

**Premises Licence  
Tonbridge & Malling Borough Council**

**Premises Licence Number**

16/00520/PREM issued 2nd September 2016

**Premises Details**

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

The Farmhouse  
97 High Street  
West Malling  
Kent  
ME19 6NA

**Telephone number**

Not provided

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence**

Sale of Alcohol  
Performance of Dance  
Live Music  
Recorded Music  
Late Night Refreshment

**Times the licence authorises the carrying out of licensable activities**

**Sale of Alcohol**

Every Day 08:00 - 23:30

**Performance of Dance**

Every Day 11:00 - 00:00 (Midnight)

**Live Music**

Every Day 08:00 - 00:00 (Midnight)

**Recorded Music**

Every Day 11:00 - 00:00 (Midnight)

**Late Night Refreshment**

Every Day 23:00 - 01:00

**Non standard timings for late night refreshment only:**

From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.

**The opening hours of the premises**

Every Day 08:00 - 01:00

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

Alcohol is supplied for consumption both on and off the Premise

**Name, (registered) address holder of premises licence**

Heritage Taverns LTD  
Greenway Court Farmhouse  
Greenway Court Road  
Maidstone  
Kent  
ME 17 1QD

**Registered number of holder, for example company number, charity number (where applicable)**

Registered Business Number 280899

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Rajmund Istuan Mezes

**State whether access to the premises by children is restricted or prohibited**

Access to Children not restricted or Prohibited

## Annex 1 – Mandatory conditions

### Sale of Alcohol

1. No supply of alcohol may be made under the Premises Licence –
  - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
  - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
  - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
  - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) 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 either:-
    - (a) a holographic mark or
    - (b) an ultraviolet feature.
6. The responsible person shall ensure that –
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**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.

**Door supervision (except theatres, cinemas, bingo halls and casinos)**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
  - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
  - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
  - (b) in respect of premises in relation to:
    - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
  - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
  - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.
    - a. ph 8 of that Schedule.

**Annex 2 – Conditions consistent with the Operating Schedule**

None

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

1. No use of the rear outside area after 23:00hours except for the purpose of smoking
2. There will be no new admissions to any part of the premises after 23:00hrs on any day
3. On Fridays 2 SIA door staff to be employed at the premises from 19:00hrs until half an hour after the close of the premises. One of whom shall have specific responsibility for the area at the rear of the premises
4. On any Saturday during the period 1st May to 31st October in any given year, 2 SIA door staff to be employed at the premises from 19:00hrs until half an hour after the close of the premises. One of whom shall have specific responsibility for the area at the rear of the premises
5. On New Year's Eve 2 SIA door staff shall be employed at the premises from 19:00hrs until half an hour after the close of the premises. One of whom shall have specific responsibility for the area at the rear of the premises.
6. In addition to the SIA requirements at conditions 3,4 and 5 above, on Fridays when the function room is not used for seated functions only, or functions where food and incidental music is provided then one member of SIA door staff will be required to supervise the function room and a person who has passed their personal licence holders exams will be required to supervise the function throughout the period the function takes place at the premises
7. There will be a person who has passed their personal licence holder exams on duty at the premises at all times that licensable activities are taking place.
8. There will be a member of staff present at the premises during trading hours who is able to download CCTV images at the request of the police
9. CCTV to be fitted to a standard agreed by the Police that complies with the CCTV Code of Practice (Latest Edition), produced by the Information Commissioners Office, with all public areas, including all access and egress points covered
10. The CCTV system shall be maintained and serviced on a regular basis and records kept to that effect
11. The CCTV shall be operational at all times that premises are open for trading
12. CCTV images will be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate
13. Challenge 25 will be in operation at the premises with sufficient signage to ensure that patrons are aware.
14. All staff will be trained in relation to the sale of alcohol including Challenge 25 and refusal of sales for any reason. Records of such training should be completed and produced to Police, Local Authority or Trading Standards Officers.
15. A register of all refusals should be maintained at the premises. This should record, as a minimum, Date, time, reason for refusal and staff member making refusal.
16. All members of staff will be aware of all licensing conditions appertaining to this premises licence.
17. All doors and windows to be closed after 23:00 hours
18. The Cocktail Bar shall cease sale of alcohol at 23:00 hours, and close at 23:30 hours