

Katie Shipman

From:
Sent: 28 July 2018 11:47
To: Licensing Services
Subject: Little Gem

Categories: Katie

I have heard that the little gem is to offer a take away pizza delivery service. As a resident whose premises back on the little gem, I am strongly against this. The parking issue for one. I have nothing against it resuming to a pub, although I feel 12 till 12 is unnecessary, but a take away in this little high street, would be a real inconvenience for the current residents, the noise, motor bikes, cars pulling up, etc I hope that you will note my comments, I have the full support of the other residents.

Sent from my iPhone

Licensing Department
Gibson Building
Gibson Drive
Kings Hill
West Malling
Kent
ME19 4LZ

30th July 2018

RE: Proposed license for The Little Gem, High Street, Aylesford, Kent

Dear Licensing,

As per the public notice posted in the window of the above property, I would like to formally object to the proposed licensing hours.

The proposed application, I believe, is to turn the Little Gem back into a micropub after being closed for several years however I feel the proposed hours do not suit the establishment.

Please note that I have no objection for the Little Gem to become a micropub again, however we are in the final stages of completing the purchase on a property so we will now be overlooking the aforementioned building, which I believed to be a residential dwelling. I would not be purchasing this property if I was aware it was going to be a public house.

Where I have objected to the hours, there are several concerns I would like clarification on, whether it is from the licensing or planning department.

1. Would their doors need to be closed, as this would be in line with licensing for other establishments?
2. Live music and recorded music should cease at the same time as other establishments in the area.
3. Where would the designated smoking area be? The forecourt at the back of the building belongs to the new builds at the back of the Little Gem so there is no area for smokers at the back of the building, so will they gather outside the front? This would mean smoke would come into my building
4. Outside drinking. The Little Gem was well known for everyone congregating on the square, and will this still be allowed in its licensing?
5. Ventilation. If the doors have to be kept closed, where will the extractor be for the kitchen? If it is on an external wall then it will lead straight up from the back the Little Gem and into my bedroom.
6. Where will the bin areas be? The back of the pub now does not belong to them, so I assume the bins will have to be at the front of the building. I am of the understand that bins are generally not permitted to be on the High Street other than on refuse day.
7. Will there be restrictions on the times of deliveries?

8. Where this may only be hearsay, one of the builders mentioned they wanted to offer a pizza delivery service. Again, this brings up concerns on ventilation, extraction and the biggest concern which is delivery drivers parked outside of our building, whether they are in cars or mopeds. Takeaway will also inevitably attract people to eat on the square or in the car park. I am sure you are aware that the 2 large bins for general waste were removed so that only leaves small and very limited bin space.
9. The fire exit, as mentioned above, will lead onto a private property which is again outside my window and will the back door be closed at all times?
10. Will there be disabled access into the building as there are currently steps down into the pub, and will this access be through the back door?
11. If the building will have a kitchen, due to it now being attached to more residential properties, will the building have a hard wire fire alarm system?

Where it does seem as though I am questioned a large number of points, I would rather my concerns be constructive to ensure that if the license is granted, that issues can be dealt with quickly and effectively, and any restrictions are highlighted beforehand. I am sure there will other points that I may have missed but other residents will be questioning but I would rather all these concerns were discussed before the decision is made.

I have sent this formal objection by email and also posted a hard copy to your offices.

Regards,

Katie Shipman

From:
Sent: 14 August 2018 15:59
To: Licensing Services
Subject: The Little Gem, Aylesford

Categories: Katie

Dear Licensing,

In respect of the above application; I have the following comments: These are in my capacity both as local ward Councillor and as a resident of Aylesford High Street.

Whilst many will welcome the return of the Little Gem from abandoned building; we must not forget that the history of this premises is not entirely a positive one with respect to Aylesford Village. Neither should it be forgotten that a good number of years has past since it last operated as a Public House and that the local surroundings have changed considerably during that time.

