

04 July 2018 at 10.30 am

Council Chamber, Argyle Road, Sevenoaks
Despatched: 19.06.18



Licensing Hearing

Membership (Sub Group D):

Cllrs. Abraham, Clack and *Raikes (sub)

(Each Licensing Sub-Committee will contain three Members of the Licensing Committee. Any member of the Licensing Committee may act as a substitute on any of the Licensing Sub-Committees.)

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 Democratic Services on request (01732 227000). Alternatively you can make an appointment to view the information at the District Council Offices by contacting the Licensing Partnership Manager on 01732 227000.

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Appointment of Chairman		
2. Declarations of interest		
3. Report to Licensing Sub-Committee following receipt of a representation in relation to an application made under The Licensing Act 2003 for Emerson Grange, Cinnamon Care Collection, Rowhill Road, Hextable, Kent. BR8 7RL- 18/00376/LAPRE. (Hextable)	(Pages 1 - 48)	

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

1. Procedure at Sub-Committees of the Licensing Committee (established in accordance with Section 9 of the Licensing Act 2003)
 - 1.1 In accordance with Section 9(1) of the Licensing Act 2003, the Licensing Committee has resolved to establish Sub-Committees, each consisting of three members of the Committee.
 - 1.2 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.
 - 1.3 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.
 - 1.4 The quorum for a Sub-Committee shall be two members.
 - 1.5 At the commencement of each hearing the Sub-Committee shall elect one of its members as Chairman.
 - 1.6 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.

(l) 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.

REPORT TO LICENSING SUB-COMMITTEE FOLLOWING RECEIPT OF A REPRESENTATION IN RELATION TO AN APPLICATION MADE UNDER THE LICENSING ACT 2003 FOR EMERSON GRANGE IN HEXTABLE - 18/00376/LAPRE.

Licensing Sub-Committee - 4 July 2018

Report of Chief Officer, Environmental and Operational Services -
Richard Wilson

Status For Decision

Key Decision No

Executive Summary: This report provides information to advise members of a new premises licence under The Licensing Act 2003 in respect of Emerson Grange, Cinnamon Care Collection, Rowhill Road, Hextable, Kent. BR8 7RL

Contact Officer Jessica Foley, Ext. 7480

Recommendation to Licensing Sub-Committee:

Options available to members are:

- a) To grant the application in full on the terms and conditions contained in the operating schedule along with relevant mandatory conditions
 - b) To grant the application, modified to such an extent as considered appropriate in order to satisfy any relevant representations so as to adequately promote the licensing objectives
 - c) To exclude from the scope of the licence any of the licensable activities
 - d) To refuse to specify a person in the licence as the premises supervisor
 - e) To refuse the application in its entirety
-

Reason for recommendation: Each application must be considered on its individual merits and in relation to the licensing objectives under the Licensing Act 2003. Members are asked to consider the options above in light of the individual circumstances of this application and representations and testimony received at hearing.

Agenda Item 3

Introduction and Background

- 1 The procedure for Hearings of Sub-Committees of the Licensing Committee established in accordance with Section 9 of the Licensing Act 2003 is attached to the agenda.
- 2 On 06 February 2018 a premises licence application was received from Hextable Care Limited for a new premises licence for Emerson Grange, Cinnamon Care Collection, Rowhill Road, Hextable, Kent. BR8 7RL. This application was validated on 20 April 2018 and the consultation end date was the 10 June 2018.
- 3 1 representation has been received from a local resident that has not been withdrawn. (Appendix C)
- 4 This is a new premises licence application from an applicant that has not had a Premises Licence or any Temporary Event Notices (TENs) previously.
- 5 The Buildings consist of two small blocks of apartments. Block one housing 23 apartments and block two housing 18 apartments. The main home also has 5 apartments attached to the ground floor.
- 6 The care home consists of 85 assisted rooms providing care over four floors, with 15 rooms on the third floor, 35 rooms on the second floor and 35 on the first floor.
- 7 On each of these floors are separate dining and lounge facilities, the ground floor is made up of a reception, a club room for apartment owners, a bar area with large TV, hairdressers, gym and cinema. In addition to this there are two large garden areas one attached to the ground floor bar area and second attached to the first floor lounge area.
- 8 The application is to licence the complete main building and attached rear gardens only. This is to enable the premises to supply residents and guests with drinks during meals and in the lounge and garden areas at other times. All shown on the plan. (Appendix A)
- 9 Application is to allow the following licensable activities on the premises.

