

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

12 September 2019

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 Friday, 20th September, 2019 commencing at 10.00 am

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

1. Apologies for absence

2. Declarations of Interest

Decisions to be taken under Delegated Powers in accordance with paragraph 3, part 3 of the Constitution

3. Application for a Review of a Club Premises Certificate at Aylesford Village Club, 57 Rochester Road, Aylesford 5 - 46

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 47 - 48

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

PART 2 - PRIVATE

6. Urgent Items - Part 2

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

MEMBERSHIP

Cllr R V Roud (Chairman)

Cllr A E Clark

Cllr Mrs F A Kemp

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TONBRIDGE & MALLING BOROUGH COUNCIL

LICENSING & APPEALS COMMITTEE

20 September 2019

Report of the Director of Central Services and Monitoring Officer

Part 1- Public

Delegated

1 APPLICATION FOR A REVIEW OF A CLUB PREMISES CERTIFICATE AT AYLESFORD VILLAGE CLUB, 57 ROCHESTER ROAD, AYLESFORD, KENT ME20 7BS

1.1 Executive Summary

1.1.1 The Licensing & Appeals Committee sitting as a Panel is asked to consider an application for the review of a premises licence made under Section 87 of the Licensing Act 2003 in relation to the premises known as Aylesford Village Club, 57 Rochester Road, Aylesford, Kent. ME20 7BS

1.2 Background and Introduction

1.2.1 The premises known as Aylesford Village Club has the benefit of a club premises certificate under the provisions of the Licensing Act 2003, which authorises the supply of alcohol, performance of dance, films, indoor sporting events, live music, recorded music, anything of a similar description to live music, recorded music and dance and late night refreshment. A copy of the current club premises certificate is shown at **Annex 1**.

1.2.2 An application for a review of the premises licence with supporting documentation made up of photographs and video clips (these will be played during the hearing) has been received from Sara Green and Jason Green, immediate neighbours. A copy of the Review application is shown at **Annex 2**.

1.2.3 The Licensing Authority placed two pale blue A4 notices at the premises for a period of 28 days running from the 5th August 2019 until the 1st September 2019. In addition a notice was placed on the Council's website and on the notice board at Kings Hill Offices.

1.2.4 At any stage, during the 28 day public consultation period, a responsible authority, or other 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 application for review are relevant to the promotion of the licensing objectives and, in the case of applications by other parties, are not vexatious, frivolous or repetitive, a hearing must be held to review the licence.

1.3 The Application

1.3.1 The applicant is Sara Green and Jason Green, immediate neighbours, residing at 10 Powell Close, Aylesford, Kent. ME20 7BW. The application which was received on the 2nd August 2019 is shown at **Annex 2**.

1.3.2 A map showing Aylesford Village Club in relation to Sara Green and Jason Green's property is shown in **Annex 3**

1.3.3 The grounds for the review are based on the following licensing objectives:

- The prevention of crime and disorder
- Promotion of public safety
- The prevention of public nuisance
- The protection of children from harm

1.3.4 Representations received from statutory consultees:

Fire Safety	No comments received
Trading Standards	No comments received
Social Service	No comments received
Police	No representations of support for the review received
Environmental Health	Comments received for information only. This is shown at Annex 4
Health & Safety	No representations of support for the review received
Planning	No comments received

1.3.5 The licensing department has received the following representations from other persons. These are shown at **Annex 5**.

1.4 Reasons for referral

- 1.4.1 The Licensing Authority must under the Licensing Act 2003 refer any application for a Review Hearing to the Licensing Sub- Committee.
- 1.4.2 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 appear to be of particular relevance to this application:

Chapter 2 – The licensing objectives

Chapter 11 – Reviews

Chapter 9 – Determining applications

Chapter 10 – Conditions attached to club premises certificates

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

Sections 2 – This section sets out the Licensing objectives.

Section 13 – This sections sets out the how a club must operate in order to maintain club qualifying status.

Sections 14 – This section set out the review process for club premises certificates.

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

- 1.6.2 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to its published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.
- 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 applicant, the holder of the club premises certificate or any other person who has made a relevant representation in relation to the application all have a right of

appeal to the Magistrates Court against the decision of the Sub Committee. A determination of an application does not have effect until the time allowed for appeal has elapsed, or where an appeal is made, until the appeal has been disposed of (section 88 (11)).

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

1.7 Options Open to the Panel

- 1.7.1 Having regard to the application and any relevant representations, the Licensing Authority must take such of the steps mentioned below as it considers appropriate for the promotion of the licensing objectives (section 88 of the Licensing Act). The steps are

- (a) To modify the conditions of the certificate*;
- (b) To exclude a qualifying club activity from the scope of the certificate;
- (c) To suspend the certificate for a period not exceeding 3 months;
- (d) To withdraw the certificate

*Modification of the conditions of the club premises certificate can include the alteration or omission of existing conditions or addition of any new conditions, including those that restrict the times at which licensable activities authorised by the certificate can take place

1.8 Financial and Value for Money Considerations

- 1.8.1 None unless there is a successful appeal against the Panel decision to the Magistrates' Court. This could result in costs being awarded against the Council.