Firstly, Aylesford Village is notionally a quiet, rural settlement on the North bank of the Medway of around 200 houses. Although of mixed architecture it retains a high proportion of listed-buildings and sits within a conservation area. Many houses are therefore single-glazed, and sit close to the highway; thus noise transmission, even at relatively low levels because of canyon effect, can be a significant detriment to residents in the enjoyment of their properties. The return of the Little Gem, would mean that Aylesford would have five pub-style drinking establishments; which given the size of the village can only really be supported by ingress of patrons from outside the local area; whom often have little respect for local residents.

In respect of 'the prevention of public nuisance' and 'the prevention of crime' the panel should consider whether the above together with the size of the Little Gem is an issue; it is exceptionally small, hence its name. As such, in the past, patrons have spilled out into the area immediately in front of the premises or onto the area known as the village square. This, and your records should confirm, resulted in unpleasant and abusive comments towards residents often returning home: A behaviour which grew more distasteful by the hour as drinkers became more inebriated. Habitual fighting has also been part of the historical problems associated with this pub, again exacerbated by the small internal floorspace. Whilst these areas are alcohol control zones; some form of activation is required to disperse drinkers, which in practice would rarely happen.

As I have also related above, the Gem previously backed onto and was adjacent to a structure known as the Aylesford Business Centre. This structure is now entirely residential. In addition, in the intervening years the flats above the village shop on the other side have been developed and are now also residential. As such the residential nature of Aylesford Village is now much closer geographically to the public house which last operated during a period in which the central village was more commercial in nature.

Personally I feel that serving alcohol until midnight is therefore too late an hour given the above.

I would also ask the panel to consider possible nuisance from noise nuisance (especially given the wood-frame structure and English Heritage listing), light pollution, noxious smells, blocked driveways, pick-up and drop-off noise late at night, waste disposal policy, and the production of cancerous second-hand smoke when considering either the grant or conditions necessary in this case.

In respect of 'the protection of children from harm': At night, and apart from these drinking establishment the High Street is almost silent. Children are entitled under this objective to be protected from moral, psychological and physical harm. This would also include neighbours' children who might be wishing to sleep during these late hours and/or be exposed to strong language or sexual expletives. Due weight should thus be given to any aspect of this application against activities taking place outside and noise generated on leaving the premises. I would suggest that all consumption of alcohol outside the premises be forbidden or strictly limited. Given the number of licensed premises in Aylesford Village I am also concerned that drinking alcohol is becoming normalised in the minds of local children. We already have instances of parents picking up children from the local primary schools and taking them straight to the pub to undertake their homework.

③

Furthermore, although not solving the above, Challenge 21/25 etc should therefore in my view be mandatory in this case.

I shall make further comments at any hearing on the above application.

With kind regards,

Michael Base (Cllr)

-

..

Cllr Michael Base
(TMBC Member for Aylesford North and Walderslade)

Katie Shipman

From:
Sent: 14 August 2018 16:46
To: Licensing Services
Subject: Licensing Application: Little Gem
Categories: Katie

Dear Sirs,

In respect of the above, I would like to object to the licensing application.

I do not think it appropriate to for the building to return to being a licensed public house.

Aylesford Village comprises c200 houses, within a conservation area and many of properties are listed, single-glazed and positioned close to the highway. We already suffer from the noise related to the other public houses in the High Street, be it related to music, patrons leaving the premises or smoking and drinking on the highway outside the premises. A further public house would result in further disruption and disturbance to residents' ability to enjoy their properties.

When it was last open as a public house, it was common place to find patrons drinking outside and in the village square, creating an environment which I personally found intimidating to walk past, even in the early summer evenings. Many of these patrons were not residents of the village and therefore have little or no regard for residents. Given the size of the premises, I struggle to see how this would not be the same if the licence was granted and therefore ask that this is considered in the context of 'the prevention of public nuisance' and 'the prevention of crime' when assessing the application. I am sure if one were to check the records of complaints previously made to TMBC against the Little Gem, a substantial file would be found.

