

<u>LICENSING COMMITTEE - LICENSING HEARING</u> (SUB-GROUP B)

08 November 2011 at 2.00 pm

Council Chamber - Council Office

AGENDA

Membership:

Cllr. L Ayres, Cllr. P Cooke and Cllr. M Fittock (substitute)

IMPORTANT INFORMATION

If an interested party (e.g. a parish or town council) has not made a "relevant representation" (section 18(6) and (7) of the Licensing Act 2003), it will not receive a notice of the hearing (Reg. 6(1) Hearings Regulations). The interested party will not, therefore be "a party to the hearing" (Reg. 2 Hearings Regulations). There will therefore be no right to address the hearing (Reg. 16 Hearings Regulations).

The above also applies to a Member i.e. if s/he does not make a "relevant representation" s/he will not be a "party to the hearing" and has no right to address the hearing unless appointed by "a party to the hearing" to assist or represent that party".

Would you please note that all the reports/information listed on this agenda are available from the Committee Services Team on request (01732 227241). Alternatively you can make an appointment to view the information at the District Council Offices by contacting the Licensing Manager on 01732 227325.

- 1. Appointment of Chairman
- 2. Declarations of interest.
- 3. The Wonderlounge, 138a 138b High Street, Sevenoaks (Pages 1 38)

Would Members please note that any further correspondence in relation to this application will be circulated before the meeting or tabled at the meeting.

PROCEDURE AT HEARINGS OF SUB-COMMITTEES OF THE LICENSING COMMITTEE ESTABLISHED IN ACCORDANCE WITH SECTION 9 OF THE LICENSING ACT 2003

- 1. In accordance with Section 9 (1) of the Licensing Act 2003, the Licensing Committee has resolved to establish one or more Sub-Committees each consisting of three members of the Committee.
- 2. The Sub-Committees have delegated authority to determine those functions that are reserved for decision by the Sub-Committees in accordance with Appendix B of the Council's Statement of Licensing Policy dated 7 January 2005.
- 3. Hearings shall be conducted in accordance with this Procedure Note and The Licensing Act 2003 (Hearings) Regulations 2005 subject to the right of the Sub-Committee to vary that procedure at their absolute discretion if considered in the public interest.
- 4. The quorum for a hearing of a Sub-Committee shall be three members.
- 5. At the commencement of each hearing the Sub-Committee shall elect one of its members as Chairman.
- 6. The order of business at hearings shall be:
 - (a) Election of Chairman
 - (b) Declarations of interests
 - (c) Chairman explains the procedure to be followed at the hearing, including the setting of equal time limits for all parties and the granting of adjournments.
 - (d) Chairman ascertains who is assisting or representing the parties.
 - (e) Applicant (or his/her representative) addresses the Sub-Committee
 - (f) Applicant questioned by members. At the discretion of the Sub-Committee, other parties may be permitted to question the Applicant.
 - (g) Persons who have made representations in respect of the application (or their representative) address the Sub-Committee. No issues other than those relevant to their representations may be raised.
 - (h) Members question each party at the conclusion of their address. At the discretion of the Sub-Committee, the Applicant may be permitted to question other parties.
 - (i) Sub-Committee may offer the parties a short adjournment to discuss in the absence of the Sub-Committee whether a solution acceptable to all the parties can be put to the Sub-Committee.
 - (j) Applicant (or his/her representative) makes closing address.
 - (k) Sub-Committee may grant a short adjournment. The parties may not speak to members regarding the application during adjournments.

- (I) The Sub-Committee considers the application and motions put to accept or reject the application in the terms requested or to grant the application subject to specified conditions. Reasons are to be given for motions.
- (m) The parties will be informed of the decision at the hearing or thereafter in accordance with Regulation 26 of the 2005 Regulations.



LICENSING COMMITTEE (HEARING) – 8 NOVEMBER 2011

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

APPLICATION REFERENCE NO: 11/02544/LAPRE

Report of the: Community and Planning Services Director

Status: For Decision

Portfolio Holder Cllr. Mrs. Bracken

Head of Service Head of Environment & Operational Services - Mr. Richard

Wilson

Recommendation: Members' instructions are requested

Background

The procedure for Hearings of Sub-Committees of the Licensing Committee established in accordance with Section 9 of the Licensing Act 2003 is attached at Appendix A.

The application is made by The Chicago Pizza Pie Factory Limited, Seebeck House, 1 Seebeck Place, Knowhill, Milton Keynes, MK5 8FR

- The application to vary the Premises Licence is to extend the permitted hours for all activities to 01.00 hours; closing at 01.30 hours Monday to Sunday. The hours for existing notable days to be extended by one hour, as detailed in the application.
- To add facilities for making music and dancing 08.00-01.00 Monday to Sunday.

The variation is to:

Section B	To allow the exhibition of films indoors every day from 08:00 hours (existing, no change) until 01:00 hours. This may include entertainment programs, sport, music videos and entertainment of a like kind.
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To allow the exhibition of films on Bank Holidays (Friday to Monday inclusive) until 02.00 hours.

On Christmas Eve to the day after Boxing Day (excluding Christmas Day) until 02.00 hours.

On New Year's Eve - from the end of licensable activities until their commencement on New Year's Day.

Section E

To allow live music indoors every day 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.

To allow live music on Bank Holidays (Friday to Monday inclusive) until 02.00 hours.

On Christmas Eve to the day after Boxing Day (excluding Christmas Day) until 02.00 hours.

On New Year's Eve - from the end of licensable activities until their commencement on New Year's Day.

Section F

To allow recorded music indoors every day 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.

