

## LICENSING HEARING

Minutes of the meeting of the Licensing Hearing  
held on 8 November 2011 commencing at 2.00 pm

Present: Cllr. L Ayres, Cllr. P Cooke and Cllr. M Fittock

**Also present:** Mrs. L. Sharkey - Applicant's Legal Representative  
Mr. J. Stone - Applicant (Operations Manager)  
Mr. S. Thomas - Applicant (Head of Marketing)  
Mr. J. Rogers - Supporter (resident)  
Mr. J. Crouch - Supporter (resident)  
Cllr. M. Short - Representing Sevenoaks Town Council  
Mr. A. Smith - Objector (resident)  
Mrs. J. Smith - Objector (resident)  
Mr. E. Owen - Objector (resident)  
Mrs. P. Owen - Objector (resident)  
Cllr. Mrs. Ayres - Sevenoaks District Council (Observer)  
Mrs. C. Perry - Assistant Licensing Partnership Manager  
Mr. C. Ormondroyd - Sevenoaks District Council Legal Adviser  
Mr. C. Hook - Environmental Protection Officer  
Ms V. Etheridge - Democratic Services Officer

### 13. ELECTION OF CHAIRMAN

Resolved: That Cllr. Cooke be appointed Chairman of the meeting.

### 14. DECLARATIONS OF INTEREST.

No declarations of interest were made.

### 15. APPLICATION FOR A PREMISES LICENCE FROM THE WONDERLOUNGE, 138A - 138B HIGH STREET, SEVENOAKS, KENT. TN13 1XE FOR A VARIATION UNDER THE LICENSING ACT 2003

The Hearing gave consideration to a report by the Community and Planning Services Director giving details of an application for a Premises Licence for the Wonderlounge, 138A - 138B High Street, Sevenoaks, Kent. TN13 1XE for a variation under the Licensing Act 2003. The application was made by The Chicago Pizza Pie Factory Limited, Seebeck House, 1 Seebeck Place, Knowhill, Milton Keynes, MK5 8FR. It was noted that objections had been received and that accordingly the application had been referred to the Sub-Committee for determination. It was noted that the applicant had agreed conditions with the Police, which had been circulated to all parties prior to the Hearing along with a copy of the cocktail menu, and that they had therefore withdrawn their objections and would not be present at the Hearing. The Chairman advised that within the agenda it had stated that the Development Control Team had no adverse comments regarding the application, as a point

of clarification it was noted that in fact no representation had been received from them within the relevant time limit.

The Hearing heard from the applicant's representatives, and two local residents in support of the application. The applicant's legal representative advised that the applicant wished to amend the application and apply for an extension of opening hours to 0130 hours and 0100 hours for permitted licensable activities on Thursdays, Fridays and Saturdays only. The applicant's legal representative reminded the Hearing that conditions had been agreed between them and the Police who, as a result, had subsequently withdrawn their objections. They had also agreed some of the conditions recommended by the Environmental Health Officer as set out at Appendix D of the report.

The Hearing heard from the objectors who raised the concerns of residents, in particular the noise emanating from the use of the 'rear garden' area, and the general noise, disturbance and unruly behaviour of patrons exiting late licensed establishments.

The Chairman adjourned the Committee for the convenience of Members, Officers and members of the public, and to give the opportunity for the Council's and applicant's legal representatives to liaise on wording for further possible conditioning.

At 3.27 p.m. the Hearing adjourned.

At 3.37 p.m. the Hearing reconvened.

The Council's legal adviser informed the Sub-Committee that they had agreed on possible conditions for the licence. The Chairman asked all those present whether they objected to Cllr. Mrs. Ayres attending the deliberations as an Observer. No objection was raised.

At 3.44 p.m. the Hearing Members, Council's Legal Adviser and the Observer withdrew to consider the issues raised. At 4.34 p.m. the Hearing Members, Council's Legal Adviser and Observer returned to the Council Chamber. The Chairman informed the Hearing that the Sub-Committee had had regard to the representations made by the Applicant and interested parties, to the guidance issued under s 183 of the Licensing Act 2003 and the Council's Statement of Licensing policy.

In view of the reduced scope of the application, the fact that the Police and Environmental Health Officer had now withdrawn their objections and the extensive conditions accepted by the Applicant, the Sub Committee was satisfied that granting the application would be in accordance with the relevant licensing objectives.

It was therefore unanimously,

Resolved: That the Premises Licence and variation in respect of The Wonderlounge, 138A - 138B High Street, Sevenoaks, Kent. TN13 1XE

**Licensing Hearing - Tuesday, 8 November 2011**

subject to the conditions contained in the licence attached as an appendix to these minutes, be granted.

THE MEETING WAS CONCLUDED AT 4.37 pm

Chairman

This page is intentionally left blank

LICENSING ACT 2003 – Sections 35 and 36

---

**Notice of determination of application for variation of premises licence**

**To:** The Wonderlounge

**Of:** 138A - 138B High Street, Sevenoaks, Kent. TN13 1XE

**Ref:** 11/02544/LAPRE

Sevenoaks District Council being the licensing authority, on the 13 September 2011 received an application to vary the premises licence in respect of premises known as The Wonderlounge, 138A – 138B High Street, Sevenoaks, Kent, TN13 1XE.