1.9 Risk Assessment

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

1.10 Equality Impact Assessment

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

1.11 Recommendations

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

Background papers:

contact: Leeann Leeds
6132

Background papers:

Licensing Act 2003

Licensing Act Guidance

Statement of Licensing Policy

Adrian Stanfield

Director of Central Services and Monitoring Officer

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Schedule 13 Part A

Club Premises Certificate Tonbridge & Malling Borough Council

Club Premises Certificate Number

05/00772/PREM amended 23rd May 2013

Club Details

Name of club in whose name this certificate is granted and relevant postal address of club

Aylesford Village Club
57 Rochester Road
Aylesford
Kent
ME20 7BS

Telephone number 01622 716056

The name and postal address of club secretary:

Mark Oliver



Where the club premises certificate is time limited the dates

Not applicable

Qualifying club activities authorised by the certificate

Sale of Alcohol
Performance of Dance
Films
Indoor Sporting Event
Live Music
Recorded Music
Anything of a similar description to
Late Night Refreshment
Temporary Event

Times the certificate authorises the carrying out of qualifying club activities**Sale of Alcohol**

Monday to Sunday 09:00 - 00:00

Performance of Dance

Monday to Saturday 12:00 - 00:00

Sunday 12:00 - 23:00

Films

Monday to Sunday 09:00 - 00:00

Indoor Sporting Event

Monday to Saturday 12:00 - 00:00

Sunday 12:00 - 23:00

Live Music

Monday to Saturday 12:00 - 00:00

Sunday 12:00 - 23:00

Recorded Music

Monday to Saturday 12:00 - 00:00

Sunday 12:00 - 23:00

Anything of a similar description to live, recorded music and dance

Monday to Sunday 09:00 - 00:00

Late Night Refreshment

Monday to Sunday 23:00 - 00:30

The opening hours of the Club

Monday to Sunday 09:00 - 00:30

Where the certificate authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the premises

Annex 1 – Mandatory conditions

A club premises certificate which authorises the supply of alcohol for consumption off the premises must include the following conditions:-

- (i) the supply of alcohol must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
- (ii) Any alcohol supplied for consumption off the premises must be in a sealed container.
- (iii) Any supply of alcohol for consumption off the premises must be made to a member of the club in person.

A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula –

$$P = D + (D \times V)$$
 Where –
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

Annex 2 – Conditions consistent with the Operating Schedule

- 1 In accordance with club rules lodged with Tonbridge & Malling with the original application dated 19th July 2005
- 2 No alterations of the club rules affecting the sale of intoxicating liquor to non-members shall be made without the consent of the Tonbridge & Malling Alcohol & Entertainments Licensing Committee

Annex 3 – Conditions attached after a hearing by the licensing authority

1 Noise attributable to the playing of live or recorded music within the premises shall not be audible within neighbouring houses with windows open in a manner typical for ventilation

Annex 4 – Plans

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ADMIN/LEGAL SERVICES	
01 AUG 2019	
PASS TO	FOR INFO FOR DIST FOR ACTION

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence or club premises certificate 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 Sara Green

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description 57 Rochester Road	
Post town Aylesford	Post code (if known) ME20 7BS
Name of premises licence holder or club holding club premises certificate (if known) Aylesford Village Club	
Number of premises licence or club premises certificate (if known) 05/00772/PREM	

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

Green

First names

Sara

I am 18 years old or over

Please tick ✓ yes

**Current postal address if different from premises address**

10 Powell Close

Post town

Aylesford

Post Code

ME20 7BW

Daytime contact telephone number**E-mail address (optional)****(B) DETAILS OF OTHER APPLICANT****Name and address**

Jason Green
10 Powell Close
Aylesford, Kent
ME20 7BW

Telephone number (if any)**E-mail address (optional)**

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>

Please provide as much information as possible to support the application (please read guidance note 3)

Public safety/Public nuisance:

- 1) Manager, Alan, has been burning toxic trash, including plastics and chipboard on a monthly to twice-monthly basis for the past few months (*See Folder January 2019*). Items included mattresses (incident no: 171670 with the Environment Agency, 19/00408 with TMBC council) which let off such acrid smoke I had to shut all my doors and windows with my myself and my dogs inside on a hot day -21/06/2019. On that same day some Italian students were enjoying the adjacent park and had to leave due to the smoke – as noted by Aylesford Parish Council. (*See folder Mattress fire June 2019*)
- 2) 22/04/2019 – Manager Alan, was burning trash near the back of the garages at Powell Close. Smoke burned the back of the garage to No.8 and smoke entered the garages of No 8,9 & 10 the latter where a motorcycle is kept. Smoke also entered the back of No 7, 8, 9 & 10's gardens forcing clothes to be taken down and windows to be shut. He was advised by my husband, Jason, that this was in fact criminal damage and he could be arrested for such an offense. Alan did not seem to care. (*See folder: Garage Fire April 2019*)
- 3) On 25/07/2019 – Manager, Alan, began building up a trash pile in the back of the car park. This included plastic bags of trash and chipboard (see point 5 below). My husband, Jason, contacted the Environment Agency (incident no. 1722163) who advised me they would send a representative to speak to Alan, to ensure he wouldn't burn the pile. Due to rainy and windy conditions he has not proceeded to burn the pile as of today. Instead on 29/07/2019 he put cardboard beer boxes and financial file papers, with other people's personal information, on top of the pile (potentially to hide the plastic) in preparation for burning. (*See folder Trash Pile July 2019*)
- 4) Patrons then smoke outside the fire door in the small alleyway and on the pavement outside the club. Smoke enters neighbouring gardens, to which the residents on Rochester Road cannot enjoy their own homes. This can go on well past their licensed hours of 1130 pm (point 1 public nuisance) (*See: Complaint Letter, folder: Videos of Noise and Crowds*)
- 5) On 31/05/2019 Alan collected foliage from the adjoining field (council property) to help it burn better. (*See Folder: Foliage Stealing May 2019*) I have confirmation from a resident on Rochester Road, and from my son who witnessed him doing so, that the current trash pile (point 3 above) is from 55 Rochester Road's front garden, not from the club itself. I believe he may be acting as a waste disposal agent without an appropriate license as there also was no reason for the club to have mattresses to destroy (point 1 above).
- 6) I am unsure if he is taking membership fees (a condition of his license as a social club). We have seen no advertisements on Facebook or outside the club asking for renewal fees in over a year. It appears any body can go into the club and purchase alcohol, without being a member.

