opportunity to address all of the issues of the past and present and grant sensible restrictions and opening times and to take into consideration the impact your decision has on the village of Aylesford.

The prevention of Crime & Disorder

Since the restaurant has been opened, we the residents have been plagued with anti social drinkers at all hours congregating outside the OPEN side door of the Hengist which is adjacent to our properties. There seems to be a smoking area here (sand filled buckets are often placed here) and so the smokers are encouraged to smoke right

next to the residents homes up to the early hours of the morning. Some of these people have been abusive to me and are clearly excessively drunk and the staff refuse or seem unable to cope with such situations other than distance themselves from it . There is no security present so when they have events there are again a number of aggressive and drunk characters exiting and entering the establishment and the Police have on occasion been called. I have had to remove most mornings following an even/late opening hours a number of smashed glasses from outside my property and in the high street which is hazardous and have had to report people at the back of my house from The Hengist. Where are the trained staff ? any interaction I have had with the staff shows a non existent ability to manage any situation and indeed a reluctance.

Public Safety

For all of the reasons listed above regarding a lack of accountability by the Hengist to selling alcohol and containing/preventing people from making a nuisance of themselves in and around the restaurant.

The Prevention of Public Nuisance

This is the main issue to date the noise and to suggest they can open until 2am seven days a week is appalling. The restaurant has on many occasions opened beyond the agreed times, and seems to operate a "keep serving until the cash register stops ringing" approach. I have made a number of complaints about this. The noise is awful as during the summer/warmer months The Hengist has all of the windows opening meaning you can hear the indoor music AND the side door which is near the residents is also **permanently open**. I have approached various managers and staff regarding this to no avail and of course the council. The Hengist allows and encourage people to smoke by the aforementioned door and this occurs right up to the early hours with normally drunk revellers again right next to the house and also blocking the pathway from the carpark. I have had occasion to park as have visitors to my house in the carpark and its extremely intimidating to have to literally push your way through a group of drunk smokers in the early hours of the morning. I would remind you that Aylesford is a small quiet village or used to be and certainly opening until 2am is unacceptable in this area. Another issue again which I have complained about is that when the people leave the restaurant in the early hours they are collected by cabs because there is no public transport in this area and the cabs park up and down the high street with the engines running disturbing all of the residents, sometimes they are double parked up and down the high street even parking over the mini roundabout .

The indoor music and live events is also an issue as I can hear the noise on occasion normally when there is an event in my bedroom with all windows closed and again I have complained. I would add that this issue seems to be escalating again which is disappointing and the noise from people coming and going and shouting below in the high street is awful.

Regarding the current "background" outside music this again needs to be looked at. The noise can clearly be heard all summer when residents have there windows open and this therefore is not background by any stretch of the imagination. I have an e mail that am happy to send you from the owner **D House** who I was talking to about cutting some trees down. Mr House states in his **OWN mail** that he was not prepared to cut them down as they serve as a barrier from the noise from his restaurant/restaurant grounds . Therefore I am sure you will want to address this as the owner himself confirms there is an issue with noise and I do not wish to spend each summer with all of the windows and doors closed to my house. I would also add that they sometimes play the music when there is **NO ONE** in the garden showing a disregard for the inhabitants of the village. I have mentioned the glasses and bottles left around the High street and cigarette ends. On a separate note the staff that work in the Hengist seem to sit and smoke in the bin area in their breaks- not sure how this fits with health and safety especially with the Rat problem, they actually have a seating area in there !!. Also would question the ability and training of the managers that work there if they allow this.

I note a recent application was declined for outside events by the council and there was a number of objections from the neighbours in the vicinity towards this and I am pleased the correct decision was made.(doesn't prevent them applying for TENS however and I hope TMBC will monitor the number they have had and not allow them to go above).

I would finally ask you to consider the stress that living near this establishment and the response from the owner which has been both upsetting and stressful and trust you will make the correct decision and restrict both the inside/outdoor music and late opening times for the sanity and wellbeing of all of Aylesford. I also would ask that the Council in view of all of the issues in the past and present take this opportunity to represent the inhabitants of Aylesford when considering this application and addressing all of the points that I and I know other people will raise.

