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## Schedule 12

### Part A

## Premises Licence Tonbridge & Malling Borough Council

#### Regulation 33,34

#### Premises Licence Number

13/00965/PREM issued 11th March 2015

#### Premises Details

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

The Swan  
35 Swan Street  
West Malling  
Kent  
ME19 6JU

**Telephone number** 01732 521910

#### 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

Sunday	10:00 - 23:30
Good Friday	10:00 - 23:30
Monday to Thursday	10:00 - 24:00 (Midnight)
Friday and Saturday	10:00 - 00:30
New Years Eve	10:00 - 02:30
Christmas Day	10:00 - 23:30

**Live Music (Indoors Only)**

Friday and Saturday	12:00 - 24:00 (Midnight)
New Years Eve	12:00 - 02:00

**Recorded Music (Indoors Only)**

Bank Holiday Sunday	12:00 - 23:00
Sunday to Thursday	12:00 - 23:00
Friday and Saturday	12:00 - 24:00 (Midnight)
New Years Eve	12:00 - 02:00

**Late Night Refreshment**

Sunday	23:00 - 23:30
Monday to Thursday	23:00 - 24:00 (Midnight)
Friday and Saturday	23:00 - 00:30
New Years Eve	23:00 - 02:30

**The opening hours of the premises**

Sunday	10:00 - 23:30
Good Friday	10:00 - 23:30
Monday to Thursday	10:00 - 24:00 (Midnight)
Friday and Saturday	10:00 - 00:30
New Years Eve	10:00 - 02:30
Christmas Day	10:00 - 23:30

**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**

Swan Brasserie Ltd  
Perrys Accountants  
12 Old Bond Street  
Mayfair  
London W1S 4PW

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

Registered Business Number            7783993

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

Mr Darryl Miles Healy

██████████  
██████████  
██████  
██████████

Designated Premises Supervisor Phone No ██████████

**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: ██████████ Licensing Authority: ████████████████████████████████

## Annex 1 – Mandatory conditions

### Sale of Alcohol

1

- 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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–
  - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (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;
  - (d) Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–
    - i. The outcome of a race, competition or other event or process, or
    - ii. The likelihood of anything occurring or not occurring;
  - (e) 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.

- 4 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

- 5
- 1) The premises licence holder or club premises certificate holder shall ensure that an a verification policy applies to the premises in relation to the sale or supply of alcohol.
  - 2) 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 a holographic mark.

- 6
- 1) 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) customers are made aware of the availability of these measures.

**From 28 May 2014**

- 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(a);
  - 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 rate 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 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) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(b).

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

1. Regulated Entertainment will only be provided in respect of pre-booked events.
2. Live and Recorded Music that falls within the definition of Regulated Entertainment will only be provided in the first and/or second floor areas of the premises, and only in respect of pre-booked events.
3. Whenever Live or Recorded music is supplied in these areas the windows will remain closed and heavy curtains pulled across.
4. CCTV shall be installed internally and externally and cover all points of access and egress and to ensure good coverage of all internal public areas.
5. CCTV will be maintained in good working order, in accordance with the CCTV code of practice. The system shall have an incorporated recording facility and recordings to be stored for one calendar month
6. CCTV will be fully operational throughout the period so that the premises are open for licensable activities.
7. Access to the CCTV recordings will be made available to Police and local authority officers on request.
8. The outside smoking area will be supervised by a member of staff after 23:00 hours.
9. Challenge 25 is in operation at the premises.