On the 8 November 2011 there being valid representations which were received and had not been withdrawn, a hearing was held to consider these representations, and having considered them the Licensing Sub-Committee determined as follows:

**To grant the variation to the Premises Licence:**

|           |  |
|-----------|--|
| Section B | To allow the exhibition of films indoors from 08:00 hours (existing, no change) until 01:00 hours on Thursdays, Fridays and Saturdays only. This may include entertainment programs, sport, music videos and entertainment of a like kind. |
| Section E | To allow live music indoors on Thursdays, Fridays and Saturdays only from 08:00 hours (existing, no change) until 01:00 hours. This may be unamplified or amplified. May be via artists singing, Karaoke, DJ or other of a similar nature. |
| Section F | To allow recorded music indoors on Thursdays, Fridays and Saturdays only from 08:00 hours (existing, no change) until 01:00 hours. This will be played through an in-house system and/or during live entertainment events.                 |
| Section G | To allow performances of dance on Thursdays, Fridays and Saturdays only indoors from 08:00 hours (existing, no change) until 01:00 hours. Dancing by staff and/or performers.  |

|           |  |
|-----------|--|
| Section H | To allow anything of a similar description to that falling within (e), (f) or (g) on Thursdays, Fridays and Saturdays only indoors from 08:00 hours (existing, no change) until 01:00 hours as per the existing licence – entertainment of a similar nature to E, For G.   |
| Section I | To allow the provision of facilities for making music on Thursdays, Fridays and Saturdays only indoors from 08:00 hours until 01:00 hours, on Sunday from 08:00 until 22:45 hours and on Monday to Wednesday from 08:00 until 23:45 hours. Facilities may include in-house sound system, musical instruments, Karaoke equipment, video/TV screens. |
| Section J | To allow the provision of facilities for dancing on Thursdays, Fridays and Saturdays only indoors from 08:00 hours until 01:00 hours, on Sunday from 08:00 until 22:45 hours and on Monday to Wednesday from 08:00 until 23:45 hours. Provision of permanent/temporary dance floor.  |
| Section L | To allow late night refreshment on Thursdays, Fridays and Saturdays only indoors from 23:00 hours (existing, no change) until 01:00 hours. Hot food and drink.   |
| Section M | To allow sale of alcohol on Thursdays, Fridays and Saturdays only both on and off the premises from 10:00 hours (existing, no change) until 01:00 hours.   |
| Section O | Hours premises are open to the public on Thursdays, Fridays and Saturdays only from 08:00 hours (existing, no change) until 01:30 hours.   |

**To add the conditions on the Licence as follows:**

1. CCTV to be fitted to a standard agreed to by the Police that complies with the current CCTV Code of Practice produced by the Information Commissioners Office, with all public areas, including the access and egress points covered. This is to also include any exit doorways, alleyways or any other area used for the ejection of customers.
2. The CCTV system will be maintained and serviced on a regular basis and records kept to take that effect.
3. CCTV shall be operational at all times that members of the public and/or staff are on the premises.

**Appendix**

4. Images shall be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate.
5. The Police, Local Authority and Trading Standards will have access to these images at any reasonable time.
6. The Police, Local Authority and Trading Standards will be provided with a recording by way of tape, CD Rom or any other means of the image immediately upon request.
7. Staff will be fully trained in the CCTV system and there will be at least one member of staff on duty during trading hours who is able to provide a recording of any incident at the request of police or local authority.
8. Door supervisors will be employed at the premises from 21:00 hours until close of trading Friday and Saturday nights as a minimum.
9. A sufficient number of door staff will be employed at the premises to provide sufficient safety and security for the capacity. This will be at a ratio of 1:100 customers with a minimum of two at all times they are to be required.
10. All instances of crime and disorder will be reported to the police as soon as reasonably practicable via CCTV or radio.
11. A drugs policy will be produced by the premises licence holder and agreed with the Police.
12. Premises to be a member, and actively participate in, the Sevenoaks Pubwatch scheme.
13. In order to control noise from queuing patrons and smokers at the front of the premises appropriate staff should be employed on Thursdays, Fridays and Saturdays from 2100 hrs, and adequate signage displayed reminding patrons to consider noise impact on neighbouring residential properties.
14. Before any regulated entertainment takes place a noise limiter shall be installed and set in consultation with members of the Environmental Protection team. Any such condition should enable the noise limit to be adjusted as necessary to mitigate sound intrusion at nearby residential properties.
15. During the playing of regulated entertainment the fire exit to the garden shall not be opened (except in an emergency) unless a suitable sound lobby has been provided. Should the applicant wish to install a noise lobby details of the scheme shall be submitted to the District Council for written approval.
16. When regulated entertainment occurs access and egress to the property shall be through the sound lobby only (except in emergency).

17. The premises Licence holder shall invite the local residents (including the inhabitants of 142A High Street and the Chairman for the time being of the Acorns Residents' Association) to a meeting no less than each quarter to discuss issues relating to this licence.

**To add the following informative on the Licence as follows:**

The Applicant is encouraged to discuss issues relating to the 'garden' area with local residents with a view to reaching a satisfactory resolution.

All parties are reminded that should such a solution not be reached, or should the conditions of the licence not be complied with, it is possible at any stage for a responsible authority or an interested person to ask the licensing authority to review the licence.

This licence granted at the Hearing is effective from the 8 November 2011.

Dated: 11 November 2011

Signed

-----  
Chair – Licensing Hearing

Signed

-----  
Designation – Assistant Licensing  
Manager

Please address any communications to:

Licensing Regime  
Community and Planning Services  
Council Offices  
PO Box 182  
Argyle Road  
Sevenoaks  
Kent TN13 1GP

**Note:** Pursuant to Part 1 of Schedule 5 of the Licensing Act 2003 as amended, any party eligible to appeal must appeal to a magistrates' court within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.