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## Schedule 12 Part A

### Premises Licence Tonbridge & Malling Borough Council

#### Regulation 33,34

**Premises Licence Number**

17/01899/PREM issued 5th February 2018

#### Premises Details

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

African Lodge And Marquee  
Kentfield Farm  
Tower Hill  
Offham  
West Malling  
Kent  
ME19 5NH

**Telephone number**

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

Not applicable

**Licensable activities authorised by the licence**

Sale of Alcohol  
Live Music  
Recorded Music  
Late Night Refreshment

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

**Sale of Alcohol**

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

**Live Music (Indoors Only)**

Every Day 23:00 - 00:00 (Midnight)

**Recorded Music (Indoors Only)**

Every Day 23:00 - 00:00 (Midnight)

**Late Night Refreshment (Indoors Only)**

Every Day 23:00 - 00:00 (Midnight)

**The opening hours of the premises**

Not applicable

**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 Premises

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Mr Ian Barwick  
Kentfield Farm  
Tower Hill  
Offham  
West Malling  
Kent  
ME19 5NH

Electronic Mail [REDACTED]

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

Not applicable

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Party Reference: [REDACTED]

Licensing Authority: Tonbridge & Malling Borough Council

## **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.

## **Exhibition of Films**

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where
  - (a) The film classification body is not specified in the licence, or
  - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

## **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**

1. Licensable activities will only be provided in respect of pre-booked functions.
2. Food will be available throughout the trading period

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

#### **Conditions added at the Licensing Hearing held on 5th February 2018**

1. There will be no more than 28 functions held at the location in any calendar year.
2. All functions will be pre-booked with number of persons attending and emergency contact details for the person booking recorded.
3. There will be no access to the venue from Tower Hill except in emergency situations.
4. Access routes to the venue will be clearly marked at any time that the venue is operating under this Premises Licence to ensure swift access and egress for all vehicles including private vehicles, taxis and emergency vehicles.
5. Clear instructions on gaining access to the venue will be provided to all persons holding events at the location.
6. Challenge 25 will be in operation and adhered to by all staff. This will be communicated to all persons holding events at the location at the time of booking.
7. Staff training will be provided for the sale of alcohol and safe operation of the venue, training will be recorded and signed by each member of staff. All staff training will be carried out by an accredited body.
8. CCTV will be in operation at the location at any time that the premises are being used for licensable activities.
9. Images from any CCTV in operation at the premises will be retained for a minimum of one month from the date of recording.
10. The maximum number of customers will be 200 for any given event.
11. No fireworks will be let off during any pre-booked event where licensable activities occur.
12. Performance loud speaker systems that have any bass component are only to be located in the African Lodge and not in the Marquee.
13. Performance loud speakers and the related performances are directed to the south across the lake towards the Quarry and not into the Marquee.
14. Whenever entertainment is provided bass baffles are fitted to the north open aspect of the African Lodge and behind any loudspeaker installation.
15. A noise limiter is used to ensure that noise levels in the Lodge do not exceed 95dBLAeq(15) as recommended by the Code of Practice.
16. Performances in the Marquee must be restricted to acoustic instruments. Use of amplified equipment is acceptable but must be limited to background music or only spoken word.



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

17. The type of Performance loud speaker system is to be ascertained and approved by Mr Beale of SPL Track Environmental, on behalf of the applicant, and by a representative of Tonbridge and Malling Borough Council's Environmental Protection Team.

18. All events to be publicised in advance on Kentfield Farm's website. This to include the name and mobile 'phone number to contact in the event of any complaint. This person should be available to contact during the event. This information should also be provided to Offham Parish Council at least fourteen days in advance of an event.

Annex 4 – Plans