To allow recorded music on Bank Holidays (Friday to Monday inclusive) until 02.00 hours.

On Christmas Eve to the day after Boxing Day (excluding Christmas Day) until 02.00 hours.

On New Year's Eve - from the end of licensable activities until their commencement on New Year's Day.

Section G

To allow performances of dance every day indoors from 08:00 hours (existing, no change) until 01:00 hours. Dancing by staff and/or performers.

To allow performance of dance on Bank Holidays (Friday to Monday inclusive) until 02.00 hours.

On Christmas Eve to the day after Boxing Day (excluding Christmas Day) until 02.00 hours.

On New Year's Eve - from the end of licensable activities until their commencement on New Year's Day.

Section H

To allow anything of a similar description to that falling within (e), (f) or (g) every day 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.

To allow anything of a similar description to that falling within (e), (f) or (g) on Bank Holidays (Friday to Monday inclusive) until 02.00 hours.

On Christmas Eve to the day after Boxing Day (excluding Christmas Day) until 02.00 hours.

On New Year's Eve - from the end of licensable activities until their commencement on New Year's Day.

Section I

To allow the provision of facilities for making music every day indoors from 08:00 hours (existing, no change) until 01:00 hours. Facilities may include in-house sound system, musical instruments, Karaoke equipment, video/TV screens.

To allow the provision of facilities for making music on Bank Holidays (Friday to Monday inclusive) until 02.00 hours.

On Christmas Eve to the day after Boxing Day (excluding Christmas Day) until 02.00 hours.

On New Year's Eve - from the end of licensable activities until their commencement on New Year's Day.

Section J

To allow the provision of facilities for dancing every day indoors from 08:00 hours (existing, no change) until 01:00 hours. Provision of permanent/temporary dance floor.

To allow the provision of facilities for dancing on Bank Holidays (Friday to Monday inclusive) until 02.00 hours.

On Christmas Eve to the day after Boxing Day (excluding Christmas Day) until 02.00 hours.

On New Year's Eve - from the end of licensable activities until their commencement on New Year's Day.

Section L To allow late night refreshment every day indoors from 23:00 hours (existing, no change) until 01:00 hours. Hot food and drink.

To allow late night refreshment on Bank Holidays (Friday to Monday inclusive) until 02.00 hours.

On Christmas Eve to the day after Boxing Day (excluding Christmas Day) until 02.00 hours.

On New Year's Eve - from the end of licensable activities until their commencement on New Year's Day.

I Section IVI	To allow sale of alcohol every day both on and off the premises from 10:00 hours (existing, no change) until 01:00 hours.
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To allow sale of alcohol on Bank Holidays (Friday to Monday inclusive) until 02.00 hours.

On Christmas Eve to the day after Boxing Day (excluding Christmas Day) until 02.00 hours.

On New Year's Eve - from the end of licensable activities until their commencement on New Year's Day.

	Section ()	Hours premises are open to the public every day from 08:00 hours (existing, no change) until 01:30 hours.
ı		

To allow an additional 30 minutes to the terminal hours to be permitted on the following: Bank Holidays (Friday to Monday inclusive)

Christmas Eve to the day after Boxing Day (excluding Christmas Day).

To remain open from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Licensing Hearing – 8 November 2011

The applicant intends to take the following action in order to promote the four licensing objectives if the proposed variation is granted:

General

The Prevention of Crime and Disorder

Public Safety

The Prevention of Public Nuisance

No further steps required; existing measures will continue

The Protection of Children from Harm

Representations received from statutory consultees:

Fire Safety	NO OBJECTIONS
Trading Standards	NO ADVERSE COMMENTS
Social Service	NO ADVERSE COMMENTS
Police	SEE APPENDIX C
Commercial	NO OBJECTIONS
Environmental Protection	SEE APPENDIX D
Development Control	NO ADVERSE COMMENTS

Representations received from interested parties:

10 from local residents, 1 from Sevenoaks Town Council, 2 from residents associations (attached at Appendix E).

Conclusions

Without prejudice, the Officer would like to draw to Members attention issues that they may wish to consider:

Mandatory conditions the following conditions will be added to the premises licence/club premises certificate when it is issued.

The supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

- (a) at a time where 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.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence. The decision is to be made with regard to the Licensing Act 2003, Secretary of State's Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy. Where the decision departs from the Policy or Guidance the departure must be directed solely at the attainment of the licensing objectives, and such departure must be supported by clear and cogent reasons.

Mandatory Conditions in force from 06 April 2010

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.

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;

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- (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.
- 2. 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).
- 3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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.

- 5. 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.

Exhibition of films

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 made by that body.

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,

Licensing Hearing – 8 November 2011

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In this section -

"children" means 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 (c.39) (authority to determine suitability of video works for classification).

Sources of Information: http://www.culture.gov.uk/alcohol and entertainment

Contact Officer(s): Mrs. Claire Perry Ext. 7325

KRISTEN PATERSON
COMMUNITY AND PLANNING SERVICES DIRECTOR

RISK ASSESSMENT STATEMENT

This Hearing is regulated by The Licensing Act 2003 (Hearings) Regulations 2005 No. 44.

The decision of this Hearing will be encompassed within the issued premises licence, and the licence will take effect on 8 November 2011(indicate if different), subject to any appeal to a Magistrates Court or higher Court.

