



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 Hutcheon
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

ADMIN/LEGAL SERVICES
17 MAY 2016
PASS TO
FOR INFO FOR DIST FOR ACTION

Details of premises representation is about	
Name of Premises:	The Old Fire Station
Address of premises:	Castle Street Tonbridge Kent TN9 1BH
Date application received by police	22/04/2016
Date representation sent to Licensing Authority	17/05/2016
	<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	
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 Old Fire Station is located on Castle Street at the junction with Bank Street, the venue has been operating for events utilising temporary event notices to cover licensable activities. The applicant now seeks to enable the venue to trade seven days a week until 23:00hrs for the sale of alcohol, the entertainment provision which is requested on the premises licence is permitted on any premises licenced for the sale of alcohol during the hours requested under the government deregulation of entertainment.

Kent Police has received no complaints in relation to events so far held at the venue however these events have been controlled by the pre-sale of tickets and been aimed at specific groups, for example fine dining or speciality food & drink events. The premises licence will permit the premises to open daily for the benefit of all and will attract trade from passers-by due to the location. The location of the premises means that it will benefit from footfall of persons using the car park in The Slade and making their way to and from other venues within the town, later in the evening this may give rise to conflict between patrons outside the venue and those making their way back to their homes or vehicles.

The venue is also located close to residential properties who may currently be disturbed by people passing their properties on their return to home or the car park but this disturbance may be enhanced by people gathering outside the front of the venue to socialise and it is therefore suggested that the use of this area should be restricted during the evening to prevent this disturbance being increased. The venue will require staff to control the external areas to prevent public nuisance becoming a feature of their operating times.

The venue is close to the amenity areas of the town frequented by young people, whilst the operation and product range may not be of great appeal to those underage it is felt that the premises should have measures in place to deter any attempt to purchase alcohol in order to prevent harm to young people and anti-social behaviour associated with underage drinking.

Kent Police are therefore suggesting the conditions listed below to be attached to any premises licence granted for this venue in order to ensure the licensing objectives are promoted at all times and that the community is enhanced rather than adversely affected by the operation of the venue.

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 seek the attachment of the following conditions to any premises licence granted in relation to the Old Fire Station in order to address the concerns raised above and to ensure the effective management of the premises.

1. Signs will be clearly displayed at all exits requesting patrons leave the premises and area quietly.
2. Challenge 25 will operate at all times within the premises and sufficient

- signage will be displayed to ensure that patrons are aware.
3. All staff will have received training in the sale of alcohol including challenge 25 and refusals. Records of all such training shall be kept and made available to Police, Local Authority or Trading Standards Officers upon request.
 4. A refusals register will be kept detailing all refusals made for sale of alcohol, this will include the date, time, reason for refusal and member of staff making refusal.
 5. Bottle Bins will not be used between 20.00 hours and 08.00 hours
 6. No use of the area to the front of the premises by patrons for any purpose after 9pm, signage will be used to advise patrons and staff will monitor to ensure this is adhered to.
 7. There shall be no use of the side courtyard area after 22:00 hours except for the purpose of smoking.

Signed: 

Print name: Ellen Shaw

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

Date: 17th May 2016

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.

Anthony Garnett

From: Emma Stillwell [REDACTED]
Sent: 12 May 2016 14:45
To: Licensing Services
Subject: License Application Objection - The Old Fire Station, Castle Street, Tonbridge
Categories: Anthony

TO: Licensing Services

Tonbridge & Malling Borough Council

Dear Councillors,

RE: Objection to License Application for The Old Fire Station, Castle Street, Tonbridge, TN9 1BH.

We are residents of Bank Street, and live across the road (approximately 20 feet door-to-door) from the Old Fire Station.

Firstly, we want to say we are strong supporters of The Old Fire Station, and the pop-up events that they have brought to Tonbridge, and we think it is a boost to the community.

However, we object to the license application for live, amplified, and recorded music, and facilities to make music at these premises.

We are very surprised to see that Mr Collins is applying for a music license, as he has repeatedly assured us this would never happen, due to the close proximity of so many residential houses and flats.

We know the building to be unsound proofed, as during a recent event, acoustic guitar music could clearly be heard at night in our house. This was with doors and windows closed at the Fire Station and our home.

We have read Mr Collins' proposal for noise management and found it wholly unsatisfactory. There is no mention of attempting to sound proof the building to reduce the noise for neighbouring residents and just asking customers to quieten down is totally ineffective.

Having the doors and windows closed when the building is full, or during hot weather, isn't a workable option either, as paying customers are clearly going to request that they are opened.