Public nuisance:

- 1) Patrons of the club gather in the parking lot and the pavement out front drinking, swearing and become very loud and noisy very late into the evening. On 27/07/2019 a party lasted until 1230 am with patrons yelling and shouting at each other. I reported this to TMBC council on 29/07/2019. This has happened on many previous occasions and has become a regular weekend occurrence. (*See folder: Videos of Noise and Crowds*) One night 19/07/2019 a patron trespassed and began drinking on the residents across the road's pavement. (*see folder: Videos of Noise and Crowds*)
- 2) Children are left out in the car park unattended late in the evenings, on 28/06/2019 they proceeded to get very noisy (shouting) and kicked a football into residents' fences, including ours at No. 10.

Prevention of Crime and Disorder:

- 1) Patrons drink in the social club and proceed to get in their cars and drive home. On the evening of 28/06/2019 my son heard a couple arguing in the car park, the woman was trying to keep the man from driving drunk. A resident on Rochester Road on the same evening saw 2 men, so drunk they could barely walk, get into a car down the road and drive away.
- 2) The Manager, Alan, intimidates elderly residents living on Rochester Road whenever they

complain about noise or smoke. He also swears at residents when they approach him to complain about the noise or crowds. Many residents fear retaliation, hence, why I am putting in this request at this time.

- 3) The Manager, Alan, ignored my husband's request on 10/07/2019 to stop burning near the garages as it was causing criminal damage. Unfortunately, our neighbour did not want to press charges on that occasion. Alan has no respect for other people's property or the fact that he was breaking the law.
- 4) On 30/07/2019 a delivery of a keg from a plain white van, registration no: KV54 SJU, was received to the club. (*See folder: Keg delivery July 2019*). I also note that in the trash pile (point 3 public safety/public nuisance) there are empty boxes of beer that appear to be from a shop.
- 5) On the evening of 27/07/2019 we could smell weed coming from the car park. A resident on Rochester Road confirmed she, too, had smelled weed that evening.

Protection of Children from harm:

- 1) On 27/07/2019 A party that lasted well into the evening kept our neighbours (9 Powell Close) son up all night to the point he was in tears. The swearing from the patrons was disruptive. Drug taking (weed) was also occurring (point 4 above)
- 2) The fire burnings result in toxic smoke blowing into houses where children live and could be causing harm. (points 1 and 2 public safety and public nuisance)

I have photos and videos of the mattress, trash burning, noise and crowd complaints which I have emailed to the registered parties and posted a USB to the Licensing team to support my application. I also have contact details for residents, which I will not put on this form for fear of retaliation, but are available to appropriate authorities, if required, for further evidence or interview.

In summary, we and many residents, feel that the Aylesford Social Club, Alan and their patrons have caused enough public safety, public nuisance, child welfare and crime/disorder concerns to warrant a review of their license. Many of us have complained to TMBC on a multitude of occasions but have had no results. One resident has been in contact with Daniel Moody at Licensing with regards to doing a petition to complain, and I have been in contact with Leeann Leeds who advised me of my right to request a review, both have been very helpful. Peter Thomason at TMBC should also be aware of these issues as myself and many other residents have complained on a variety of occasions to him without any results.

Have you made an application for review relating to the premises before

Please tick ✓ yes

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

yes

Please tick ✓

- I have sent copies of this form and enclosures to the **responsible authorities** and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **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 6)

10 Powell Close

Post town

Aylesford

Post Code

ME20 7BW

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Leeann Leeds

Subject: FW: Comments regarding the Aylesford Village Club

From: Sara Green
Sent: 26 August 2019 14:10
To: Licensing Services <Licensing.Services@tmbc.gov.uk>
Subject: Comments regarding the Aylesford Village Club

Good afternoon,

Dear Licensing Team,

I am writing below further to my application of a license review of The Aylesford Village Club.

After the Aylesford Social Club had been notified of the request for a license review, things did not change. There was no attempt to stop hosting late night events at the weekends or any attempt to reduce the noise. The following incidents occurred:

03/08/2019 from 8 pm – 1230 am there was shouting and yelling at the back of the club in the car park (behind the houses in Powell Close). This made sleeping difficult and my son whose room is at the back of the house was unable to sleep.

05/08/2019 When my husband arrived home from work at 1030pm he could hear shouting and revving of car engines. They also put their car brake lights on lighting up the back of the houses at Powell Close for 20 minutes before finally leaving at 1230 am. This was likely retribution for the license review request.

16/08/2019 There had been child's party from 130pm, which by 10 pm-1130pm shouting and yelling started at the back of the club. The manageress came out and told the patrons to quiet down as "someone had made a complaint". They were quiet for a brief time but later, with more drink, became loud again shortly after.