Regards

Memorandum



TRADING STANDARDS

From Oliver Jewell
Principal Trading Standards Officer

Tel 03000419327

Email oliver.jewell@kent.gov.uk

Date 26th September 2017

Our Ref R/003106

Your Ref

To Tonbridge & Malling Borough Council Licensing
Section

The Trading Standards Department of Kent County Council as a responsible authority under the Licensing Act 2003, make representation on the grounds of the **protection of children from harm licensing** objective, in connection with the application received from Francis Prescott for Hengist Village Restaurant & Bar, 7-9 High Street, Aylesford, Kent.

Trading Standards and the applicant have reached an agreement for the following conditions to be included on any licence granted:

1. The Challenge 25 proof of age scheme shall be operated at the premises. All customers who appear under the age of 25 will be challenged to prove that they are over 18 when attempting to purchase alcohol. Acceptable forms of ID include a photo driving licence, passport, or home office approved identity card bearing the holographic 'PASS' mark. If the person seeking alcohol is unable to produce an acceptable form of identification, no sale or supply of alcohol shall be made to or for that person.
2. All staff shall be trained in the law about the sale of alcohol. Such training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, acceptable forms of ID and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log will be made available for inspection by Police and authorised persons.
3. A refusals log must be kept at the premises, and made immediately available on request to the police or an authorised person. The refusals log is to be inspected on a monthly basis by the DPS and noted in the log and a record made in the log of any actions that appear to be needed to protect young people from harm. The log must record all refused sales of alcohol and include the following:
 - a) the identity of the member of staff who refused the sale
 - b) the date and time of the refusal
 - c) the alcohol requested and reason for refusal
 - d) description of the person refused alcohol

4. Posters of A4 size shall be displayed conspicuously on the premises in customer facing areas:
- a) 'Challenge 25' to advise potential purchasers that suitable proof of age will be required for all purchasers who appear to be under 25.
 - b) 'Proxy purchasing' intended to warn adults not to buy alcohol for those under 18 years-of-age.

A copy of the signed agreement that the conditions be included on the licence and a statement that the applicant agrees that a formal hearing is unnecessary is attached.

I confirm that the Trading Standards Section agrees that the formal hearing can be dispensed with if the above conditions are included on any licence granted.

Trading Standards thanks the applicant for their cooperation in coming to an agreement over the conditions which we would like to see included in their premise licence.

Oliver Jewell
Principal Trading Standards Officer – Kent County Council

Licensing conditions agreed with Kent Trading Standards in respect of Hengist Village Restaurant & Bar, 7-9 High Street, Aylesford

1. The Challenge 25 proof of age scheme shall be operated at the premises. All customers who appear under the age of 25 will be challenged to prove that they are over 18 when attempting to purchase alcohol. Acceptable forms of ID include a photo driving licence, passport, or home office approved identity card bearing the holographic 'PASS' mark. If the person seeking alcohol is unable to produce an acceptable form of identification, no sale or supply of alcohol shall be made to or for that person.

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 3. A refusals log must be kept at the premises, and made immediately available on request to the police or an authorised person. The refusals log is to be inspected on a monthly basis by the DPS and noted in the log and a record made in the log of any actions that appear to be needed to protect young people from harm. The log must record all refused sales of alcohol and include the following:
 - a) the identity of the member of staff who refused the sale
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 - d) description of the person refused alcohol

 4. Posters of A4 size shall be displayed conspicuously on the premises in customer facing areas:
 - a) 'Challenge 25' to advise potential purchasers that suitable proof of age will be required for all purchasers who appear to be under 25.
 - b) 'Proxy purchasing' intended to warn adults not to buy alcohol for those under 18 years-of-age.
-

I, Francis Walter Prescott, hereby agree for the conditions listed to be attached to any premises license granted in respect of my application for
7-9 High Street, Aylesford

I also agree that a hearing is unnecessary.

Signer _____ Date 21st Sep 2017

For Trading Standards use

The above conditions were agreed with the applicant and I agree that a hearing is unnecessary.

