



**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 Gillian Ellis
Postal Address: (Area Headquarters)	Police Station Pembury Road Tonbridge Kent TN9 2HS
E-mail address	ellen.shaw@kent.pnn.police.uk
Telephone Number:	01732 379255

Details of premises representation is about	
Name of Premises:	The Fancy Goat
Address of premises:	40 High Street West Malling Kent ME19 6QR
Date application received by police	15 th July 2015
Date representation sent to Licensing Authority	31 st July 2015 <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	

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:

Due to the exceptional circumstances of this case, I am satisfied that the designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective because

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:

Kent Police have received the application for the grant of a premises licence for The Fancy Goat following the lapse of the previous licence under which this premises operated. The premises are located on the High Street of West Malling which has a busy night time economy combined with a large number of residential properties situated on or within close proximity to the High Street.

Kent Police have received complaints with regard to noise nuisance and anti-social behaviour which have been attributed to this premises and therefore believe that it is necessary to make representations in relation to this application in order to address the issues which are believed to be emanating from the premises.

Issues which have been reported to Kent Police from local residents concern noise from use of outside spaces including the rear courtyard and the area to the front of the premises directly onto the pavement of the High Street. Whilst it is not possible to attribute all noise from the front of the premises to patrons of this venue, due to members of the public passing by en-route to or from the main town centre, it is certainly justifiable to say that where there is a collection of customers outside the venue then it is reasonable to expect a level of control from the premises. The trading hours requested in the grant application are later than other venues within the town (although they are in line with the previous premises licence) and it is therefore likely that this will make the venue a target for customers, particularly on Friday and Saturday, leaving other venues and wishing to continue drinking prior to making their way home. It will be necessary for the premises to take control of this situation to ensure that customers arriving at the venue late, and possibly already intoxicated, are sufficiently controlled by staff to minimise any nuisance and prevent any crime and disorder that they may cause.

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 believe that the following conditions would assist with promoting the licensing objectives and in controlling the issues described in the above section and therefore request consideration to their attachment to any premises licence granted:

1. CCTV to be installed in and around the premises covering internal and external areas accessed by customers.
2. Written notices and signs will be prominently displayed in all public areas informing customers that they are subject to recording by means of CCTV
3. All CCTV cameras and recording equipment must be well maintained, kept in good working order and be subject to regular testing and inspection. Records of all testing and inspections must be maintained at the premises.
4. All images captured by CCTV must be of a continuous nature and be retained and stored securely for a minimum of 28 days.

5. CCTV images should be provided to Kent Police within a reasonable time period upon request when required for the purposes of investigation and detection of incidents or offences and to assist with the identification of person believed connected with offences.
6. Two door supervisors will be employed at the premises on Friday and Saturday nights from 21:30 hours until 30 minutes following the close of that day's trading.
7. Tables and chairs will be removed from outside the front of the premises by 22:00 hours on Friday and Saturday.
8. After 22:00hrs on Friday and Saturday no persons shall be permitted to take drinks, alcoholic or otherwise, in open vessels into the outside area at the front of the venue.
9. Use of the rear courtyard will cease at 8pm every day, the door to this area will be kept securely closed and notices will be displayed requesting customers not to access this area.
10. A policy of Challenge 25 will be adopted by the premises and all staff will be trained in the process required.
11. Notices will be displayed to discourage noise from patrons particularly using the outside areas of the premises, staff will be trained to challenge persons believed to be causing unnecessary noise nuisance.

Signed:



Print name: Ellen Shaw

Date: 31st July 2015

Force Number: PSE 52479

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

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.

Anthony Garnett - The Fancy Goat 40 High Street West Malling ME19 6QR

From: environmental protection
To: Licensing Services
Date: 10/08/2015 10:39
Subject: The Fancy Goat 40 High Street West Malling ME19 6QR
CC: jj

In respect of the above application the EH comments are as follows:

Environmental Protection Peter Thomason:

Since opening as The Fancy Goat, the Environmental Protection Team have received complaints from several residents about noise emanating from the premises as follows:

06-Mar-14 (14/00189/NOICOM) re bottle emptying;
08-May-14 (14/00403/NOICOM) re patron noise and amplified music;
08-Dec-14 (14/01107/NOICOM) re noise from Chiller / A/C units (not a Licensable Activity); &
02-Jan-15 (15/00001/NOIENT) re amplified music.

Officers have investigated these complaints and recommend the following conditions be attached to the Premises Licence:

1. Windows and doors to the premises shall be kept closed (excepting access/egress to/from the premises) to prevent noise from within the premises adversely affecting local residents.
2. Use of the rear courtyard by patrons and staff shall cease at 20:00 hours daily. No further use of the area shall occur until opening time on the following day. Notices shall be prominently displayed advising patrons not to use the area after 20:00 hours on any day. (This arrangement is already in place on an informal basis.)
3. No Bottle Bins shall be emptied between the hours of 21:00 and 08:00 on any day so as to minimise the potential for noise disturbance to local residents.
4. Signs shall be prominently displayed at all exits requesting patrons to leave quietly, so as to minimise the potential for noise disturbance to local residents
5. No new admissions to the premises shall be permitted after 23:00 hours on any day.

Food and Safety Melanie Henbest: No comments:

The Env. Protection Team
Do it Online!

www.tmbc.gov.uk/noiseandpollution

Licensing Services - Re: New Premises Application

From: Marion Geary
To: Ellen Shaw; Licensing Services; TFS.midgroup@kent.fire-uk.org; enviro...
Date: 16/07/2015 14:57
Subject: Re: New Premises Application
CC: Glenda Egerton; Louise Reid; ek

Dear Anthony,

This licence application diverges significantly from the hours approved by the parent planning permission TM/06/01342/FL (ie requesting 07.00 to 1:00 (til 03.00 at Christmas and New Years Eve).).

1. The premises shall only be open for the preparation and sale of food between the hours of 0800 to midnight Monday to Saturday and between the hours of 1000 and 2330 on Sundays and Public Holidays.

Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties.

This was an extremely controversial site in the past and whilst I would request a planning application to match the licensing proposed hours, I would have to take advice from EP as to the likelihood of receiving objections to these new hours,

thanks

Marion

Marion Geary
Area Planning Officer (Team 2)
Tonbridge and Malling Borough Council
Tel 01732 876252
Fax 01732 876363

Have you tried contacting us at
www.tmbc.gov.uk/do-it-online?



www.tmbc.gov.uk

>>> Licensing Services 15/07/2015 15:56 >>>

Please find an amended application received from the applicant with Sale of Alcohol and Late Night Refreshment ticked on page 5 of the application.

Regards

Anthony Garnett
Licensing and Community Safety Manager

Licensing Team
Email: licensing.services@tmbc.gov.uk