24/08/2019 From 930 pm – 1230 am More shouting and yelling. This time a child, of a young age, had grabbed a log and was banging it against the fence at 59 Rochester Road. This particular resident is an elderly woman living on her own, who has had various problems with the club. We have video of this event if for the hearing, it is too large to email. The parents of the child, who were under the influence, made no attempt to stop the child. There was also a man in the car park who was so drunk he was vomiting in the weeds behind on the other side of our fence. It is obvious that the Aylesford Social Club is allowing patrons to drink to excess with no attempt to stop serving alcohol. That young child was seen at the club being lifted by a man – likely the father towards the ceiling of the back garden, while threatening to throw him into the ceiling, at 1148 pm – this video is too large to email. Surely this is not good for the welfare of the child to be at a club so late which his drunk parents.

Residents have also learned that he is charging local residents to use the car park, this itself is not a problem so long as the funds are going into the social club accounts and not the manager's private account. We also found out that the last Trustee left his position due to the manager's behaviour, I believe he has also emailed the licensing team. If there are no Trustees or Committee can it be classified as a social club – These are questions that should be asked at the hearing, as I would like to clarify if their actual position as a club. There have been no committee meetings or membership renewals notices put up at the club or in the local area in over a year, which I have stated in my original license review application.

This club has proven over the last few weeks after the license review request that it has no interest in maintaining good relations with the people of this village. In the evenings it is not a social club for local members, but a free for all for those looking for cheap alcohol and no police presence.

If this club was a pub it would have been shut down a long time ago, but because it operates under the radar as a "social club" it has been allowed to continue to be a nuisance to residents.

Kind regards,
Sara Green
10 Powell Close
Aylesford, Kent
ME20 7BW

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Proximity to 10 Powell Close



Legend
SGN HSE New

- Inner
- Middle
- Outer

Ordnance Survey data © Crown copyright and database right 2019. OS 100030994.



Scale 1:1,250

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Premises Licence Review

Premises: Aylesford Village Club, 57 Rochester Road, Aylesford.

Environmental Protection Comments:

An application has been made by a member of the public for a review of the Premises Licence for the abovementioned premises. The Application has cited the following Licensing Objectives as reason for the Review being sought:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

I would wish to speak to the Prevention of Public Nuisance arm.

Over the past 10 years the following complaints have been received in the Environmental Protection team that are pertinent to the Licensing Objectives:

- 16/00729/NOIENT, complaint about music and patron noise, registered 15-Sep-16. Only informal action was taken and the case was closed on 05-Dec-16.
- 19/00503/NOICOM, complaint about noisy patrons, car stereos and amplified music, registered 29-Jul-19. This case is currently under investigation and, to date, only informal action has been taken.

In addition to these, there have been 6 other Environmental Protection complaints. These related to bonfires (2019, 2018 & 2016); chiller noise, dartboard noise and smoking (2013); dartboard noise (2012); and smoking (2009). As these are not pertinent to the Licensing Objectives, I have not provided further information on them.

An Abatement Notice in respect of amplified music has been served to the premises in the past, but as this was in 1997 it would no longer be enforceable.

At the present time, I do not have sufficient information and/or evidence to support the requested Review. However, I would clarify that my current case into alleged Statutory Nuisance is still at a very early stage.

Received by Licensing on 20.08.19

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Leeann Leeds

From: Helen Grogan
Sent: 07 August 2019 09:22
To: Licensing Services
Subject: Aylesford Village Club - Licensing Review

Categories: Leeann

Dear Licensing Services,

I wish to note the following issues with the above club, which I hope you will consider when reviewing their suitability to hold a license. As a resident with a house that backs on to the car park at the rear of the club, I have found the issues to have escalated more and more over the 13 years that I have lived there. These have been mentioned to the council previously. I am no longer able to ask the club for help with this matter, as they are abusive and rude when I phone them up. The issues prevent us from being able to enjoy our home and get to sleep when we chose.

The car park is no longer just a car park. It now has tables and chairs, as well as a gazebo, and is used more as a drinking area. The customers who drink there are not monitored by the staff (I know this to be true, as we can hear everything, so would hear if they were being asked to keep it down or to drink up and leave. This also shows that they are not monitoring the welfare of the customers and therefore would not know if a person is too intoxicated to keep being served alcohol and should be asked to leave, or whether drinks are being supplied to those who are under the legal drinking age). The issues that arise from this are as follows:

Loud swearing, shouting and fighting. This is intimidating for myself and my children. We have had to raise the level of our fence to at least stop people from being eye level with us whilst they are in the car park. I have previously had to call the police for an incident between a man and a woman, where violence was occurring in the middle of the night (it woke me up). This began well after licensing hours, so why had they only just come out of the club? This pair are regular visitors to the club, as we see their car and know it will end in arguments each time.

Drugs are used in the car park. We regularly smell cannabis and there are also laughing gas capsules in the car park.

People urinate in the car park.

Loud music is played from the club when the rear room is hired out. The fire door is propped open all the time, so the music can be heard inside our house, even when we have all the windows shut. This also prevents us from being able to use our garden when we chose.

Because the customers are not monitored by the staff, they are allowed to remain in the car park well after licensing hours cease and well past any 'drinking up' time. They continue to drink and behave loudly and also play music from their car stereos. Engines are revved and discussions on who is fit to drive also occur.

Items are thrown into our garden - this includes "buffet" style food, such as cocktail sausages and spring rolls, as well as balloons. As well as being unpleasant, these could be harmful to our dog if we don't see them first and pick them up.

There have been no recent notices for members to renew their membership, so is the club running under the correct guidelines of a 'club'?