Signed on behalf of Kent Trading Standards

Name _____

Signed _____ Date 26/9/17



**Kent
Police**

Chief Officer of Police Representation in relation to an application for **grant** of premises licence made under Part 3 **Section 17** Licensing Act 2003 (S18 Licensing Act 2003)

Details of person making representation	
Name of Chief Officer of Police	Chief Inspector Pate
Postal Address: (Area Headquarters)	Police Station Pembury Road Tonbridge Kent TN9 2HS
E-mail address	west.division.licensing@kent.pnn.police.uk
Telephone Number:	01732-379255

Details of premises representation is about	
Name of Premises:	Hengist Village Restaurant & Bar
Address of premises:	7-9 High Street Aylesford Kent ME20 7AX
Date application received by police	15 th September 2017
Date representation sent to Licensing Authority	6 th October 2017 <i>Must be within 28 days of receipt – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, Part 4 Reg. 22.</i>

The Chief Officer of Police has received an application for the grant of a premises licence made under the provisions of Section 17 Licensing Act 2003, and under Section 18 of that Act, asks the Licensing Authority to consider these representations in respect of: -

Please tick one or more of the licensing objectives that the representation relates to:

Prevention of crime and disorder	X
Public Safety	
Prevention of public nuisance	X
Protection of children from harm	X

Is this a representation regarding the Designation of Premises Supervisor under S18 (9) Licensing Act 2003? NO

If yes, complete the following statement: -

The relevant representation within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(9) of that Act and are as follows:

Please use separate sheets where necessary

The relevant representations within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(7) of that Act and are as follows:

Please give the reason for the representation and detail the evidence supporting it:

The Hengist Restaurant and Bar previously had a premises licence which permitted the sale of alcohol and late night refreshment from 10:00 – 00:00 Monday to Saturday and sale of alcohol 10:00 – 21:00 on Sunday, also entertainment from 11:00 – 23:00 Monday to Saturday only. This premises licence lapsed due to the premises licence holder being declared bankrupt in January and no action being taken to make application for interim authority.

Whilst operating under the previous premises licence with the hours permitted above numerous complaints have been received over a number of years in relation to noise nuisance from entertainment and patrons of the premises using the outside areas or leaving the venue. This application seeks to permit licensable activities until 02:00hrs daily. Due to the close proximity of residential properties to this premises Kent Police believes that to permit licensable activities until the requested hours will increase noise disturbance to local residents. The operating schedule provided by the applicant provides some measures about how the premises will be managed however it is not felt that the information is sufficient to ensure that the premises will uphold the licensing objectives.

It should also be noted that this premises is subject to restrictions imposed by the planning permission TM/14/00459/FL which restricts operating hours and access to specific areas of the venue in order to protect local residents from nuisance.

Please use separate sheets where necessary

Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:

Please use separate sheets where necessary

Kent Police feel that the hours requested are excessive and would suggest that the terminal hour for Entertainment should be 23:00hrs and for Sale of Alcohol and Late Night Refreshment the terminal hour should be no later than midnight.

Kent Police also see the attachment of the following conditions to assist with the operation of the premises in line with the promotion of the licensing objectives:

1. CCTV to be installed inside covering the bar areas on all floors and the reception area, and outside the premises covering areas including the front, side and rear of the venue including the patio and garden areas.
2. CCTV must be operational at all times that the premises is open to members of the public.
3. CCTV recordings must be securely stored digitally and retained for a minimum of 14 days.
4. CCTV system must be regularly maintained and records of maintenance kept at the premises.
5. Challenge 25 age verification policy to be operated within the premises
6. Signs to be displayed at all exits and in outside public areas requesting patrons to respect neighbours and leave/use the areas quietly.
7. Staff to oversee outside areas and engage with patrons to ensure noise levels are minimised to prevent nuisance to residents.

8. A log must be maintained on the premises of any incidents or complaints received and action taken.
9. All staff to be trained in the requirements of the licensing act and the constraints of the premises licence for this premises.

Signed:

Print name: Ellen Shaw

Pp Chief Officer of Police for the Police Area in which the licensed premises are situated.

Date: 6th October 2017

Force Number: PSE 52479

Representation may be made at any time during the 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant. Please return this form along with any additional sheets to the Licensing Authority. This form must be returned within the Statutory Period.

Leeann Leeds

From: Leeann Leeds
Sent: 16 October 2017 08:42
To: Frank Prescott
Cc: Leeann Leeds
Subject: RE: Hengist Village Restaurant & Bar

Good morning Frank,

Hope your time away was relaxing.