- 3. Procedure at Sub-Committees of the Licensing Committee (established in accordance with Section 9 of the Licensing Act 2003)
- 3.1 In accordance with Section 9 (1) of the Licensing Act 2003, the Licensing Committee has resolved to establish five Sub-Committees, each consisting of three members of the Committee.
- 3.2 The Sub-Committees have delegated authority to determine those functions that are reserved for decision by the Sub-Committees in accordance with Appendix B of the Council's Statement of Licensing Policy dated 7 January 2011.
- 3.3 Hearings shall be conducted in accordance with this Procedure Note and The Licensing Act 2003 (Hearings) Regulations 2005 subject to the right of the Sub-Committee to vary that procedure at their absolute discretion if considered in the public interest.
- The quorum for a Sub-Committee shall be two members.
- 3.5 At the commencement of each hearing the Sub-Committee shall elect one of its members as Chairman.
- 3.6 The order of business at hearings shall be:
 - (a) Election of Chairman.
 - (b) Declarations of interests.
 - (c) Chairman explains the procedure to be followed at the hearing, including the setting of equal time limits for all parties and the granting of adjournments.
 - (d) Chairman ascertains who is assisting or representing the parties.
 - (e) Applicant (or his/her representative) addresses the Sub-Committee.
 - (f) Applicant questioned by members. At the discretion of the Sub-Committee, other parties may be permitted to question the applicant.
 - (g) Persons who have made representations in respect of the application (or their representative) address the Sub-Committee. No issues other than those relevant to their representations may be raised.
 - (h) Members question each party at the conclusion of their address. At the discretion of the Sub-Committee, the applicant may be permitted to question other parties.

- (i) Sub-Committee may offer the parties a short adjournment to discuss in the absence of the Sub-Committee whether a solution acceptable to all the parties can be put to the Sub-Committee.
- (j) Applicant (or his/her representative) makes closing address.
- (k) Sub-Committee may grant a short adjournment. The parties may not speak to members regarding the application during adjournments.
- (I) The Sub-Committee considers the application and motions put to accept or reject the application in the terms requested or to grant the application subject to specified conditions. Reasons are to be given for motions.
- (m) The parties will be informed of the decision at the hearing or thereafter in accordance with Regulation 26 of the 2005 Regulation.

Licensing Hearing – 8 November 2011 APPENDIX genda Item 3

PREMISES LICENCE

The Licensing Act 2003 Schedule 12, Part A



Premises Licence Number

11/01935/LAPRE

Part 1 - Premises Details

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

WonderLounge 138A - 138B High Street Sevenoaks Kent. TN13 1XE

Telephone number

01732 465058

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
Live music
Recorded music
Performances of dance
Anything similar to E, F, or G
Sale or Supply of Alcohol
Late Night Refreshment

Times the licence authorises the carrying out of licensable activities				
Films	Monday to Saturday	08:00 - 23:45	(Indoors)	
	Sunday	08:00 - 22:45		
Live music				
3	Monday to Saturday Sunday	08:00 - 23:45 08:00 - 22:45		
Recorded music				
	Monday to Saturday	08:00 - 23:45		
	Sunday	08:00 - 22:45	(Indoors)	
Performances of dance				
	Monday to Saturday	08:00 - 23:45	•	
	Sunday	08:00 - 22:45	(maoors)	
Anything similar to E, F, or G				
	Monday to Saturday	08:00 - 23:45 08:00 - 22:45	•	
	Sunday	08.00 - 22.43	(1100015)	
Sale or Supply of Alcohol - no	ot currently authorised, as no design	nated premises su	pervisor on the premises.	
	Monday to Saturday	10:00 - 23:45		
	Sunday	10:00 - 22:45		
Late Night Refreshment				
3	Monday to Saturday	23:00 - 23:45	(Indoors)	

Non-standard timings for licensable activities

For films, live music, recorded music, performances of dance, anything similar to live music, recorded music or performances of dance, late night refreshment and supply of alcohol the timings are on Bank Holidays until 01:00 hours, the Friday before a Bank Holiday Monday to the Bank Holiday Monday inclusive, and from Christmas Eve to the day after Boxing Day (excluding Christmas Day) and on New Year's Day and on New Year's Eve from the end of licensable activities until their commencement on New Year's Day.

The opening hours of the premises

08:00 - 00:00 Monday to Wednesday Thursday to Saturday 08:00 - 01:15 Sunday 08:00 - 23:00

The non-standard opening hours of the premises

Bank Holidays, the Friday before a Bank Holiday Monday until the Bank Holiday Monday inclusive, and from Christmas Eve until the day after Boxing Day (excluding Christmas Day) until 01:15 hours. On New Year's Eve from the end of licensable activities until their commencement on New Year's Day.

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.

Licence Number:

11/01935/LAPRE

Issue Date: 19/08/2011

Licence issued by: The Licensing Partnership P.O. Box 182 Sevenoaks Kent TN13 1GP Telephone **age**er:102732 227004

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Part 2

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

We Are: Chicago Pizza Pie Factory Limited

Seebeck House 1 Seebeck Place

Knowhill

Milton Keynes. MK5 8FR

Email address:

Stephencharlesthomas@gmail.com

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

07266472

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

Currently no Designated Premises Supervisor on premises

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

Currently no Designated Premises Supervisor on premises

Kristen Paterson

Community and Planning Services Director

Thote Par

Sevenoaks District Council

Annex 1 - Mandatory conditions

The supply of alcohol

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

- (a) at a time where 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.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Conditions in force from 06 April 2010

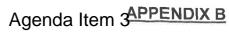
1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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.
- 2. 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).

Licence Number: Issue Date:

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- 3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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.

- 5. 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: 1/2 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.

Exhibition of films

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 made by that body.

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.

In this section -

"children" means 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 (c.39) (authority to determine suitability of video works for classification).