We also object to the application for an extension of hours to sell alcoholic drinks and late night refreshments at the venue.

We know this will cause excessive noise for the adjacent properties, as we have already experienced this last summer with customers using the outdoor smoking area.

Our fear is that the building will become a music reliant and party venue, however much the owner assures us it won't. We have a young family, both our children sleep at the front of the house and they have registered special educational needs. We have to make sure they do not have disturbed nights.

The addition of music and longer licensing hours would have a detrimental effect on our quality of life and our children's ability to get adequate undisturbed sleep.

We are also concerned that if Mr Collins sells The Old Fire Station with these licenses in place, we are left in a very vulnerable situation should the new owner wish to run a bar.

The Old Fire Station is in the wrong part of town to be used as a regular premises for late night events. It is surrounded by residential dwellings, and we feel the high street is a much better location for such a venue.

Yours faithfully,

Nick and Emma Stillwell

7 BANK STREET

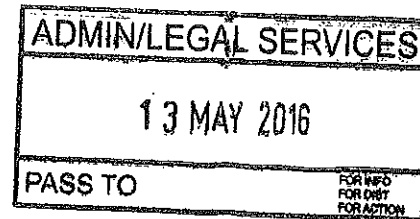
TONBRIDGE

TN9 1BL

7 Bank Street
Tonbridge
TN9 1BL

12th May 2016

Licensing Services
Tonbridge & Malling Borough Council
Gibson Building
Gibson Drive
Kings Hill
West Malling
ME19 4LZ



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Castle Street, Tonbridge, TN9 1BH.**

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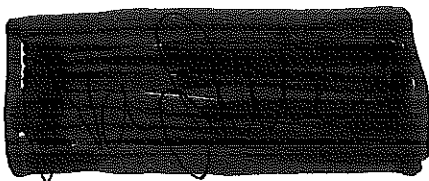
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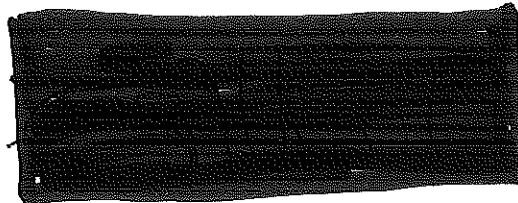
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Yours faithfully,



Nick and Emma Stillwell



116 St Marys Rd

Tonbridge

Kent

TN9 2NN

29-4-2016

Licensing Services

Tonbridge & Malling Borough Council

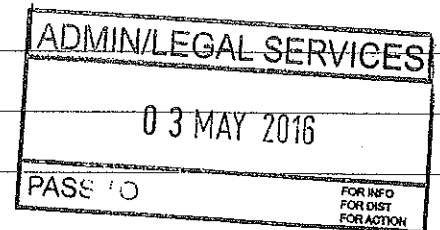
Libson Building

Libson Drive

Viney Hill

Wat Mallon

Kent ME19 4LZ



Dear Sir

Re application for performances etc at Old Fire Station - Centre Street

I am shortly to move into this area - Broms Street - and feel that an licensing should not be allowed because this whole area is a residential area.

There is limited parking nearby and some on street parking - I feel visitors to this place would take over the streets and place further parking problems on the local residents.

There is a school nearby and to have this open during school hours could encourage children to enter the premises.

To remain open till 11pm could cause excessive noise to the neighbours many young & older people as those with younger children would not appreciate loud music (which like noise tends to be) so late at night to me this is an entirely inappropriate site for this kind of application.

The sale of Alcohol would also encourage drunk people in the streets near the Fire Station - on Centre Street - Broms Street & the Trade area.

I would ask that you encourage against or refuse this application.

I'm not against a venue for license activities but new residents & residential property is not appropriate.

Yours faithfully
[REDACTED] (MRS GREGORY)

To: Members of TMBC Licensing Committee

Dear Councillors,

Licence application objection: Old Fire Station TN9 1BH

We would be grateful if you would consider the following objection to the licence application with respect to the Old Fire Station TN9 1BL.

In our view, without alterations to the licensing application and the noise reduction plan, the application would not promote the Licensing Act 2003 objective of preventing public nuisance and would contravene aim (e) of the Tonbridge & Malling Borough Council Statement of Licensing Policy, namely to protect local residents from anti-social behaviour and disturbance.

We recognise the potential positives of having such a great old building back in use and we also recognise that the owner has held a number of successful events including pop up restaurants and a number of community events. Our objection is centred around noise management and the sale of alcohol.

