

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Monday, 23rd June, 2025

Present: Cllr D Keers (Chair), Cllr M Taylor and Cllr K S Tunstall

PART 1 - PUBLIC

LAP 25/19 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

**DECISIONS TAKEN UNDER DELEGATED POWERS IN
ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE
CONSTITUTION**

**LAP 25/20 APPLICATION TO VARY A PREMISES LICENCE AT ONE STOP, 50
NEW ROAD, DITTON, KENT ME20 6AD**

The Panel gave careful consideration to the written report of the Director of Central Services and Deputy Chief Executive, which set out details of an application to vary a premises licence in respect of One Stop, 50 New Road, Ditton, Kent ME20 6AD, the reasons for referral to the Panel and the policy considerations that applied to the application.

It was reported that in response to the statutory consultation period, the Borough Council, in its role as the Licensing Authority, had received a number of representations objecting to the application. However, no representations had been received from any of the responsible authorities or statutory consultees.

The Panel felt that the objections could be summarised as follows:

- Public nuisance created by the noise that would be caused by customers' music, car and motorbike/scooter engines and conversations between customers at a time when the ambient noise would be low.
- Parking obstruction issues and noise created by delivery vehicles.
- Litter issues.
- The potential for anti-social behaviour and increased risk of crime and disorder after hours.

In addition, it was also suggested that there would be an increased risk of children and young people being exposed to intoxicated individuals and inappropriate behaviour, and an increased risk of persons underage purchasing alcohol.

In reaching a decision, the Panel took account of the twelve written representations received objecting to the granting of the application and the verbal representations made by Cllr A Kennedy, Cllr N Newman and Ms J Read. The Panel also took into account the Secretary of State's Guidance issued under s. 182 of the Licensing Act 2003 and its own Statement of Licensing Policy. In addition, the Panel took account of the fact that there had been no representations from the statutory consultees.

RESOLVED: That the application for a variation of a premises licence be granted subject to the following conditions:

1. A person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry on the premises.
2. The premises will be closed to the public from 23:00 hours with any sales made via the hatch at the premises or through an online delivery service.
3. All alcohol orders made by an online delivery service after 23:00 hours must be taken through the company's website, must be collected by an official representative of the online delivery service and must only be delivered directly to the purchaser.
4. Warnings must be displayed on the company website reminding purchasers that they must be aged 18 or over to purchase alcohol.
5. All deliveries of alcohol must be made to a bona fide address.
6. All spirits will be displayed behind the counter only.
7. No customers carrying open bottles shall be allowed to enter the premises at any time that the premises are open to the public.
8. An Incident Log (which may be electronically recorded) shall be kept at the premises for a least six months and made available upon request to an officer of the Police or an authorised officer of the Licensing Authority.
9. The premises shall install and maintain a comprehensive digital CCTV system. All public areas of the licensed premises will be covered, including entry and exit and the forecourt of the premises. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time

stamping. Footage to be provided to a member of the Police or authorised officer of the Local Authority upon request and within a reasonable time.

10. All instances of crime and disorder shall be reported to the Police.
11. All firefighting equipment to be serviced and inspected in line with the manufacturer's recommendations.
12. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
13. The pavement from the building line to the kerb edge immediately outside the premises shall be cleaned at the close of business each day.
14. The premises shall display prominent signage in all areas where alcohol is located warning that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.
15. The Challenge 25 Scheme will be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over the age of 18 years. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID Card or similar document, a HM Forces warrant card, or a card bearing a PASS hologram.
16. All staff shall be trained in how to refuse service, how to recognise proxy sales, relevant age restrictions in respect of products, and how to deal with those who may have a vocal restriction. Documented records of training shall be kept for each member of staff. Training shall be regularly refreshed. Training records shall be made available for inspection upon request by Police or an authorised officer of the Licensing Authority.
17. A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection upon request by an Officer of the Police or an authorised officer of the Local Authority.

On the grounds that:

- (1) It was the Panel's view that the traffic and parking issues that were raised by the objectors were either planning or highway issues and were not relevant to the licensing objectives.

- (2) Whether or not there was a need for these premises was not a relevant consideration for the Panel. There was no representation from the Planning Authority which the Panel felt was telling.
- (3) The Panel understood the local concerns that granting the application would lead to a rise in crime, disorder and public nuisance. However, there was no concrete evidence to support these suggestions, and the Police and other statutory bodies had not made any representations, which the Panel felt was indicative.

LAP 25/21 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 12.10 pm
having commenced at 10.00am