The club burns rubbish in the car park. From the toxic smell and thick smoke, it is not just card or wood, but something chemical. There is never consideration for residents who may have washing out or want to use their gardens. Again, we have to close all doors and windows to avoid the noxious smoke. One previous bonfire was lit at the back of our row of 4 garages, causing damage to the brick and smoke to come into our garage. The current pile waiting to be lit included sensitive information (wage slips), which blew in the wind all over the car park and into our garden. I sent the wage slip to TMBC Environmental Health, but they inform me that GDPR issues should go somewhere else.

As well as these issues caused by the car park, when we walk past the front of the club we often have to squeeze along the narrow path due to drinkers at the front of the club. There are tables and chairs here, when it is such a small area that there is not room for people to congregate here and not block the path. Groups of drinkers are intimidating to myself and my children and my teenage daughter, in particular, feels very uneasy when groups of men call out to her as she tries to get past.

I do hope that you will be able to consider these issues when reviewing the club's suitability to hold a license. Please do contact me if you wish to discuss these issues in further detail. I would be grateful for information on the progress of this.

Kind Regards,
Helen Grogan
Powell Close
Aylesford
Kent ME20 7BW

Leeann Leeds

From: Neil Harris
Sent: 08 August 2019 13:11
To: Licensing Services
Subject: Aylesford Village Club - Licence Review

Categories: Leeann

Hello Leeann

The Council has recently received the papers for licence review of the Aylesford Village Club and agreed that it wished to make the following comments on the review.

The Council is aware that the Aylesford Village Club have had a number of fires on the land within their premises to the rear of the club itself and which backs on, in part, to Council owned land such as the Forstal Road Recreation Ground. Only a few of these fires have been during the daytime but on 20 June there was a particularly bad instance which was at the rear of the property right next to the fence adjoining the afore mentioned recreation ground. The fire produced a lot of smoke including black smoke which could have meant that plastic was being burned. The Council received a number of complaints and with the smoke affecting a large number of youngsters using the recreation ground the Council approached the Manager of the Club to put these issues to him. A member of my staff rang him and he was rude in response to our request to control the impact of his fire. The Manager did call into the office at a later date apologised for his behaviour and indicated that he would only have future fires at nighttime. The Council did report the matter to TMBC Environmental Health Department.

In terms of the papers requesting a review the Council would have serious concerns regarding the issues raised but the Council has not received any direct complaints other than recently from the husband of the complainant. Additionally, as most of these incidents occur later in the day and with the office only open between 8.30am and 4.30pm it is not surprising that the Council would not have any direct evidence. However, a number of our Councillors have indicated that they have seen people drinking and smoking outside of the front of the premises on a number of occasions.

The Council has decided that it would not wish to be represented at the Hearing as it has no direct evidence or complaints. However, the lack of complaints may be because the local residents are aware the Council has no authority in this matter.

Thank you for your help in this matter and if you can keep me informed of what happens I would be very grateful.

Best wishes

Neil

Neil Harris
Clerk
Aylesford Parish Council

From: Licensing Services <Licensing.Services@tmbc.gov.uk>
Sent: 05 August 2019 18:11
To:
Subject: RE: Amended premises tracker

Licensing Services

From: Chris Le [REDACTED]
Sent: 12 August 2019 12:03
To: Licensing Services
Subject: Aylesford Village Club

Categories: Leeann

Dear Sir

AYLESFORD VILLAGE CLUB - ROCHESTER ROAD

It was with great surprise that I saw the notice in the window of our village club regarding the review of the license. To understand exactly what the problems were I spoke to Alan the landlord of the club. He showed me the communication you had sent to him listing all the various grievances 'many' of the local residents have. Please do not include my name and address on that list. Alan has my full support.

I feel that most of what is recorded on that statement is very very petty. You have to have some sense of reality when living close to any social club, pub or restaurant. There is always going to be a certain amount of noise coming from these establishments which obviously is going to be increased with the good weather and windows being opened and customers being outside. I have never heard excessive music or noise only the normal conversation of people leaving to go home. And surely the landlord can't be expected to 'shush' everyone who leaves late at night. He has a license I believe to serve alcohol until 12.30 and play music till 12.00 all of which he adheres to. I've been to quite a few functions there and know that this is the case.

Customers drinking on the pavement - yes there are tables and chairs outside the Club but so there is outside The Bush pub which is a short way along Rochester Road. What is the difference?

As for the smoke getting into neighbouring houses - well that is hardly the Club's fault. The law states that smoking is not permitted inside so what are customers supposed to do? Again hardly the Club's responsibility? I can smell smoke from a neighbour 2 doors down when she is outside in her garden but that is just something that you live with and I certainly wouldn't complain. And I hate the smell of smoke!

I have never witnessed any drug taking nor smelled the tell-tale smell of cannabis whilst I've have been in and around the club. And surely if that was suspected why didn't this person call the police?

The case for children playing in the Club car park with possible harm being caused to them. Surely that is the responsibility of the parents to take care of their children not allow them to play there unsupervised not the Club.

Someone states that they witnessed an argument between husband and wife because the husband wanted to drive whilst drunk. Is this really the Club's responsibility? Again if this person was so law abiding why didn't they take the registration number and report it to the police at the time?

I cannot for the life of me imagine that Alan would intimate any elderly residents. I am elderly myself and he has only been ever been kindness itself to me. My husband used to play pool in the club on a Thursday night before he died and since that awful day he has always been very very supportive. The club has hosted Prostate Cancer charity events annually since he died.

Membership fees - I do pay an annual subscription to the club and have done since I moved here in 2013.