Annex 2 - Embedded conditions

Not applicable

Annex 3 - Conditions consistent with the Operating Schedule

All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.

For the final 30 minutes of opening the music is reduced in volume and is discernibly quieter.

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Annex 4 - Conditions attached after a hearing by the licensing authority

No rubbish, including bottles, will be moved, removed, or placed in outside areas between 23:00 hours and 07:00 hours.

Noxious smells will not be allowed to emanate from the premises as to cause a nuisance to nearby properties

Noise and vibration will not be allowed to emanate from the premises so as to cause a nuisance to nearby premises. On departure, customers and staff will be asked to respect the needs of local residents and to leave the premises and the area quietly.

All exit doors shall be kept closed after 21:00 hours save for access or egress.

A noise interlock shall be fitted to the rear double fire exit doors.

A notice for the use of residents if disturbed by sound levels giving the name, address and telephone number of the holder of the Premises Licence shall be placed in a conspicuous position on the front of the building.

A notice shall be displayed inside the premises requesting patrons to exercise restraint and observe common decency and behaviour when leaving.

The external area at the rear of the premises shall not be used after 23:30 hours on Monday to Saturday and after 22:30 hours on Sunday.

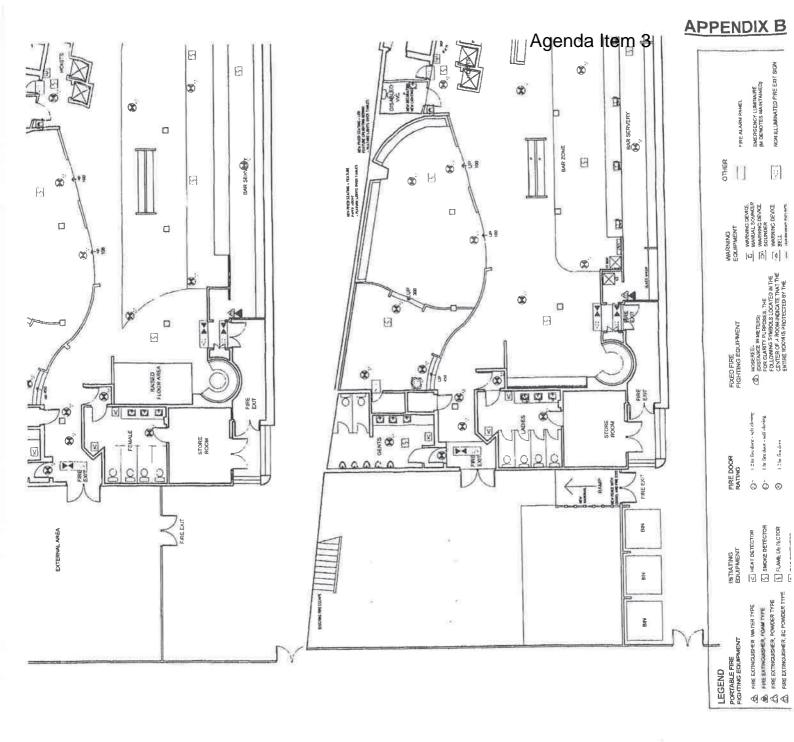
Annex 5 - Plans

Please see attached

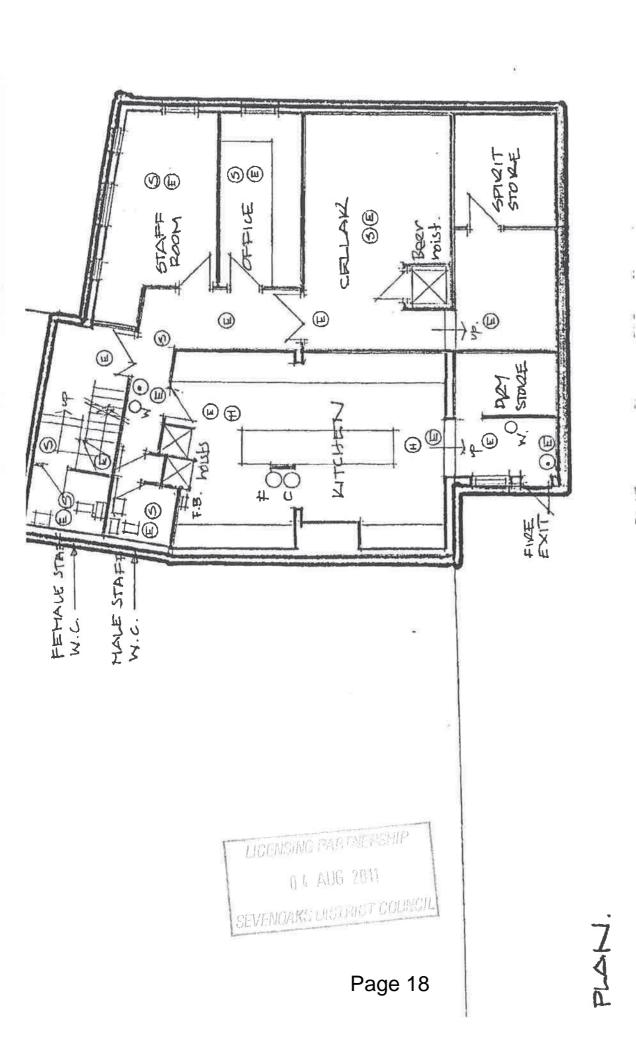
Licence Number: Issue Date:

11/01935/LAPRE 19/08/2011

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Architectural Services • Project Management