I note that an alcohol control zone has just been implemented in the vicinity but I have not seen this enforced for the existing establishments and have limited confidence that the zone would be respected.

Since it was last a public house, the surrounding buildings have changed. The Gem previously backed onto the "Aylesford Business Centre" which housed a taxi office. This has been redeveloped and is now entirely residential; including the adjacent property which was previously a business. In addition, to the other side of the Little Gem, the flats above the village shop have been developed and are now also residential. I do not feel serving alcohol until midnight is appropriate under these changed circumstances.

I believe an area considered by the licensing panel is 'the protection of children from harm': Children, I understand, under this objective are entitled to be protected from moral, psychological and physical harm. This would also include neighbours' children who might be wishing to sleep during these late hours and/or be exposed to strong language or sexual expletives. Given this is an existing issue in the village with patrons leaving establishments with a clear disregard for residents, including sleeping children, I would ask that this aspect

4

is carefully considered by the panel, notably to activities taking place outside and noise generated on leaving the premises. ANNEX 3

I would suggest that all consumption of alcohol and smoking outside the premises be forbidden. Given the number of licensed premises in Aylesford Village I am also concerned that drinking alcohol is becoming normalised in the minds of local children. It is not uncommon for parents pick up their children from the local primary schools and take them straight to the pub until it is time for dinner.

I would also ask the panel to consider possible nuisance from noise (especially given the wood-frame structure, single-glazed windows and English Heritage listing), light pollution, noxious smells, blocked driveways, pick-up and drop-off noise late at night, waste disposal policy, and the production of cancerous second-hand smoke when considering either the grant or conditions necessary in this case. All of which are issues that residents have to endure currently from other establishments. Granting a licence to the Gem would only serve to exasperate the impact on residents.

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

17nd August 2018

RE: Licensing application for the The Little Gem, 19 The High Street, Aylesford, Kent, ME20 7AX

Dear Licensing,

We live at _____, Aylesford with our two young children (aged 17 months and 2 weeks). Our property is attached to the Little Gem pub to the rear of The Village Store and on the 1st floor.

As per the Public Notice posted in the window of the The Little Gem, I would like to make representation to object against the granting of a licence for The Little Gem on the following grounds:

Prevention of Public Nuisance:

Sale of Alcohol – We object to the granting of licence for the sale of alcohol between 12:00 – 24:00 for the following reasons:

- The consumption of alcohol until 24:00 is likely to result in customers being noisier or committing unsociable behaviour due to the length of time they are able to purchase and consume alcohol either while inside the premise or as they come and go.

Sale of alcohol for consumption outdoor for the following reason:

- We object to the sale of alcohol for consumption outdoors as this will cause a public nuisance through the noise created. The front window of our property opens above and to the left of the entrance to the Little Gem pub. Any consumption of alcohol outside the premises will disturb our ability to peacefully enjoy the use of our property.
- We understand that the Little Gem no longer has any outside space to the rear as this is now part of the converted residential buildings. However, if our understanding is incorrect, we object to the sale of alcohol for consumption outdoors to the rear of the premises as this will cause a public nuisance through increased noise. The bedroom windows to our property overlook the rear of the premise and any increase in noise level will disturb our ability to peacefully enjoy the use of our property. Similarly, the garden of our property which is shared with the flat above will be impacted by any increase in noise level, preventing us from being able to peacefully enjoy the use of our property.
- We understand that when the Little Gem was previously a Public House before change of use that customers consumed alcohol in the village square area opposite our premise which our front window looks directly over. The high street is now part of a public space protection zone which prohibits the consumption of alcohol. This would suggest that the local authority assessed that the activities that were being carried out, or were likely

to be carried out, had a detrimental effect on the quality of life of those in the locality and justified the restrictions imposed. Approval for consumption of alcohol outdoors would directly conflict this decision and would have a detrimental effect on us peacefully enjoying our property.