The houses adjacent to the Club (which includes mine and some of those that I believe are objecting) also back onto the Aylesford Community Centre, car park and playing fields. I can hear music and talking from the car park and the Halls when there are functions happening. The Community Centre car park butts onto the Club car park so who can be sure where this smell of cannabis is coming from. Could be anyone the other side of the fence. All this is ridiculous nonsense and very hard to prove I would have thought.

In summary, I just feel all of the grievances are petty and as I said before nothing more than you would expect to get living close to such an establishment.

I am happy to be contacted should you wish to clarify anything I have written.

Yours faithfully

Christina Lee
Rochester Road

Licensing Services

From: lee
Sent: 12 August 2019 21:03
To: Licensing Services
Subject: Aylesford Village Club Licence Review

Categories: Leeann

To whom it concerns, please see forwarded concerns and complaints in relation to the Aylesford Village Club via Linda Cook [redacted] Rochester Road Aylesford Kent. She has asked me to send you her response in relation to the notification of the Licence Review for this premises as she was unsure as to the correct address to e-mail.

I will shortly be submitting my own detailed concerns and complaints that I have been documenting with the hope the Clubs licence will be revoked and that us long suffering residents can finally enjoy what should be a normal, peaceful Village.

Kind regards.

Lee

From: Linda [redacted]
Sent: 29 July 2019 19:59
To:
Subject: Aylesford Social Club

I am contacting you regarding my concerns over the Social Club in Aylesford. I have lived opposite these premises for the last 40 years and am becoming increasingly distressed at the behaviour of the customers and the management of the premises. Each weekend there is noise into the early hours of the morning; people smoking at the front of the building now they are no longer allowed to smoke inside; sometimes broken glasses and vomit out on the pavement. On one occasion vomit was left uncleared for 4 days and only removed by heavy rain.

I am fully aware that the Club was here before I moved in but there seems to be no one accountable for what goes on there any more. Many of the local residents are widowed and elderly and feel very vulnerable when incidents occur late at night.

I have previously handed a letter of complaint to the Club but incidences of noise and anti social behaviour seem to be happening on a regular basis.

I am happy for you to contact me if you need any further information or clarification on the issues raised.
 Mrs Linda Cook

Sent from [Mail](#) for Windows 10

From: let [REDACTED]
Sent: 13 August 2019 20:58
To: Licensing Services <Licensing.Services@tmbc.gov.uk>
Subject: Aylesford Club Licencing Review

Dear Sir/Madam,

I am writing to you in relation to your formal notification of the Licence Review concerning the Aylesford Village Club.

The situation with Club has significantly deteriorated of the last two years and over the last year or so has become simply intolerable and completely unacceptable. The individual is running (certainly not managing) what can only be described as his own personal enterprise with absolutely no regard for local residents, indeed total contempt would for local residents would be a more realistic description to use.

The continued and increasing levels of noise and anti social behaviour from the Aylesford Village Club have now being going on unchecked for some considerable time leaving me no option but to contact yourself. This is now having a very significant negative impact on my quality of life and that of my young children to mention other elderly and vulnerable local residents.

I work shift patterns which often means I have to be up for 5am in the morning, with the constant noise, antisocial behaviour and the drunken patrons of the Club who think that the Club Bar extends to the outside of the premises, including, the pavement, road and residents own pathways, sometimes to as late as 1am. As you can hopefully appreciate this makes it simply impossible to sleep. Most of these individuals do not even reside or live on Aylesford Village but travel in from other locations. Evenings and early hours aside even during the daytime I do not appreciate having to tolerate drunken patrons sitting outside swearing, shouting and carrying on when I have two young daughters aged eight and ten respectively, one who diagnosed with autism and my youngest who has a number of medical conditions. This is supposed to be a peaceful Village environment, its simply not a place where you run a Club as you would in some inner city nightclub environment.

Examples of the unacceptable noise and anti social behaviour include the following:

Continued ongoing noise, shouting, swearing from early evening until beyond closing time and agreed licencing hours.

Patrons sat outside on the public pathway drinking until the early hours with total disregard to us who have to live here.

Main front door propped wide open allowing high volume music and shouting from within the Club into the street, causing significant noise pollution with total disregard for the residents and our quality of life. This results in being forced to have to keep all my doors and windows closed, this includes during the height of summer, which is totally unacceptable.

Customers have been witnessed getting into their vehicles and driving away having left the Club and are clearly under the influence of alcohol.

Disputes, fights and loud arguments on the public pavement and road outside with absolutely no intervention from Club Management.

Customers shouting down mobile phones outside while booking and chasing Taxis. Taxis are then often left sitting outside for significant amounts of time with the engines left running while customers still finish drinks.

Cigarette butts being discarded onto the pavement, gutters and waterway even though there is a visible container on the wall.

Sick, vomit even used discarded condoms have sometimes just been left on the pavement with no effort to clean or remove.

Evidence of substance abuse in the form of discarded gas filled canisters.

Glasses, smashed glass and beer bottles together with empty cigarette packets have been dumped in my garden and shrubbery from Club customers on route home.

The duration of the above used to be confined to a just a Saturday night with the occasionally an odd Sunday evening. Over the past couple of years this has now escalated to start on a Friday early evening, every Saturday night and now starting to include most Sundays. There is absolutely no need for any of this behaviour to be constantly happening outside the front and rear of the business thus causing such distress to both myself, my family and no doubt many other residents.

I sincerely hope that my concerns regarding all of the above will be fully investigated and end with a positive outcome.

I have been documenting the above with photographs, audio's and video's clips and will provide these at your request/review.

Its my hope the Clubs licence will be revoked thus finally improving the quality of life not just for myself but also other local residents.