The Old Fire Station is in a residential area. The premises is around 15 metres from our bedroom window and those of our neighbours. The main licensable area is downstairs in the fire station where the fire engines would have been housed when the station was in use. Consequently the main licensable area is a single brick room with limited sound proofing, no curtains, no barrier walls and two large doors at the front of the property where sound escapes.

In the noise management plan, the applicant acknowledges that licensed venues can be a potential source of nuisance, anti-social behaviour and crime. We were surprised at how limited the noise reduction plan is given the age and construction of the building, its position in a residential area and the range of licensable activities that have been applied for. If this had been given proper thought, our objection would have been significantly less extensive.

The premises has had a number of Temporary Event Notices in recent months and many of these have been well received. We have been disturbed however during events where the primary purpose has been to provide a venue for drinking alcohol. We have been disturbed by the sound of people smoking on the road at the front of the premises rather than in the designated smoking area, by people leaving the premises loudly until midnight and by the disposal of bottle waste and other breaking down activity after 11pm. Even when people are sat drinking at the premises, we can hear the actual words of conversation whilst lying in bed. Our 8 month old son has been woken up a number of times as a result of noise from the premises.

The application, if approved, would expand the scope of activities at the premises to a 7 day a week operation serving alcohol until 11pm, would allow for both live and recorded music to be performed. It would also allow for the serving of food to be consumed on or off the premises between 11pm and 5am.

Our objections to the licensable activities applied for are as follows;

1. Live music, facilities for making music and general noise.

The licence application states that **amplified** live music would be performed at the premises as well as recorded music. We feel it is inappropriate to carry on these activities in a

residential area in a building of this construction without significant remedial action to minimise the noise reduction.

- i. We would like the committee to **refuse** permission for the performance of live music.
- ii. Two large doors open directly onto the street facing a number of residential properties. We would like the licensing committee to attach a condition to the licence that would require these doors to remain shut throughout the operation of all the licensable activities applied for.
- iii. The premises is a single open space, there is no sound proofing and no sound limiter is installed to the best of our knowledge. We would like the licensing committee consider requiring the applicant to install sound limiting apparatus (e.g. acoustic baffles, heavy curtains), noise limiting equipment, to ensure that no speakers are placed near external walls and that speakers are faced away from houses.
- iv. We would like the licensing committee to require the DPS to regularly monitor the noise levels of recorded music.

2. Sale of alcohol

The application, if successful, would significantly increase the hours during which the premises would be able to sell alcohol compared to current operation which would result in a steady flow of intoxicated people to and from the premises. We think it is inappropriate to sell alcohol during the hours applied for due to the potential for serious sound nuisance to neighbouring properties.

- i. We would like the licensing committee to consider;
 - a. Limiting the requested hours for the sale of alcohol on week nights to 9pm.
 - b. Requiring bottle waste to be disposed of in the morning, not during the evening.
 - c. Limiting the hours of use of the outside smoking area to 9pm during the week and 10pm on Fridays and Saturdays.

3. Late night refreshment

We cannot see any argument for granting a licence for the serving of refreshments during the hours of 11pm to 5am particularly given that this is a residential area and that no steps have been outlined by the applicant as to how they intend to minimise both noise disruption and litter should they be granted permission to carry on this licensable activity.

- i. We would like the licensing committee to **refuse** permission for a licence for late night refreshment.

4. Plays and films

We have no objection to the performance of plays and films as outlined in the licence application but the licensing committee should note that neither licensable activity was advertised in the public notice and therefore others will not have had 28 days' notice to object.

If the applicant is unable or unwilling to make the necessary alterations to limit noise nuisance from the premises then we would reluctantly be in a position of asking the committee to refuse the application altogether.

Given the rejuvenation of Tonbridge in recent years we are concerned that a potential future owner, with the licence and noise reduction plan as they stand, could simply operate the premises as an all day bar without taking measures to limit the emanation of noise and disturbance and residents would not have recourse to the licensing authority.

Given the premises' unique position in the middle of a residential area without similar premises in the vicinity, we believe it would be appropriate for Councillors to apply conditions to the licence that would limit the potential for nuisance to be caused to local residents and to promote the Licensing Act objectives and/or to ask the applicant to reapply with a more comprehensive and thought through noise reduction plan.

We would be grateful if you would confirm that our objection is valid and, if so, when a hearing will be held to consider the licence application. We would appreciate the option to provide verbal representations to the committee or sub-committee.

Yours faithfully,

Benjamin Dixon & Eleanor Hoyle [by e-mail]

9 Bank Street
Tonbridge
TN9 1BL