

A G E N D A

LICENSING SUB-COMMITTEE

Tuesday 1 October 2019 at 2.00 pm
Committee Room A, Town Hall, Royal Tunbridge Wells, TN1 1RS

Members: Councillor Woodward (Chairman), Councillors Mrs Cobbold and Funnell

Quorum: 3 Members

- 1 Chairman's Introduction** (Pages 3 - 4)
Announcement on procedural matters.
- 2 Apologies for Absence** (Pages 5 - 6)
Apologies for absence as reported.
- 3 Declarations of Interest:** (Pages 7 - 8)
To receive any declarations of interest by members in items on the agenda. For any advice on declarations of interest, please contact the Monitoring Officer.
- 4 Report of Head of Housing, Health and Environment**
 - (A) Determination of an application for a premises licence - H & J Abode - Application ref 19/02940/LAPRE (Pages 9 - 34)

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Notes on Procedure

- (1) A list of background papers appears at the end of each report, where appropriate, pursuant to the Local Government Act 1972, section 100D(i).
- (2) Members seeking factual information about agenda items are requested to contact the appropriate Service Manager prior to the meeting.

- (3) Please note that this meeting may be recorded or filmed by the Council for administrative purposes. Any other third party may also record or film meetings, unless exempt or confidential information is being considered, but are requested as a courtesy to others to give notice of this to the Committee Administrator before the meeting. The Council is not liable for any third party recordings.
- (4) Further details are available on the website (www.tunbridgewells.gov.uk) or from the Committee Section.

- ◇ If you require this information in large print, Braille, on audiotape or in any other format, please contact us on 01892 526121

◇ **Accessibility into and within the Town Hall - In response to the requirements of the Disability Discrimination Act 1995, the Council has provided the following features to overcome physical barriers to access.**

There is a wheelchair accessible lift by the main staircase, giving access to the first floor where the committee rooms are situated. There are a few steps leading to the Council Chamber itself but there is a platform chairlift in the foyer.

◇ **Hearing Loop System - The Council Chamber and all the Committee Rooms have been equipped with hearing induction loop systems. The Council Chamber also has a fully equipped audio-visual system.**

Licensing Sub-Committee

1 October 2019

Chairman's Introduction

Procedural Item:

Announcement on procedural matters.

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Licensing Sub-Committee

1 October 2019

Apologies for Absence

Procedural Item:

To receive any apologies for absence.

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Licensing Sub-Committee

1 October 2019

Declarations of Interest

Procedural Item:

To receive any declarations of interest by members in items on the agenda. For any advice on declarations of interest; please contact the Monitoring Officer before the meeting.

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Licensing Sub-Committee

1 October 2019

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

Determination of an application for a premises licence – H & J Abode

Final Decision-Maker	Licensing Sub-Committee
Portfolio Holder(s)	Portfolio Holder for Sustainability
Lead Director	Paul Taylor, Director of Change and Communities
Head of Service	Gary Stevenson, Head of Housing, Health & Environment
Lead Officer/Author	David Packham, Licensing Officer
Classification	Non-exempt
Wards affected	Goudhurst And Lamberhurst

This report makes the following recommendations to the final decision-maker:

1. That Members determine the application and take such steps as the Sub-Committee consider necessary for the promotion of the licensing objectives, giving appropriate weight to:
 - The merits of the application;
 - The representations and supporting information presented by all parties;
 - The Guidance issued by the Home Office under Section 182 of the Licensing Act 2003;
 - The Council's Statement of Licensing Policy.

Explain how this report relates to the Corporate Priorities in the Five Year Plan:

- A Prosperous Borough
Recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises.
- A Confident Borough
By providing a regulatory framework for alcohol and entertainment licensing which reflects the needs of local communities and empowers the Authority to make and enforce decisions about the most appropriate licensing strategies for the local area.