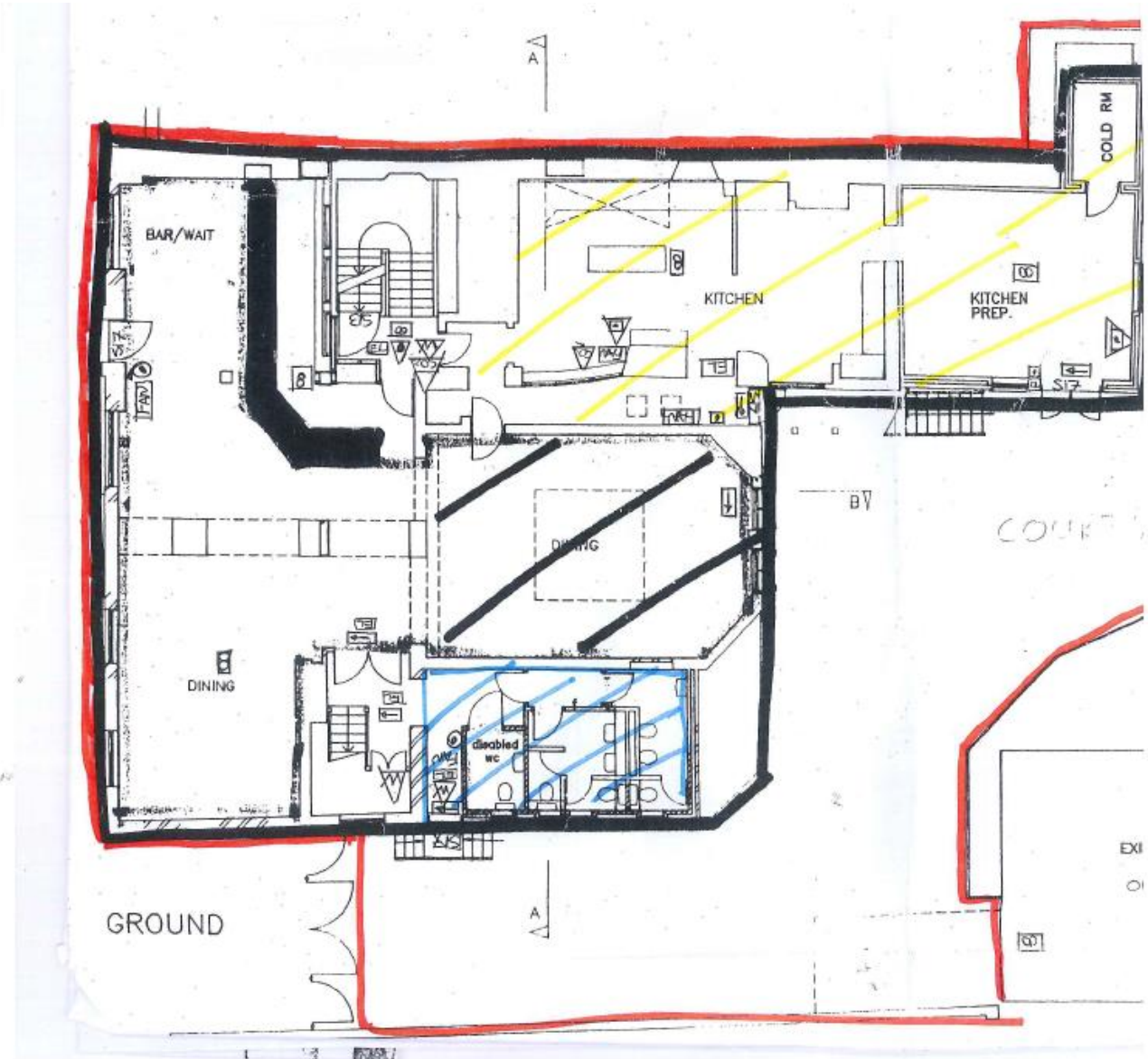
### **Annex 3 – Conditions attached after a hearing by the licensing authority**

1. The marquee shall only be used for pre-booked functions.
2. Only one function will be held in the marquee on any given day.
3. The only licensable activity taking place in the Marquee and Garden Areas will be the sale of alcohol.
4. The use of the Marquee Area (shown hatched in green on the plan marked 'SWAN 1') shall be closed to patrons after 22:00 and not be used before 09.00 daily.
5. The use of the Garden Area (shown cross hatched in black on the plan marked 'SWAN 1') shall cease by 23:00, except for patrons completing a meal and smokers using the designated area.
6. Patrons using the Garden Area shall vacate the area by 23.30 daily.
7. Only directional speakers shall be used in the Marquee.
8. All amplified and live music shall only take place within the first and second floors of the building, with doors and windows kept closed.
9. Notification of events being held in the Marquee Area must be provided to the licensing authority and residents within a radius of 50 metres of the venue, not less than 14 days prior to the event taking place. The notification to local residents shall include the appropriate contact telephone numbers (inc the mobile phone number) of the designated premises supervisor.
10. The premises licence holder shall maintain a log book of noise incidents, which shall be open to inspection by the Environmental Health department and the Licensing Authority at all times.