Kind regards.

Lee C J Bernard

*1 Rochester Road, Aylesford, Kent
ME20 7BS*

Leeann Leeds

From: Jayne Jacobs
Sent: 18 August 2019 18:25
To: Licensing Services
Cc: Lee Bernard
Subject: Aylesford Village Working Men's Club

Categories: Leeann

Dear Sir/Madam

I am writing to you with regard to the anti-social behaviour carried out at the above club. It has significantly disturbed my enjoyment of living in my own home.

I have lived [redacted] to the Club (at [redacted] Rochester Road) for over 20 years. Over the years I have experienced and witnessed on numerous occasions, behaviour that has caused me (and previously my late husband) a lot of stress. This has been getting increasingly worse.

The current manager, when approached, was extremely abusive to me - shouting and using dreadful language. This was actually witnessed by the Club's Committee which was having a meeting at the time in the club. I had gone in to ask why there had been fighting and shouting the previous night. My daughter has been into the club to discuss matters but has felt an intimidating atmosphere.

The following are activities etc. that I have to cope and deal with ongoing to this day.

- * The Club has a driveway [redacted] for their customers to access the rear car park. Exceptionally large vehicles try to go up this drive which often results in house wall being knocked and scraped.
- * The Club always has the side doors open a " [redacted] / which are fire doors. As a result the noise from inside especially when they have functions and music is played, is extremely loud. As the doors are open, customers congregate in the driveway - swearing, shouting, drinking and smoking! They have no regard for neighbours. I can't even sit in my own back garden or use the rooms on that side of the house. I can't open windows either. There is never anyone who works in the club around to ensure more suitable behaviour.
- * The smoke affects my chest and I am always having to sweep up cigarette ends that have been thrown in my back garden. Also a potential fire hazard.
- * I also have to put up with broken glass from beer bottles and glasses being thrown into my garden. These are very hazardous. I have to walk with a walking stick and have to tread very carefully when going outside until I have cleared the mess up. There has also been whole glasses/bottles landing in my garden. If I'd been sitting outside this could have caused serious injury.
I also had a soiled disposable nappy thrown into my garden.
There have also been instances of broken glass at the front of my property.
- * I have beer cans and glasses left on my front wall including full cans of beer.
- * Late at night, when people are leaving the club, there has been shouting, swearing, and sometimes arguments including fights. Also, cars can be outside for a long time with their engines running, late at night.

* Sometimes, when I walk down the road, the Club's table and chairs are on the footpath causing an obstruction for pedestrians.

* I have to padlock my dustbin to the railings at the front of my property to ensure it isn't removed by club customers.

I sincerely hope you take all of the above into consideration along with other neighbours' communications when making a decision with regard to the Club.

I believe you have been sent photos proving some of the above.

Thank you.

Yours faithfully

Mrs. J. M. Tyrrell

Sent from my iPad

Licensing Services

From: Rosalea Harvey [REDACTED]
Sent: 19 August 2019 11:57 [REDACTED]
To: Licensing Services
Subject: Aylesford Village Club

Categories: Leeann

Dear Sir/Madam,

I am writing to you concerning the above and the anti social behaviour which has been going on now for a considerable time. I rang TMBC on Monday 24th June and spoke at length with Mr Daniel Mooney, who was extremely helpful with the issue I had concerning the verbal abuse I received on Friday 21st June from the current manager of the Aylesford Village club which was very threatening and the language used was particularly offensive and foul. I had telephoned the club at around 10.00pm to ask if at all possible could they decrease the noise which was coming from the club, as the doors and windows were all open, and also around 20 of the drinkers were all outside of the club, on the pavement and on the road, they were shouting, arguing and swearing. After the manager came to the phone to speak to me, the tirade of swearing down the phone to me, telling me to 'f' off and his customers could 'f in' drink where they wanted and how they wanted, he then slammed the phone down on me. After about 10 minutes I decided to go and see the manager and let him know not to speak to me like that, when I walked into the club, he, the manager saw me and went ballistic and started with the foul language at me, shouting and waving his arms at me as he was incredibly angry (in that moment with his arms waving around it reminded me of a character in a book I used to read my daughter when she was a child, namely Mr Angry, one of the Mr Men character's) anyway, I did not say anything to him, I just turned and left the premises. Unbeknown to me however one of the people [REDACTED] who was in the club witnessed all of this and has said he is prepared to act as a witness for me, as he said the language and the abuse directed at me was not acceptable, apart from being a female I am also a 73 year old pensioner, and have never been spoken to like that from anyone ever in my life.

I have lived in Rochester Road almost 22 years now, [REDACTED] and over the last few years the anti social behaviour being exhibited from the people who are allowed to frequent the place has deteriorated to unacceptable levels, the language is absolutely disgusting. The Manager is not bothered or interested in maintaining any sort of order, has total disregard for the residents, he turns a blind eye to peoples complaints and is not interested in listening to anyone who objects to the noise etc, he runs the club as if it is his own personal enterprise, and for his own gratification. The late night's he allows, the customers then spill out onto the pavement to either try and locate their cars to get into to drive, or congregate on the pavement to start shouting and swearing at each other. This is now becoming a ritual at weekends, starting on Friday evening, through to Sunday. This is a nice village, and the residents work hard to keep it looking nice respectable and safe, which currently it certainly does not feel like that.

He, the manager in my opinion is not a responsible individual and certainly someone who should be not be allowed to hold a license to run a premises which sells alcohol.