Timetable

Meeting	Date
Licensing Sub-Committee	1 October 2019

Tunbridge Wells Committee Report, version: March 2019

Determination of an application for a premises licence – H & J Abode

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report sets out details of an application for a premises licence.
 - 1.2 In accordance with the provisions of Section 18(3) of the Licensing Act 2003 the licensing authority must hold a hearing to determine an application for a premises licence if relevant representations are made.
 - 1.3 A representation is relevant if it relates to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives. In other words, a representation should relate to the impact of licensable activities carried on at the premises on the objectives.
 - 1.4 However, the Guidance issued by the Home Office under Section 182 of the Licensing Act 2003 recommends that: “In borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.”
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2. INTRODUCTION AND BACKGROUND

- 2.1 On 8 August 2019 an online application, made under the provisions of section 17 of the Licensing Act 2003, was received for a new premises licence at H and J Abode Limited, Olive Stores, West Road, Goudhurst, Cranbrook, Kent TN17 1AB. A copy of the application form together with a plan of the premises is attached at **Appendix A**.
- 2.2 A map showing the location of the premises is attached at **Appendix B**. Please note the premises is shown as Hammerton Jones on this map.
- 2.3 In accordance with the requirements of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, a public notice was displayed at the premises for a period of 28 consecutive with the closing date for representations being 5 September 2019.
- 2.4 However it was discovered that the advertisement in a local newspaper had not been published and the applicant was therefore required to ensure that the advertisement appeared in the next available edition with a closing date for representations of 30 September 2019. Members are therefore requested to decide whether this demonstrates substantial compliance with the Regulations.
- 2.5 During the 28 day public consultation period a responsible authority or other person may make representations about the likely effect of the grant of the

application on the promotion of one or more of the licensing objectives, which are:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

- 2.6 If representations are received a hearing must be held to determine the application, providing that the grounds for the representation are relevant to the promotion of one or more of the licensing objectives and are not vexatious, frivolous or repetitive.
- 2.7 The application seeks authorisation for the following licensable activities:
Live music (indoors)
 - Monday to Saturday 18:00 – 22:00
Sale or Supply of Alcohol (for consumption on the premises)
 - Monday to Saturday 09:00 – 22:00
- 2.8 With reference to Live Music, further details given at Section E (page 9) of the application form in **Appendix A** states “Live music will only consist of acoustic keyboard or guitar and only very occasionally upon customer request”.
- 2.9 Members are reminded that following deregulation of some licensable activities, unamplified live music is no longer a licensable activity on any premises between 08:00 and 23:00 on any day. This part of the application can therefore be disregarded.
- 2.10 Two relevant representations objecting to the application for a premises licence were received from other persons based on one or more of the licensing objectives. Copies of the representations are attached at **Appendix C**.
- 2.11 No other relevant representations were received from responsible authorities or other persons within the 28 day consultation period prescribed by the Act.
- 2.12 The Guidance to Licensing Authorities issued by the Home Office under Section 182 of the Licensing Act 2003 advises that it is imperative that the licensing authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the licensing objectives and nothing outside those parameters.
- 2.13 The authority’s determination should be evidence-based, justified as being appropriate to the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 2.14 Moreover, decisions made in accordance with the provisions of the Licensing Act 2003 must not replicate or seek to enforce the statutory provisions of other legislation.

3. AVAILABLE OPTIONS

- 3.1 Grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives, and any conditions which must under section 19, 20 or 21 of the Licensing Act 2003 be included in the licence; the mandatory conditions.
 - 3.2 Exclude from the scope of the licence any of the licensable activities to which the application relates.
 - 3.3 Refuse to specify the person named in the application as the Designated Premises Supervisor.
 - 3.4 Refuse the application.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 That Members determine the application, and take such steps as the Sub-Committee consider necessary for the promotion of the licensing objectives, giving appropriate weight to:
 - The merits of the application;
 - The representations and supporting information presented by all parties;
 - The Guidance issued by the Home Office under Section 182 of the Licensing Act 2003;
 - The Council's Statement of Licensing Policy
- 4.2 For Members information if considering attaching conditions to a premises licence, paragraph 1.16 of the Guidance issued by the Home Office under Section 182 of the Licensing Act 2003 states:

Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will”, is encouraged. Licence conditions:

 - must be appropriate for the promotion of the licensing objectives;
 - must be precise and enforceable;
 - must be unambiguous and clear in what they intend to achieve;
 - should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
 - must be tailored to the individual type, location and characteristics of the premises and events concerned;
 - should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
 - should not replicate offences set out in the 2003 Act or other legislation;
 - should be proportionate, justifiable and be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
 - cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
 - should be written in a prescriptive format

- 4.3 Paragraph 1.17 further advises that each application must be considered on its own merits and that conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Other than the statutory consultation described in Part 2 of the report above, no other consultation is required by the Licensing Act 2003.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 The Chairman will announce the Sub-Committee's decision prior to the conclusion of the hearing.
- 6.2 The applicant, any person who made relevant representations and the chief officer of police will subsequently receive written confirmation of the decision.
- 6.3 A copy of the Decision Notice will be placed on the Council's website.
- 6.4 In accordance with the provisions of Section 181 and Schedule 5, Licensing Act 2003 the applicant and any person who made a relevant representation has a right to appeal the decision made by the Licensing Authority. The appeal must be made to the Magistrates' Court within a period of twenty-one days from the date on which the appellant receives notification of the decision from the licensing authority.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	Licensing Act 2003 The Licensing Act 2003 at section 4(1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which Section 4(2) sets out as:- <ul style="list-style-type: none">a) The prevention of crime and disorderb) Public safetyc) The prevention of public nuisanced) The protection of children from harm The Sub-committee is permitted under Section 18(4) of the Licensing Act 2003, having had regard to relevant representations, to take such steps, as it considers necessary, for the	Robin Harris Interim Contentious Team Leader 13/09/2019

	<p>promotion of the licensing objectives. Section 35(3) of the Licensing Act 2003 states 'where relevant representations are made, the authority must:-</p> <ul style="list-style-type: none"> (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives. <p>Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of the Licensing Policy and any guidance issued by the Secretary of State under section 182</p> <p>Each application that comes before the Sub-Committee must be treated on its own merits, and the Sub-Committee must take its decision based upon:</p> <ul style="list-style-type: none"> a) The merits of the application b) The promotion of the four licensing objectives c) The policy of the Licensing Authority d) The Guidance issued under Section 182 of the Licensing Act 2003 e) All valid representations made <p>Whilst the applicant, responsible authorities or persons making representations all have a right of appeal to the Magistrates Court dependant on the decision of the Sub Committee, the decision made takes immediate effect.</p> <p>Human Rights Act</p> <p>Article 1 of the First Protocol is concerned with the protection of property and provides that every person is entitled to peaceful enjoyment of his possessions. The term 'possessions' is given a broad definition and includes a licence.</p> <p>Article 8 is concerned with the right to respect for private and family life. It states that Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is</p>	
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	<p>in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others. The Council has had the proper regard for Article 8.</p> <p>Article 6 relates to the right to a fair hearing. The applicant has seen this report prior to this hearing and is aware of the reason why the Sub-Committee is considering this application.</p>	
Finance and other resources	No implications	David Packham Report Author 13/09/2019
Staffing establishment	No implications	David Packham Report Author 13/09/2019
Risk Management	No implications	David Packham Report Author 13/09/2019
Data Protection	No implications	David Packham Report Author 13/09/2019
Environment and Sustainability	No implications	David Packham Report Author 13/09/2019
Community Safety	<p>If the application is granted, the extra services offered are not unique to Tunbridge Wells.</p> <p>Kent Police have not made a representation objecting to the application. Nevertheless, the following duty is placed on the licensing authority by <i>Section 17, Crime and Disorder Act 1998</i></p> <p><i>"17(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area."</i></p>	Terry Hughes, Community Safety Manager 16/09/2019
Health and Safety	No implications	David Packham Report Author 13/09/2019
Health and	Environmental Health has not made a representation objecting to the application.	David Packham