Opening Hours

12:00 – 23:00 (Sunday – Thursday)

- Opening until 23:00 will cause a public nuisance through the increase in noise level of customers coming and going from the premises during the standard working week. We have young children in our property who are likely to have their sleeping disturbed by increased noise levels into the evening and therefore feel that a limit of 7pm should be imposed to allow for peaceful enjoyment of our property.

12:00-24:00 (Friday – Saturday)

- Opening until 24:00 will cause a public nuisance through the increase in noise level of customers coming and going from the premises during the standard working week. This is out of line with opening hours of other Public Houses in the village who close at 11pm. Also, we have young children in our property who are likely to have their sleeping disturbed by increased noise levels into the evening and therefore feel that a limit of 7pm should be imposed to allow for peaceful enjoyment of our property.

New Year's Eve – 1am

- Extending the opening hours to 1am for New Year's Eve will cause a public nuisance
- Also, we have young children in our property who are likely to have their sleeping disturbed by increased noise levels into the evening and therefore feel that a limit of 7pm should be imposed to allow for peaceful enjoyment of our property.

Recorded Music

- We object to the playing of recorded music as this will increase the level of noise that can be heard as the door opens and closes to the building. Due to the age of the building the doors and glazing are likely to be inadequate in preventing the sound being heard outside the premises.
- We share a wall with the premises and can already hear noise being created by work that is currently being undertaken in the property. We object to the playing of music without adequate sound proofing being put in place.
- We object to the continued playing of recorded music at an elevated noise level, especially past 11pm which conflicts with the Noise Act of 1996.

Late night refreshment (23:00 – 24:00 Sunday to Saturday)

- On the same basis that we object to opening hours until 24:00 we object to this extended period for late night refreshment.

Noise

- We object to the licence application on the basis that this would lead to the premises generating increased noise levels internally due to the nature of the business. We share a wall with the premises and without adequate sound proofing due to the construction of the building we will be disturbed from the peaceful enjoyment of our premises due to this increased noise level.

Protection of Children from harm:

- The sale of alcohol for consumption off the premises will likely increase the chance of rubbish and broken glass. We therefore object to the sale of alcohol for consumption off the

premises in the glass containers due to the risk of harm to children, particularly young children from cutting themselves on any smashed glass. Should alcohol or food be sold in non-glass containers we object to its sale for off the premise consumption as this will likely increase the amount of waste. There are currently only two small bins available for disposal of rubbish which regularly overflow. The current provision is therefore not sufficient for any increase in waste. This waste poses a risk to young children as it will not be disposed of properly and likely be left on the pavements for them to touch.

- The premise is opposite a school and nursery which increases the risk of any anti-social behaviour caused by the consumption of alcohol impacting on children and therefore object on this ground.

Public Safety:

Access to the premise

- Access to and from the premise is only available through one small door to the front of the property. We object on the grounds of public safety as this doorway will not provide safe and adequate access particularly for disabled persons.

Fire Safety

- We object to the granting of a licence due to inadequate fire exits from the property.

Further to the above we would also like to offer the following context to our objections:

We purchased our property in February 2017 with the understanding that the Little Gem was no longer to be used as a commercial premise, primarily a Public House, with a change of use agreed in 2015 to change the property into a residential building. The Little Gem and the surrounding commercial units were being converted into residential premises (the surrounding units are now available for sale as residential premises) and therefore we decided to proceed with the purchase of the property. During the conversion of the surrounding commercial units, the workmen would often reside in the The Little Gem and the attached building. If The Little Gem were to have remained a commercial property, primarily a Public House we would not have proceeded with the purchase given that we are raising a young family.

We trust that you will take full consideration of our objections before reaching a decision and would welcome the opportunity to be part of any subsequent hearing.

Yours sincerely,