2 Laka Drive Winchester Hants SO22 4PB tel 01962 860018 fax 01962 861032 email plan@djeptojeds.co.uk

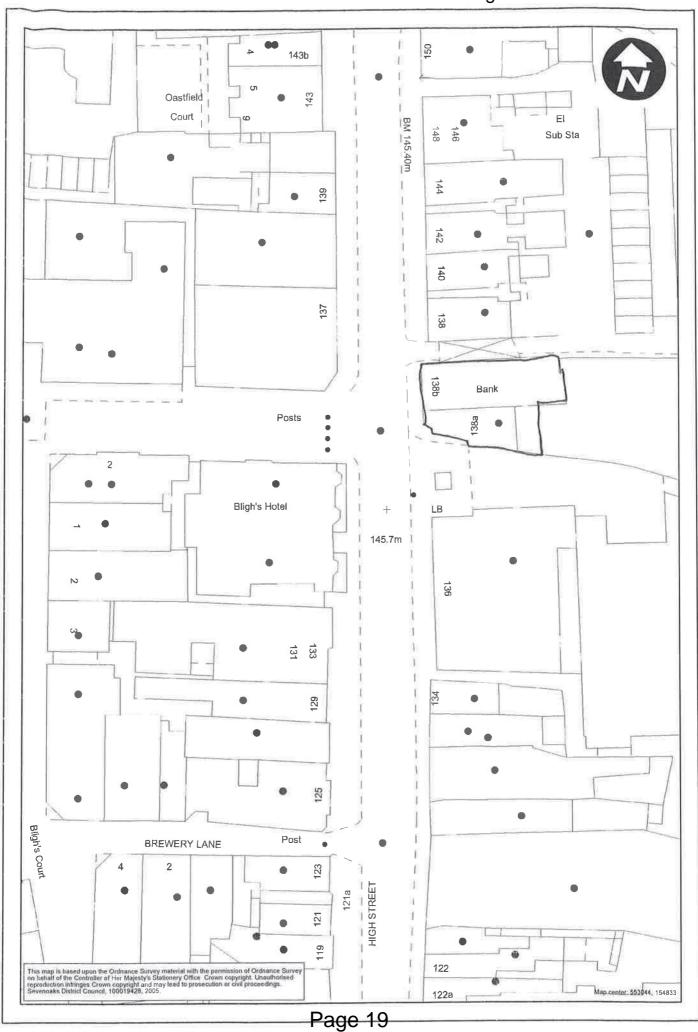
2 9 JUN 2005 SEVENDAKS DISTRICT COUNDIL

Licensing Regime

(H) HEAT PETECTOR

Ž

#1 2001.





Chief Officer of Police Representation in relation to an application for variation of premises licence made under Part 3 Section 34 Licensing Act 2003 (S35 Licensing Act 2003)

Details of person of Name of Chief Officer of Police	r body making representation Chief Inspector Steenhuis
Postal Address: (Area Headquarters)	Police Station Pembury Road Tonbridge Kent TN9 2HS
E-mail address	
Telephone Number:	01732 379155

Name of Premises:	ses representation is about Wonderlounge
Address of premises:	138A - 138B High Street Sevenoaks Kent TN13 1XE
Date application received by police	13/09/2011
Date representation sent to Licensing Authority	10/10/2011

The Chief Officer of Police has received an application for the variation of a premises licence made under the provisions of Section 34 Licensing Act 2003, and under Section 35 of that Act asks the Licensing Authority to consider these representations in respect of:

Please tick one or more of the licensing objectives that the representation relates to:

Prevention of crime and disorder

Public Safety

Prevention of public nuisance

Protection of children from harm

The relevant representations within the meaning of S.35(5) of the Licensing Act satisfy the requirements of S.35 (6) of that Act and are as follows:

Please give the reason for the representation and detail the evidence supporting it:

Kent Police has concerns that an extension of hours at these premises would undermine the licensing objectives of prevention of crime and disorder and public safety as this will allow patrons from other venues to migrate to this premises to continue drinking, it is likely that these patrons will already be intoxicated and therefore greater levels of control will be required to ensure that there is no increase in disorder related to these premises. Failure to adequately control patrons arriving and leaving from this venue could significantly increase the level of nuisance associated to this venue.

Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:

Please use separate sheets where necessary

Police seek the attachment of the following conditions, in additions to those already attached to the premises licence, in order to address the concerns raised above and to assist with the prevention and resolution of any issues that do arise as a result of this variation:

- 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 also to include any exit doorways, alleyways or any other areas used for the
 ejection of customers
- 2. The CCTV system will be maintained and serviced on a regular basis and records kept to that effect.
- 3. CCTV shall be operational at al times that members of the public and/or staff are on the premises.
- Images will 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.
- 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.
- 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.
- Door supervisors will be employed at the premises from 20:00 hours until close of trading on Friday and Saturday nights as a minimum.
- A sufficient number of door staff will be employed at the premise to provide sufficient safety and security for the capacity. This will be at a ration of 1:100 customers with a minimum of two at all times they are to be required.
- 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.

Signi
Print
Pri Charles Misser of Malice Are the Police Are

Date: 10th October 2011 Force Number: PSE 52479

Pp Chief Officer of Police of Police for the Police Area in which the licensed premises are situated.

Representation may be made at any time during the 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant. Please return this form along with any additional sheets to the Licensing Authority. This form must be returned within the Statutory Period.