Wellbeing		Report Author 13/09/2019
Equalities	The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.	David Packham Report Author 13/09/2019

8. REPORT APPENDICES

The following documents are to be published with and form part of the report:

Appendix A: Application form and plan of the premises

Appendix B: Map showing location of premises

Appendix C: Representations made by other persons

9. BACKGROUND PAPERS

Revised Guidance issued under section 182 of the Licensing Act 2003

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/702660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

TWBC Statement of Licensing Policy

http://www.tunbridgewells.gov.uk/_data/assets/pdf_file/0011/69878/03.05.17-Ratified-Statement-of-Licensing-Policy-2015-v2-word-version.pdf

LGA Licensing Act 2003 - Councillor's handbook (England and Wales)

<https://www.local.gov.uk/licensing-act-2003-councillors-handbook-england-and-wales>

Licensing Authority: *The Licensing Partnership*

Licensing Partnership
P.O. Box 182
Sevenoaks
Kent TN13 1GP

Ref:

Application for a Premises Licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes found at bottom of Page 4 of this form.

Use the blank page at the end of the form to provide further details if necessary.

When it is complete you can submit the form directly to us - click on the Submit Form button.

You may wish to print and keep a copy of the completed form for your records.

For help information about filling in this type of electronic form, click on the help information button.

I / We **H & J Abode Limited** apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

West Road

Post town

Goudhurst

Post code

TN17 1AB

Telephone number of premises (if any)

01580 211846

Non-domestic rateable value of premises

£

If the premises is under construction please check here ☐

If the premises hasn't been assigned a rateable value yet, please check here ☐

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please make selection with an "x"

- | | |
|--|---|
| a) An individual or individuals* | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual* | |
| i as a limited company | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) A recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please make selection with an "x"

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒
- I am making the application pursuant to a:
- statutory function or ☐
 - a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

You do not have to answer the questions in this section.

Title

Surname

First names

Are you 18 years or older?

- ☐ Yes
☐ No

Date of Birth

Nationality

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Title

Surname

First names

Date of Birth
(you must be 18
years old or over)

Nationality

Current postal
address
if different from
premises address

Postcode

Post Town

Daytime contact telephone number

Email address
(optional)**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name

H + J Abode Limited

Address

West Road
Goudhurst
Kent
TN17 1AB

Registered number (where applicable)

10676445

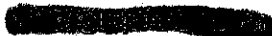
Description of applicant (for example,
partnership, company, unincorporated
association etc.)

limited company

Telephone number (if any)

01580 211846

E-mail address (optional)



Part 3 - Operating Schedule

When do you want the premises licence to start?

13/09/2019

If you wish the licence to be valid only for a limited period, when do you want it to end?

If 5,000 or more people attend the premises at any one time, please state the number expected to attend

General description of premises (please read guidance note 1)

Small cafe and retail shop on the main road in Goudhurst in the village centre by the pond. We would like to offer alcoholic drinks to customers during the day with food and at evening pop-ups, again with food.

The business is currently open from 9am until 4pm Monday to Saturday and we would like to extend to evening opening until 10pm from Monday to Saturday.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

*Please check all
relevant boxes*

Provision of regulated entertainment (please read guidance note 2)

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

☐☐☐☐☒☐☐☐

Provision of late night refreshment (if ticking yes, fill in box L)

☐

Supply of alcohol (if ticking yes, fill in box M)

☒

In all cases complete boxes N, O and P

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors</u> or both - please make selection with an "x" (please read guidance note 3).	Indoors	X
Day	Start	Finish		Outdoors	
Mon	18:00	22:00	Please give further details here (please read guidance note 4) Live music will only consist of acoustic keyboard or guitar and only very occasionally upon customer request.	Both	
Tue	18:00	22:00			
Wed	18:00	22:00	State any seasonal variations for performance of live music (please read guidance note 5)		
Thur	18:00	22:00			
Fri	18:00	22:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	18:00	22:00			
Sun					



