

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Friday, 6th August, 2021

Present: Cllr H S Rogers (Chairman), Cllr Mrs J A Anderson and Cllr A E Clark

Together with representatives from the Licensing Authority, the applicant and other interested parties.

PART 1 - PUBLIC

LAP 21/16 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

DECISIONS TO BE TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE CONSTITUTION

LAP 21/17 APPLICATION FOR A NEW PREMISES LICENCE FOR SWAN EVENT, WINGS OF THE MORNING FIELD, WROTHAM HILL, WROTHAM

The Panel gave consideration to an application for a new premises licence under Section 17 of the Licensing Act 2003 for the provision of live and recorded music and the supply of alcohol. The application was for one event taking place from 30 August until 31 August 2021.

Careful consideration was given to the written report of the Director of Central Services and Deputy Chief Executive which set out details of the application, the reasons for referral to the Panel and the policy considerations that applied to the application.

It was reported that in response to the statutory consultation period, the Borough Council, in its role as the Licensing Authority, had received a number of representations objecting to the application. However, no comments had been received from the statutory consultees/responsible authorities.

One member of the public addressed the Panel regarding the application.

The Panel was mindful of its obligations under section 4 of the Licensing Act 2003, which stated that, having regard to the application and representations, the licensing authority must take such steps set out as it considered appropriate for the promotion of the licensing objectives.

Particular regard was also given to the provisions of the amended guidance issued under section 182 of the 2003 Act and the Council's statement of licensing policy.

In reaching a decision, the Panel took account of all of the written representations received and the oral representation made at the Hearing. In addition, the Panel took account of the fact that there were no representations made by any of the responsible authorities.

RESOLVED: That the application for the provision of live and recorded music and the supply of alcohol BE GRANTED; subject to the following conditions (as set out on the Notice of Determination):

- (1) The event is to be limited to a maximum of 1,250 persons, including guests but excluding staff.
- (2) A minimum number of qualified Security staff should be 18 to be present for the full duration of the event 12:00-22:00, and to be fully briefed on the Security Management Plan.
- (3) All guests must be over 18, and a Challenge 25 policy must be applied throughout the premises.
- (4) No entry to the premises is to be permitted without a ticket. All tickets must be checked on entry and a counting system in place to determine the number of guests on the premises at any one time.
- (5) Ticket and personal searches should take place away from the highway entry to the site to avoid road congestion caused by traffic queueing.
- (6) There is to be no purchase or supply of tickets on the door.
- (7) All guests should be issued with a single use 'bracelet' on entry, to ensure all legitimate ticket holders may be identified at all times.
- (8) Search dogs will be provided by the premises licence holder and will be utilised throughout the premises at all times the premises is open to members of the public.
- (9) Amnesty bins will be provided by the premises licence holder and will be utilised at all public entry points to the premises at all times the site is open to members of the public.
- (10) Ticket conditions shall indicate that searching will be undertaken. Signage to that effect will be displayed in the car parks and at all entrances to the premises.

- (11) The premises licence holder must comply with their Security Management Plan, a copy of which must be lodged with the Licensing Authority no later than 12:00 noon on Friday 20th August, and which should include a list of prohibited items.
- (12) The premises licence holder to send an email communication no later than one week before the event outlining conditions of entry, with a specific reminder on the Challenge 25 policy for entry, to pre-book taxis, and listing prohibited items.
- (13) The premises licence holder to provide emergency number that would directly reach the organisers to be manned 12:00 to 22:00 to report noise issues:
 - a. via letter drop to houses in Labour in Vain Road, southern half of Plaxdale Green Road, Old Coach Road;
 - b. in writing no later than one week in advance of the event to Parish Councils covering Stansted, Wrotham, Borough Green, Fairseat and Platt; and
 - c. on event page for The Swan Brasserie and via the Swan social media channels
- (14) Noting that a public footpath runs through the site and must remain accessible, that Security staff consistently monitor this to prevent unauthorised entry to the event.
- (15) The premises licence holder to take responsibility for fully clearing the premises and removing any litter from immediate vicinity of highway entrance and along the public footpath that crosses the site.
- (16) All drinks to be served in non-glass (i.e., plastic / polycarbonate) drinking vessels. This includes wine or beer from glass bottles, which should be poured into non-glass vessels.
- (17) The premises license holder to have Public Liability Insurance for £10M for the event.

LAP 21/18 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 1.58 pm
after commencing at 10.00 am