Consultee Comments for Licensing Application 11/02544/LAPRE

Application Summary

Application Number: 11/02544/LAPRE

Address: 138A - 138B High Street Sevenoaks Kent. TN13 1XE

Proposal: Premises Licence Case Officer: Leeann Leeds

Consultee Details

Name: Mr Nicholas Chapman

Address: Council Offices Argyle Road, Sevenoaks, Kent TN13 1HG

Email: nick.chapman@sevenoaks.gov.uk
On Behalf Of: SDC Environmental Protection

Comments

I refer to the above application which has been passed to the Environmental Protection Team for comment.

Having reviewed the application I have some concerns about the proposed activities.

I note that the applicant is asking to extend operating hours to 01:30 Monday to Sunday. I am concerned that whilst this extension in hours amounts to only 15 minutes Thursday to Saturday it would extend the operating time Monday to Wednesday by 1hr 30 mins and on Sundays by 2hr 30 minutes.

I am concerned that by substantially increasing the operating hours on Monday to Wednesday and Sundays (well beyond the typical operating hours for similar premises in Sevenoaks High Street), Wonderlounge will become the dominant noise source as background noise level reduces. This may have the effect of heightening the impact of noise from the premises.

In addition there is a danger that by staying open later than other premises Wonderlounge will become a destination for revellers leaving other premises within the town. This would introduce the potential for large numbers of people to congregate outside the premises at an unsociable hour.

It should also be noted that planning conditions currently limit the permitted operating hours of the premises to 00:00 Monday to Saturday and 23:00 on Sunday for the purposes of protecting the amenity of the area

With consideration to the above I would therefore ask that opening hours Monday to Wednesday

and on Sunday are retained as in the current premises license.

Should members be minded to grant the proposed extensions to opening hours I would ask that admittance to the premises be restricted after 00:00 in order to prevent large numbers of patrons attempting to access Wonderlounge after other premises close.

In order to control noise from queuing patrons and smokers at the front of the premises appropriate door staff should be employed and adequate signage displayed reminding patrons to consider noise impact on neighbouring residential properties.

I would note that this consultation is without prejudice to any future planning consultation.

I understand that when 138A/B High Street, Sevenoaks was initially granted planning consent works were undertaken to acoustically protect the flats above. Unfortunately I have been unable locate the design specification for this work and therefore I am unable to quantify the potential sound protection afforded by this work.

Should members be inclined to grant this aspect of the license I would ask that following conditions be considered.

1) 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.

For information- The applicant should note that the current glass areas to the front of the premises and the doors which open up onto the forecourt adjacent to Tesco (including the fire door) are unlikely to provide significant noise attenuation. This may consequently affect the level at which it is agreed the noise limiter is set.

- 2) During the playing of regulated entertainment the fire exit to the garden shall not be opened (except in 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.
- 3) When regulated entertainment occurs access and egress to the property shall be through the sound lobby only (except in emergency).

Comments for Licensing Application 11/02544/LAPRE

Application Summary

Application Number: 11/02544/LAPRE

Address: 138A - 138B High Street Sevenoaks Kent. TN13 1XE

Proposal: Premises Licence Case Officer: Leeann Leeds

Customer Details

Name: Mr Nicholas Thorne

Address: 1 Plymouth Drive, Sevenoaks, Kent TN13 3RW

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime Objections
- Noise Disturbance
- Opening Hours
- Safety of Premises

Comment:8:45 AM on 06 Oct 2011 My wife and I consider the existing permitted hours are quite long enough. Extending them would encourage excessive drinking and its consequeneces in terms of crime and noise in the early hours in the High Street and surrounding areas. This is a plasant market town - not Party Central, Ibiza.

6:19 PM on 06 Oct 2011 PLEASE DO NOT MAKE MY PERSONAL DETAILS AVAILABLE TO THE GENERAL PUBLIC

Sevenoaks is a busy, pleasant and safe town of specialist shops and good quality restaurants mixed with residential housing. Opening up a night-club with extended licensing hours in town is totally out of keeping with the atmosphere of the town and will bring unruly late night clubbers to the town from outside the district reminiscent of a few years ago when there were fights in the town and a girl was raped by drunken revellers.

I believe the site should not have extended licensing hours.

The Sevenoaks Chronicle article does not correctly represent local opinion as all the locals I have spoken to universally express concern and for it to be welcome by a Maidstone clubber only increases the concern.

The licence applicant does not appear to have any local experience or personal investment in the character of the town.

1	1	LOL.	4	

-24 Pembroke Road Sevenoaks Kent TN13 1XR

Licensing Department Sevenoaks District Council Argylle Road Sevenoaks Kent

4th October 2011

Dear Sirs

Re: Proposed Nightclub 'Wonderland'

I was horrified to learn that there is a licensing application for a new nightclub in the old Slug and Lettuce building. Those of us who live in the centre of town are already seriously disturbed by noisy drunks in particular on Friday and Saturday nights. The worst area being around the Marmaris kebab shop in London Road, where they congregate, shout, throw up, pee and litter around the cross roads and down to the station.

Any extra premises catering for this type of clientele would be a disproportionate nuisance to surrounding residents but as I gather this application is for seven nights a week and to a time even later than the existing establishments, it would be disastrous.

I cannot see that a nightclub, even one with such a bizarre theme as Alice in Wonderland (drinking out of top hats?), would be of any benefit to the town of Sevenoaks. It is neither in keeping with the nature of the town nor likely to provide any advantages. Those coming to visit a nightclub are not going to be spending money in any other business such as a shop for example. In fact I would think it would detract from neighbouring businesses and the alley way between it and Tesco's is going to become a really scary place at chucking out time.

I therefore wish to object in the strongest terms and trust the Council will deal with this application with the best interests of the people of Sevenoaks in mind, not some large company who is going to take all profits out of the town but leave it with the mess to clear up.