F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors</u> or both - please make selection with an "x" (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption <u>please make selection with an "x"</u> (please read guidance note 8).	On the premises	X
Day	Start	Finish		Off the premises	
Mon	09:00	22:00			
Tue	09:00	22:00	<u>State any proposed seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Wed	09:00	22:00			
Thur	09:00	22:00			
Fri	09:00	22:00			
Sat	09:00	22:00	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

State the name and details of the individual whom you wish to specify on the licence as premises supervisor. (Please see declaration about the entitlement to work in the checklist at the end of the form):

Title	Mrs
Surname	Sarah
First Name(s)	Crysell
Date of Birth	11/03/1968
Address	
Postcode	
Personal Licence number (if known)	11/01706/LAPER
Issuing licensing authority (if known)	Tunbridge Wells

Please print the 'Consent of individual to being specified as premises supervisor' form (shown on pages 19 and 20), and have the person specified above sign and confirm the details given.

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

O

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5)
Day	Start	Finish	
Mon	09:00	16:00	<p>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 6)</p> <p>We would like to start doing Friday evening restaurant pop-ups and other food evenings at customer request for private hire events which could fall on any evening. We will not be open every night and will look to do no more than 3 a week at the busiest time in November and December.</p>
Tue	09:00	16:00	
Wed	09:00	16:00	
Thur	09:00	16:00	
Fri	09:00	16:00	
Sat	09:00	16:00	
Sun			

P Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b,c,d,e) (please read guidance note 10)

No alcohol sold to underage customers
 No drunk or disorderly behaviour on the premises or nearby
 No violent or anti-social behaviour
 No harm to any children

Strong management controls and effective training of staff will ensure that all areas of the premises licence requirements are met at all times.

Operating schedule will be in place detailing licensable activities during opening hours. Challenge 25 policy implemented

b) The prevention of crime and disorder

CCTV installed
 No selling of alcohol to drunk or intoxicated customers
 Staff will be well trained in asking customer to use the premises in an orderly and respectful manner and prevent drinking alcohol from canned or bottled beers on the premises.
 Ensure no customers are allowed to drink alcohol outside the premises during the evening unless seated at a cafe table and are being served directly by staff.

c) Public safety

Internal lighting in shop to be sufficient to promote public safety requirements
 External lighting to be sufficient to promote public safety requirements during winter months when customers are arriving and leaving the premises
 Training and implementation of underage checks - Challenge 25
 All parts of the premises will be maintained at all times in good order and in safe condition

d) The prevention of public nuisance

Noise reduction measures to address any public nuisance objectives
 Prominent and clear signs to be displayed in the evenings asking customers to respect nearby residents
 Deliveries of goods to be in the daytime only and in a manner as to not disturb nearby residents.

e) The protection of children from harm

Challenge 25 scheme to be operated at all times
 Well trained staff on ID checks
 Message on till to confirm staff have confirmed age of customer
 Any checks to be detailed in log book
 Health and Safety requirements adhered to at all times

Please make
selection with an "x"

I have enclosed the plan of the premises

☒

I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable

☒

I understand that I must now advertise my application

☒

I understand that if I do not comply with the above requirements my application will be rejected

☒

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships.] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 5 - Declaration (please read guidance note 11)

Confirmation of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 12) **If confirming on behalf of the applicant please state in what capacity.**

• [Applicable to all individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

• The DPS named in this application form is entitled to work in the UK, (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

Confirmation

☒

Name

Sarah Crysell

Date

08/08/2019

Capacity

Director

Please print the 'Consent of individual to being specified as premises supervisor form (shown on pages 19 and 20), and have the person specified above sign and confirm the details given.

For joint applications confirmation of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation

☐

Name

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Name

Address

Post Town

Postcode

Telephone number (if any)

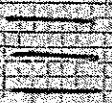
If you would prefer us to correspond with you by e-mail your e-mail address (optional)

H+J ABODE
WEST ROAD
Goudhurst
TN17 1AB

KITCHEN



6.00m



12.01m



12.01m



2.81m

FRONT
ENTRANCE



23.07m



3.00m



14.11m



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Licensing Application comments have been made. A summary of the comments is provided below. Comments were submitted at 12:12 PM on 14 Aug 2019 from Mr Philip Greenhill.