I really hope my comments and concerns regarding this are taken into account and that the license for the above premises is not renewed.

Yours faithfully,

Mrs R Harvey

Leeann Leeds

From: Licensing Services
Subject: FW: 57 Rochester Road Aylesford.

From: [REDACTED]
Sent: 30 August 2019 19:37
To: Licensing Services <Licensing.Services@tmbs.gov.uk>
Subject: 57 Rochester Road Aylesford.

Dear Sir / Madam,

LICENSING ACT 2003 Section 51: Review of the premises licence in respect of Aylesford Village Club, 57 Rochester Road, Aylesford, Kent ME20 7BS

My wife and I live in Rochester Road, Aylesford. We wholeheartedly believe in the existence and provision of community facilities which are the lifeblood of any rural village. However, when a facility is managed in such a way that it has a detrimental effect on local residents' quiet enjoyment of their own homes, we feel representations must be made.

Our comments relate to the headings given in your notice as follows:

The Prevention of Crime and Disorder

We have witnessed patrons leaving the club barely able to stand and unable to walk in a straight line. These people cause concern to local residents as they stagger down the road, often during daytime hours. Continuing to serve alcohol to a drunk person is not the action of a responsible community stakeholder.

We have witnessed aggressive, drunken behaviour including shouting, swearing, physical and verbal assault (on one particular occasion a gang fight in the road outside the club around midnight) originating mainly whenever a function such as a wedding, funeral or celebratory birthday party is held in the hall at the rear of the club (advertised externally as "Free Hall Hire"). Protagonists are invariably not local residents and will be seen leaving by car, taxi or mini bus.

Patrons under the influence of alcohol have been seen driving away in their own vehicles.

Promotion of Public Safety

Noise pollution (also see below under Public Nuisance) has a persistent negative impact on the health and quality of life of local residents on a regular basis. This includes stress from being kept awake and the resultant fatigue of inadequate sleep. This is detrimental to the wellbeing of the local community as a whole.

Local residents have tried to keep windows shut in hot weather to eliminate noise emanating from the Club. This has resulted in the collapse due to heatstroke of one local resident.

See also notes above re drivers under the influence of alcohol.

The Prevention of Public Nuisance

With no consideration of near neighbours in the local community, even after representations made by local residents, the Club management **wilfully** allows:

- Two tables & several chairs to be placed on the pavement at the front of the premises. Apart from being unsightly and not in keeping with a conservation area (being a collection of mismatched garden furniture)

their presence can result in the highway becoming blocked, forcing pedestrians to walk in the road to pass the Club entrance.

- The front door and windows to be kept fully open most of the year. Conversations (including swearing) of Club members *who are inside the premises* and music, can subsequently be heard in our home.
- Unreasonably loud music until the early hours of the morning. This interferes with residents' quiet enjoyment of their own homes. Although we accept the occasional playing of loud music will be part of a celebration, this has unfortunately been every Friday, Saturday and Sunday for a long time, and often takes place during the working week. The volume of the music results in patrons having to raise their voices to have a conversation. In addition to using the external tables and chairs, any patron trying to use a mobile phone will come outside and talk very loudly, or even shout, into their phone. Consequently we have to increase the volume of our TV significantly to hear it over both music and conversation. As the unreasonable noise routinely extends beyond "reasonable hours" (which we consider to be up to 11pm), we have installed acoustic double glazed windows in our bedroom to aid sleep - this does not help in the summer months when our windows need to be open to keep the house cool.

Additionally:

- Many Club members do not come from Aylesford village and arrive in their own cars or taxis. This leads to problems of persistent parking on the double yellow lines outside the Club and of people talking loudly on their mobile phones outside the premises trying to book taxis or check why they have not arrived. As the Club is often closed and locked up at this time of night, people have no choice but to conduct these conversations in the street outside residents' homes in the early hours of the morning, disturbing them as they try to sleep. Taxis collecting patrons have used our driveway as a parking area (keeping their engines running) and will use radios or sound horns whilst waiting. Although the Club cannot control the behaviour of taxi drivers, if the patrons were local residents they would in all probability be making their way home on foot.
- The Club's "Free Hall Hire" policy means people from outside the area, who may have little regard to the local community, use the facility. This can lead to fights, running around the streets and standing in the road arguing, often into the early hours of the morning. This is never controlled by Club management and makes us feel vulnerable and unsafe in our own home.
- Although there is a designated smoking area in the Club car park, patrons and staff come to the front of the building to smoke, as this is nearest to the bar area. Not only does this contribute to noise pollution but also to atmospheric pollution due to the proximity of the smokers to residential properties (exacerbated during the summer months when windows are open).
- Regular "lock-ins" (living directly opposite we see this activity taking place) do restrict noise, as doors and windows are closed, but noise is still generated as patrons leave the club in the early hours.
- Burning rubbish in the Club car park may have environmental as well as nuisance implications for those residents whose properties back onto the area.

The Protection of Children from Harm

As far as we know children only go into the Club with their families, but they are exposed to swearing and the detrimental behaviour of adults under the effects of alcohol.

Children walking past the facility on their way home from school or heading to the recreation ground are similarly exposed to adults behaving in such a manner.

Please note that since the licence review has been issued, the Club has curbed its un-neighbourly activities, indicating that they are aware of the measures needed to be a responsible part of the local community but choose to act inappropriately.

Finally, we hope that the licence review will impose sufficient restrictions so that the Club will continue to operate but in a responsible way, for the benefit of, and in harmony with, the *local* community.

Yours faithfully,

Mr J G Cooper and Mrs A M Cooper

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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