Yours faithfull	V
Jeni Smith	

Page 28

how will also imposed on reliedent.



The Licensing Dept.
Sevenoaks District Council
Council Offices
Argyle Road
Sevenoaks
Kent TN13 1HG

6th October 2011

Dear Sirs,

Wonderlounge, 138A-138B High Street, Sevenoaks TN131XE

Premises Licence No: 11/01935/LAPRE

We write to request that you refuse the above application to extend the licence from 11.45 pm until 1 am seven days a week. We feel that extending the hours will inevitably lead to noise and public nuisance. There would be no public transport available and no public conveniences open. We all remember the trouble caused by late night drinking at the Oak Tap to the residents at the southern end of the High Street and there are a number of residential flats above shops to the northern end. Already visitors to the town are using the parking available in The Drive and Plymouth Drive and disturbance caused in the early hours would be totally unacceptable.

We should be grateful if you would refuse this application and keep the existing hours.

Yours faithfully	

Jennifer and Peter Bartlett

£ For all licensing applications please make cheques payable to: "Sevenoaks District Council". Alternatively card payments may be made over the telephone.

From: Liz McLarei

Sent: 07 October 2011 07:05

To: Leeann Leeds

Subject: Alice in Wonderland, High Street, Sevenoaks

Dear Leeann

Having had first hand experience of a nightclub opening until only 11.30pm at the end of our road, you will be unsurprised to hear that I would like to object to the granting of a licence for this premises.

It will be impossible to control the noise through the shop windows of the property, and the noise on arriving and leaving the premises.

There are flats above the shop, and life will be unbearable for them. Someone commented that it would keep youngsters off the streets in Sevenoaks, but it would encourage just the opposite - gangs of 18s and under will be wandering around drunk. And how are they to get in and out of town? No buses, taxis already overstretched.

We are still waiting for any change at El Matador, although they do seem to have suspended the nightclub. I have finally had an email from someone in Environmental Health and will ask him to visit them. Several weeks ago I reported the many breaches of planning to Mrs Clinch, but again, no action has been seen to comply with even one of the planning controls put in place. I despair!



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Visit the Council at WWW.SEVENOAKS.GOV.UK

Licensing Dept. Sevenoaks District Council Argyl Road TN13 1HG

7th October, 2011

Re: Premises Licence 11/01935/LAPRE 138A-138B High Street, Sevenoaks

It was with great misgiving we read about the above request for this 'novel' drinking house requiring extended hours due to

- a) the intention of use
- b) the fact that it would be in the centre of the town with residents in close proximity
- c) the extension hours being to early morning which would bring much traffic and obviously drunkenness to the area in the middle of the night. This happened before so why should it not happen again.
- e) It will also take much needed trade from the public houses around.

We are wholly opposed.

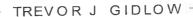
Chartway
Sevenoaks
TN13 3RU

LICENSING PARTNERSHIP

1 0 OCT 2011

SEL .

SEVENOAKS DISTRIC: COUNCIL



4 Queens Drive Sevenoaks Kent TN14 5DD 10th October 2011

Licensing Officer Sevenoaks District Council Argyle Road Sevenoaks Kent TN13 1HG

Dear Sir/ Madam,

Premises License - 138 High Street, Sevenoaks - Strong Objection

I would like to register by strong objection to application for a late night/early morning Premises Lisence to the proposed 'Wonderlounge' venue submitted by The Chicago Pizza Pie Factory/ No Saints company. I am objecting on two grounds:

- 1) Crime and Disorder
- 2) Public Nuisance

I am a professional who lives and works in Sevenoaks. As you will note, my home is located in the Greatness Lane/ Watercress Drive/ Queens Drive area which predominantly provides social and housing support.

My first-hand experience indicates that there is a direct relationship between the grant of Late night/ early morning Premises Licences and Crime and Disorder/ Public Nuisance.

Mr Stevie Thomas – Brand Development, No Saints and Ms Alison Whitfield – Business Development have marketed the venue as innocent and fun, However regardless of the intentions of the business and those who attend, we all know that our back-to-back drinking culture will have an inevitable fall out when closing hours are extended.

To be specific, when late night Licences were granted in Sevenoaks town centre this corresponded to a direct rise in extreme aggression, vandalism and even arson, in the early hours of the morning in my area, distressing residents and placing greater burdens on the local police force.

I would also note that the Grant of a Premises License would be in direct opposition to the Government's initiative to reduce binge drinking amongst the young. This is particularly pertinent to this Application whose marketing strategy is based on a 'Alice in Wonderland' themed venue. This is unquestionably unethical business practice since those who are attracted to such themes are not even of a suitable age to be attending late night/ early morning venues.

As such, it is transparent that No Saints business strategy is based on grooming minors into our binge drinking culture.

I trust that Sevenoaks District Councils Licensing department would not want to encouraging any of the above consequences and join <u>Sevenoaks Town Councillor Mrs Merrill London</u> in objecting to this application. Furthermore, I petition that this application is Rejected.

	TREVOR J GIDLOW	
Yours faithfully		
Trevor Gidlow BA (Hons.) Arch.,	Dip Arch. RIBA	



Telephone: 01732 457539

Licensing Partnership Sevenoaks District Council PO Box 182 Sevenoaks TN13 1GB 10 October 2011

Dear Sir/Madam

138-138B High Street, Sevenoaks TN13 1XE Application from the Chicago Pizza Pie Factory Ltd.