Application Summary

Address: Olive Stores West Road Goudhurst Cranbrook Kent TN17 1AB

Proposal: Premises Licence

Case Officer: Dave Packham

Customer Details

Name: Mr Philip Greenhill

Email: [REDACTED]

Address: Rootes Cottage, West Road, Goudhurst Cranbrook, Kent TN17 1AB

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

- Noise Disturbance
- Opening Hours
- Parking
- Traffic

Comments: 12:12 PM on 14 Aug 2019 We live in the adjoining property, Rootes Cottage West Rd. Goudhurst TN171AB.

Both our house and the cafe are in the same building. There is a thin wall between our sitting room and the cafe. At the moment we can hear at times their sound system and day to day business through the wall.

To extend business hours and include a music license would seriously impact on the quality of our lives due to the additional noise. We have lived here for 20 years and the adjoining business has never been used in the evenings.

This is a residential area and would further impact on a difficult parking situation on this busy road.

We wouldn't object to the alcohol license during the day.

Due to the thinness of the partition between us the potential noise levels are highly likely to breach environmental health requirements. We are not sure also if it meets building standards requirements for this kind of activity.

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 9:17 AM on 16 Aug 2019 from Mr Philip Greenhill.

Application Summary

Address: Olive Stores West Road Goudhurst Cranbrook Kent TN17 1AB

Proposal: Premises Licence

Case Officer: Dave Packham

[Click for further information](#)

Customer Details

Name: Mr Philip Greenhill

Email: [REDACTED]

Address: Rootes Cottage, West Road, Goudhurst Cranbrook, Kent TN17 1AB

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment: - Noise Disturbance

Comments: 9:17 AM on 16 Aug 2019 Further to my previous comments I would like to add that 2 of our bedrooms are above the cafe. The upper walls of this house are wattle and daub and it is a Grade 2 listed building. The building work done to separate the house from the shop done some decades ago is not fit for purpose to accommodate a cafe with alcohol and music license.

From: John Leavens [REDACTED]
Sent: 03 September 2019 22:55
To: Licensing (TWBC)
Subject: Licence application 19/02940/LAPRE (Olive Stores, West Road, Goudhurst)

To whom it may concern,

I wish to object to the application 19/02940/LAPRE.

This business is directly opposite our house. During the day when it is open, patrons park on the main road outside the shop, narrowing the available room on West Road (the A262 passing through Goudhurst village centre). This causes traffic delays on the A262 with the village often experiencing gridlock as traffic is unable to pass freely in both directions on this main road. It also makes crossing the road more dangerous as pedestrians are forced to cross the road from behind/infront of parked cars.

When a delivery lorry, HGV, or coach requires passage they usually have to drive up onto the pedestrian pavement outside our house in order to pass. Extending the opening hours beyond 4pm, to 10pm will make the traffic problems far worse, particularly during the afternoon school run and evening rush hour. The extended opening hours will significantly add to the traffic nuisance to local residents unable to pass through the village.

All of the rooms of our property face this business. Allowing opening until 10pm Monday through Saturday will significantly add to the noise level experienced by ourselves, and other local residents. In particular our young daughter's bedroom will be exposed to the additional noise of people entering and leaving the premises, the additional traffic, and the noise from the proposed live music. She currently attends Goudhurst Primary School (early years) and during school term time is in bed for 8pm. We do not have the possibility of moving to another room as all rooms in our property face out onto West Road.

Given that many patrons drive to the business (as demonstrated by the parking outside when it is open), the serving of alcohol with or without food, must increase the possibility of someone either deliberately or inadvertently driving from the premises under the influence of alcohol, thus increasing the probability of illegal activity taking place.

I hope that you will take these representations in mind when reviewing this licence application.

Yours faithfully,
John Leavens

The Knowle
West Road
Goudhurst
Cranbrook
Kent.
TN17 1AA

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