Thank you for confirmation that you are happy to accept the proposals laid out in the police representation, happy to discuss the requirements for New Year and festive season. Perhaps we could meet later this week if you are back from holiday?

Kind regards
Ellen

From: Leeann Leeds
Sent: 10 October 2017 09:25
To: West Division Licensing Kent
Cc: Leeann Leeds
Subject: Re: Hengist Village Restaurant & Bar

Good morning Ms Shaw

Apologies for the delayed response but I am currently in deepest Devon and the wifi coverage is sporadic to say the least.

I accede to your representation and will ensure the establishment complies fully with the terms and conditions you wish to see implemented.

That said, in terms of timings for the sale of alcohol, may I assume that the Hengist will still be afforded the same right of applying for individual late night extensions (New Year's Eve et al) as that granted to the other outlets in the village.

Regards

Frank Prescott

Sent from my iPad

On 6 Oct 2017, at 15:05, West Division Licensing Kent <[redacted]> wrote:

Good afternoon Mr Prescott,

Please find attached a representation made by Kent Police in relation to the application for a premises licence for Hengist Village Restaurant and Bar, a signed copy of this document will be sent by post. This representation has today been served on the T&MBC Licensing department.

If you would like to discuss the document please do not hesitate to contact me directly.

Regards

PSE Ellen Shaw
Licensing Coordinator (West Division)

Community Safety
Strategic Partnerships Command
Kent Police

Office :
Email:

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or other use of the contents of this information is prohibited. If you have received this email in error, please notify us immediately by contacting the sender or telephoning Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate.

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Leeann Leeds

From: environmental protection
Sent: 11 October 2017 12:20
To: Licensing Services; Anthony Garnett
Subject: Application for a Premises Licence and Consent of DPS Hengist Village Restaurant and Bar 7-9 High Street, Aylesford

Environmental Protection comments on the above licence application:

Due to the proximity and number of residential properties around these premises, I would object to the requested hours sought within this application.

Noise complaints received about these premises over the last 5-years are as follows:

04-Apr-14 – noise from emptying bottles into bottle bank at night.

14-Apr-14 – noise from early morning deliveries/collections.

19-May-14 – noise from amplified music.

10-Jun-14 – noise from an extractor fan.

02-Sep-15 – noise from an audible intruder alarm.

08-Apr-15 – noise from live and amplified music.

08-Apr-15 – noise from extractor fan and chiller units.

11-Nov-15 – noise from patrons leaving the premises.

20-May-16 – noise from extractor fan and external speakers.

03-Dec-16 – noise from live & recorded music and extractor fan (this case is still ongoing).

In light of the number of complaints received regarding live and/or amplified music, I would object to the requested end time for these activities of 02:00. I believe that this time would be likely to cause disturbance to residents in the locality. I would suggest an earlier end time of 23:00 for all music at the premises for Monday – Saturday; this would accord with the controls present in Planning Permission TM/14/00459/FL. I would also suggest that no live and/or amplified music be allowed on Sundays, as this is a day when residents in the locality would generally expect quieter activities.

I would also recommend that whenever Live and/or Amplified Music (including Karaoke or similar) is being played at the Licensed Premises, all doors and windows to the Licensed premises be kept closed to minimise the potential for disturbance from the activity. This would again accord with the controls present in Planning Permission TM/14/00459/FL.

I also have concerns over the sought after hours for Late Night Refreshment. I believe that the 02:00 end time sought may well give rise to justifiable complaint of nuisance due to both Patron noise and noise from the kitchen including the air extraction equipment. I would recommend that more appropriate end times of 00:00 Mon-Sat and 22:00 Sun be imposed. These would accord more closely with the Section 106 agreement entered into by virtue of Planning Permission 14/00459/FL. I would also ask that a Condition be imposed to require the extract fan to be switched off no later than 15-minutes after the last food order having been completed and in any event no later than 00:00 Mon-Sat and 22:00 Sun.

No Bottle Bins shall be emptied or filled between the hours of 20:00 and 10:00 to minimise the disturbance to residents in the locality.

I would request that the last admission to the premises in any event be 23:00 and that doors be closed after this time. Windows to the premises should also be kept securely closed to prevent noise from within the premises adversely affecting local residents.

Peter Thomason 19.9.17

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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**

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