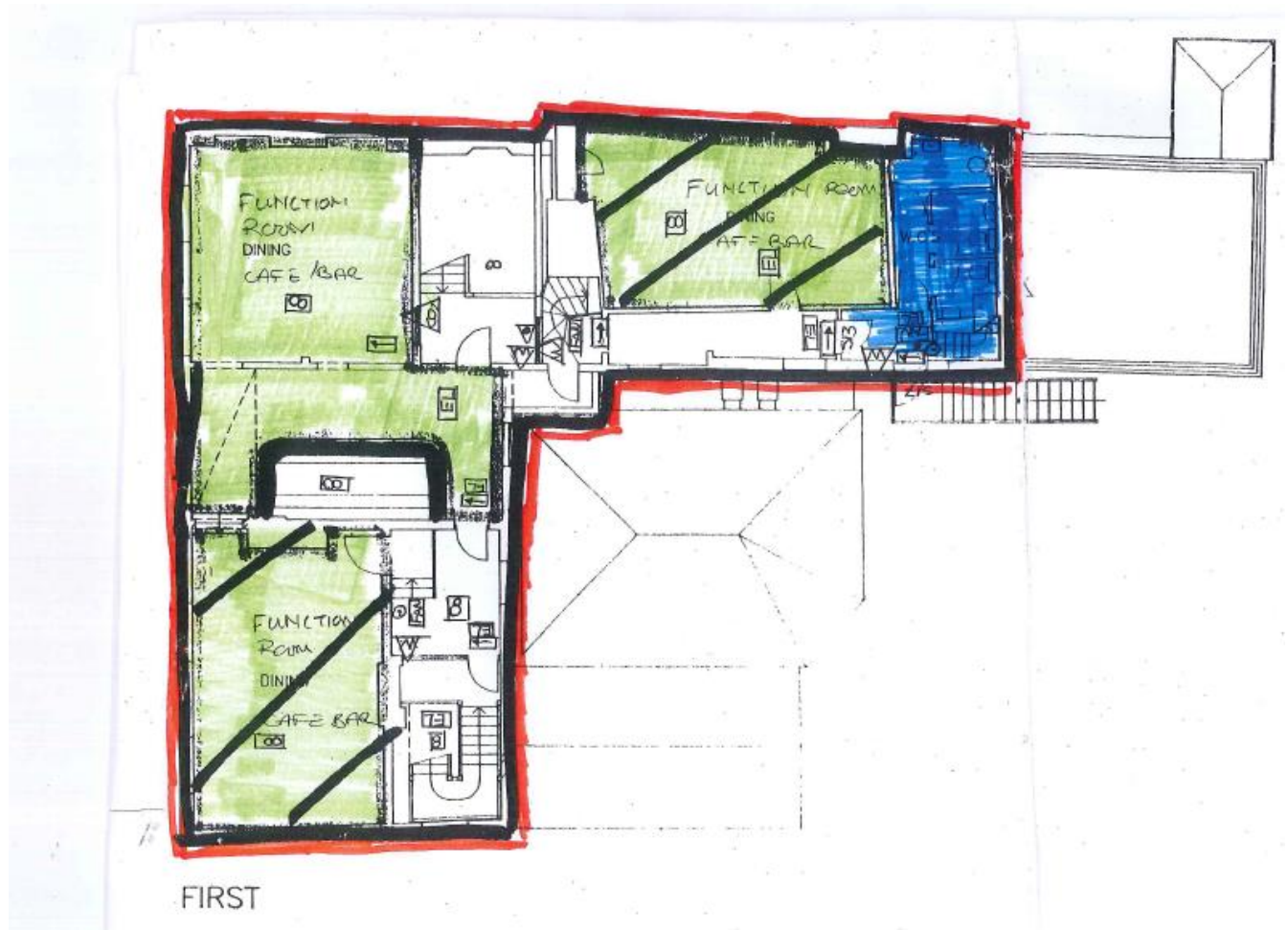


**Annex 4 – Plans**

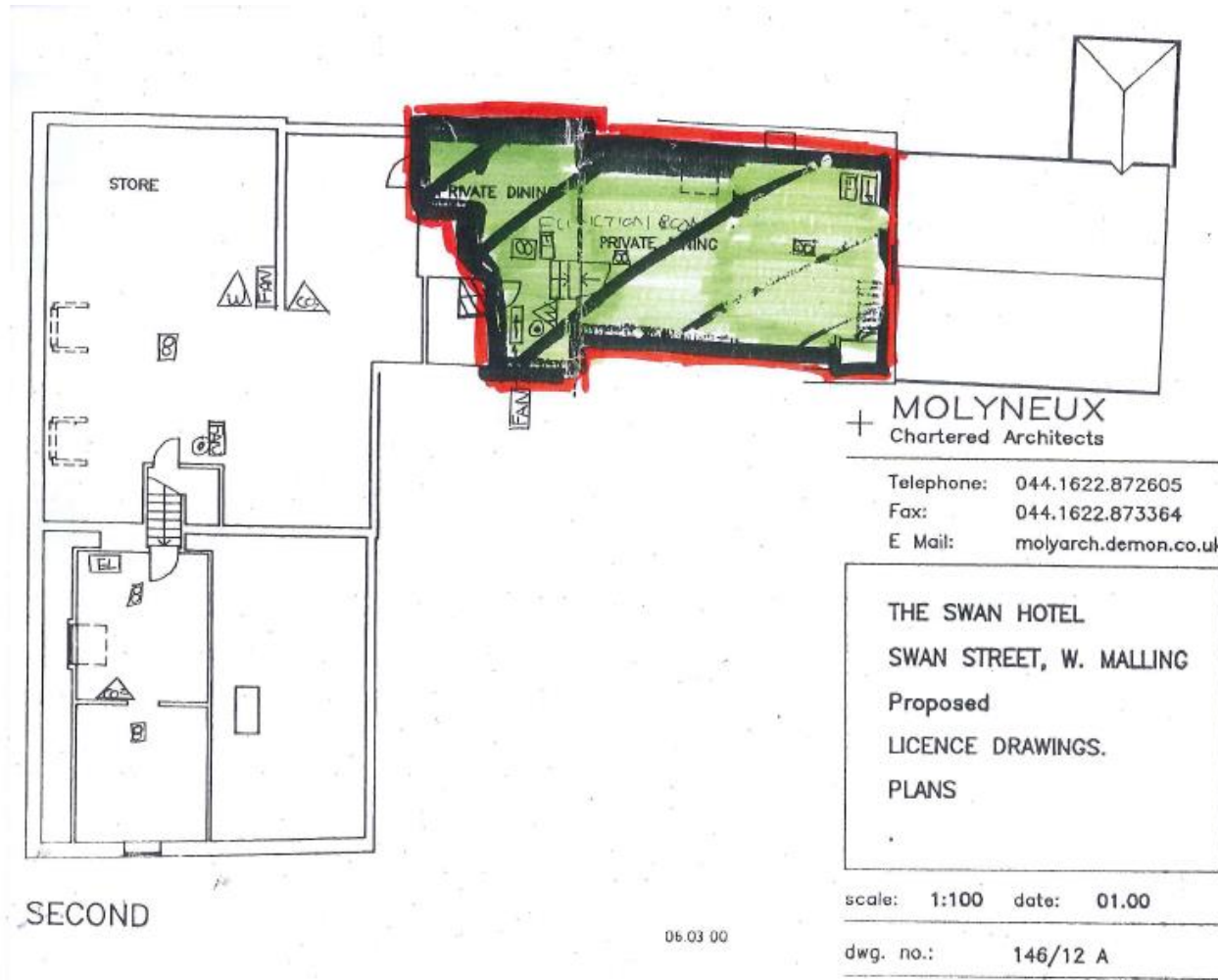
**Plan one – Ground Floor**



**Plan Two – First Floor**



**Plan Three – Second Floor**



**Plan Four – Outside Area**