Regarding the above and the application for extending the hours for music from 08.00 to 01.00 Monday to Sunday, we request that two sets of doors are needed for both front, side and rear entrances to avoid sound penetration that would adversely affect the environment of close-by residents – 140A through to 148A High Street.

It should also be made clear to the applicants that the rear car park is for the exclusive use of tenants 140 through to 148 High Street and that the applicant is responsible for prohibiting its customers from trespassing.

We thank you for considering these observations.

Yours faithfully	
COWAIII AIIII FAIIIEIA UWED	

Janet Lockie

From:

Henry Pound [h

Sent: To:

Licensing

Subject:

Wonder Lounge 138 High Street 11/02

Dear Sir

I wish to object to the application for extended licencing times on the following grounds.

The previous licensee attracted alcohol fuelled fights on a number of occasions and I would not wish to see the danger of these events be extended later into the night/early morning.

The premises is close to residential property with flats in the town and houses in the Knole Paddock area. There have been occasions, manly during the summer when the noise of music is noticeable at my house, which is by no means the closest in my road. I would not want this noise to extend beyond the current hours.

Yours faithfully

Henry Pound 2 Knole Way

LICENSING PARTNERSHIP

SET 1 J OCT 2011

SEVENOAKE DISTRICT GOUNCIL

LICENSING PARTNERSHIP

Sylvia Lewis

1 1 OCT 7011

SEL SEVENOAKS DISTRICT COUNCIL

From:

Planning [planning@sevenoakstown.gov.uk]

Sent:

11 October 2011 15:59

To: Cc:

Licensing Ann White

Subject:

Sevenoaks Town Council's Comments on Licensing application 11/02544/LAPRE - 138A

-138B, High Street, Sevenoaks (Wonderlounge)

Importance:

High

Please find below Sevenoaks Town Council's comments on 11/02544/LAPRE - 138A -138B, High Street, Sevenoaks (Wonderlounge)

Please could you confirm receipt of this email

The Town Council wishes to register its objections to the variation of premises license on the following grounds:

Public Nuisance:

The proposed extension of hours would lead to an unacceptable increase in noise levels experienced by residents living in flats above shops on either side of the road.

1. The Town Council considered the existing opening hours should not be varied from

Sunday - 08:00-23:00

Monday - Wednesday: 08:00-00:00

Thurs - Saturday: 08:00-01:15

- 2. There should be no alteration to existing non-standard days.
- 3. That any facilities for making music and provision for dancing (I&J) should be kept to the same hours as the existing license for live music; recorded music; performance of dance or anything similar to E F or G

Monday - Saturday : 08:00 - 23:45

Sunday - 08:00 - 22:45

Antisocial behaviour problems could also ensue from excessive drinking; the club would not be able to control such acts as they would occur away from the premises.

Taking the above points into account, the Town Council would urge that this application is rejected.

Regards,

Hugh D'Alton

Planning and Open Spaces & Leisure Committee Clerk Sevenoaks Town Council Tel: 01732 459953 Website

Acorns Residents' Association





Please Reply to:
The Chairman
Andrew M W Smith
24 Pembroke Road
Sevenoaks
Kent TN13 1XR

Telephone: 01732 465 777

E-mail: andrewmwsmith@hotmail.com

Licencing Department Sevenoaks District Council Argyle Road Sevenoaks Kent TN13 1GN

4th October 2011

Dear Sir

138 - 138B High Street - Wonderland (ex Slug and Lettuce)

I am writing on behalf of the Acorns Residents Association which represents residents in, among other roads, the High Street, Pembroke Road and London Road. We have seen the notice concerning the application to amend the licence for the above property and have some serious concerns.

We understand that the new use of the premises will be as a club rather than a bar. The application appears to be for opening till 01.30 seven days per week with alcohol being sold till 01.00. This we see as totally unacceptable, bearing in mind that the public houses in the town, particularly the Oak Tree opposite, only have licences till 12.00 (midnight) on Sunday to Thursday and 01.00 on Fridays and Saturdays. The new club should not have longer hours. Residents of the roads mentioned above already suffer late night noise, nuisance and disturbance until and after closing time every weekend and to allow this even later should not be allowed.

There is also an application for music all day till 01.00 seven days per week. It should be remembered that these premises are surrounded by a considerable number of dwellings above the shops and life would become intolerable for these people with no sleep till the early hours.

We would like to register our objections to the renewal of the licence for these reasons

Yours faithfully

A M W Smith

Knole Paddock Residents' Association

Please reply to:

Jennifer Bartlett, 1 Knole Way, Sevenoaks, Kent TN13 3RS

Email: jennyebartlett@btinternet.com

Tel: 01732 454229

To:

Licensing Dept.
Sevenoaks District Council
Council Offices
Argyle Road, Sevenoaks
Kent TN13 1HG

7th October 2011

Dear Sirs,

138A-138B High Street, Sevenoaks TN13 1XE

Premises Licence No: 11/01935/LAPRE

We have been approached by a number of our members all expressing concern about the above application by The Chicago Pizza Pie Factory Ltd. to vary a premises licence under the Licensing Act 2003.

There is concern that clients leaving the premises as late as 1:30am (significantly after public transport has ceased) would create noise and disturbance whilst waiting for taxis or making their way to their cars. The long licensing hours would also encourage excessive drinking and make public disorder more likely.

On behalf of our members, we therefore request that this application be refused and the licensing hours remain as they currently are.

Yours sincerely



Chairman

cc. Cllr Mrs Ann Dawson
Cllr Peter Fleming
Cllr Simon Raikes

Cllr Stephen Arnold
Cllr Mrs Merrill London
Cllr Maurice Short