The application is to:

Section A	To allow the performance of plays both indoors and outdoors everyday from 10:00 to 23:00 hours. On New Year's Eve from 10:00 until 00:30 on New Year's Day.
Section E	To allow Live music both indoors and outdoors everyday from 10:00 to 23:00 hours. On New Year's Eve from 10:00 until 00:30 on New Year's Day.

Section F	To allow recorded music both indoors and outdoors everyday from 10:00 to 23:00 hours. On New Year's Eve from 10:00 until 00:30 on New Year's Day.
Section G	To allow performance of dance both indoors and outdoors everyday from 10:00 to 23:00 hours. On New Year's Eve from 10:00 until 00:30 on New Year's Day.
Section M	To allow the supply of alcohol for consumption on the premises everyday from 10:00 to 23:00 hours. On New Year's Eve from 10:00 until 00:30 on New Year's Day.
Section O	To allow the premises to be open to the public everyday from 00:00 to 00:00 hours.

The applicant intends to take the actions detailed in the operating schedule (Appendix B) in order to promote the four licensing objectives detailed below if the proposed application is granted.

Statutory Guidance

Revised Section 182 Guidance (April 2017)

Licensing objectives and aims

Paragraph 1.2

The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

Paragraph 1.3

The licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

Paragraph 1.4

Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

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Consultation

The regulations to the Licensing Act 2003 outline the requirements for the advertising of applications. These require the applicant to advertise the application:

- a. For a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority to display a white notice prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises. It was noted that the notice was displayed upon the premises for the 28 day consultation period which ended 6 July 2017.
- b. By publishing a notice in a local newspaper on at least one occasion within 10 working days of submitting the application.

Regulations also require that the applicant give a copy of the application to each responsible authority on the same day as the day upon which it is given to the licensing authority. As the application was electronic, the requirement to serve the application was met by the licensing authority.

There are no other statutory requirements for advertising of any application, however, details of all applications received along with the time limit for receipt of representations is posted on the Council website via the weekly premises tracker and the public and councillors have public access.

Representations received from statutory consultees:

Fire Safety	NO COMMENTS RECEIVED
Trading Standards	NO COMMENTS RECEIVED
Social Service	NO COMMENTS RECEIVED
Police	NO OBJECTIONS
Environmental Health and Safety	NO OBJECTIONS
Public Health Department	NO COMMENTS RECEIVED
Environmental Protection	NO OBJECTIONS
Development Control	NO OBJECTIONS

Representations received from interested parties:

1 received from Local resident (Appendix C).

Conclusions

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

The decision is to be made with regard to the Licensing Act 2003, Secretary of State's Amended Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from the Policy or Guidance the departure must be directed at the Licensing Objectives and such departure must be supported by clear and cogent reasons

Mandatory conditions - the following conditions will be added to the premises licence when it is issued.

1. 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.

2. Mandatory conditions in force from 28 May 2014

- 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula— $P = D + (D \times V)$
where -
 - (i) P is the permitted price,

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- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4.
- (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

3. Mandatory Conditions in force from 01 October 2014

- 1.
- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
- (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (d) 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;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3.
- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) 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)

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to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person must 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;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

Operating Schedule conditions

1. During the day the Premises Reception will be staffed, All visitors must sign in at all times, at other times when the reception is not staffed the main doors will be set to exit only, Access will then only be granted by using the front door bell and credentials checked prior to access, Family members and residents will be issued with a coded fob which will allow them access at any time but they will still be required to sign in and out.
2. Training will be given to all staff on the licensing objectives and how they apply to us.
3. Only residents and guests will be served alcohol providing they can prove they are above the age of 18 years. Any one who looks intoxicated will be refused Alcohol drinks of any type.
4. Any person showing signs of being disorderly will be asked to leave, residents will be asked to return to their room or apartment.
5. No live music outside in the gardens beyond 21:00 hours and no live music inside the building beyond 22:30 hours on any day of the year (except New Year's Eve). Doors and windows to be closed after 21:00 hours when music is being played inside to stop any noise traveling to disrupt the public.

6. Any one displaying signs of intoxication or aggressive behaviour will be requested to leave and refused any further alcohol of any sort.

7. Alcohol will only be sold from the main bar situated on the ground floor after 21:00 hours.

8. No Children will be allowed in any area of the home selling alcohol after 21:00 hours.

Key Implications

Financial

None directly arising from this report.

Legal Implications and Risk Assessment Statement.

This Hearing is regulated by The Licensing Act 2003 (Hearings) Regulations 2005

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.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Appendices

Appendix A - Plan of the Premises

Appendix B - Application including Operating Schedule

Appendix C - Representation from local resident

Appendix D - Locality maps

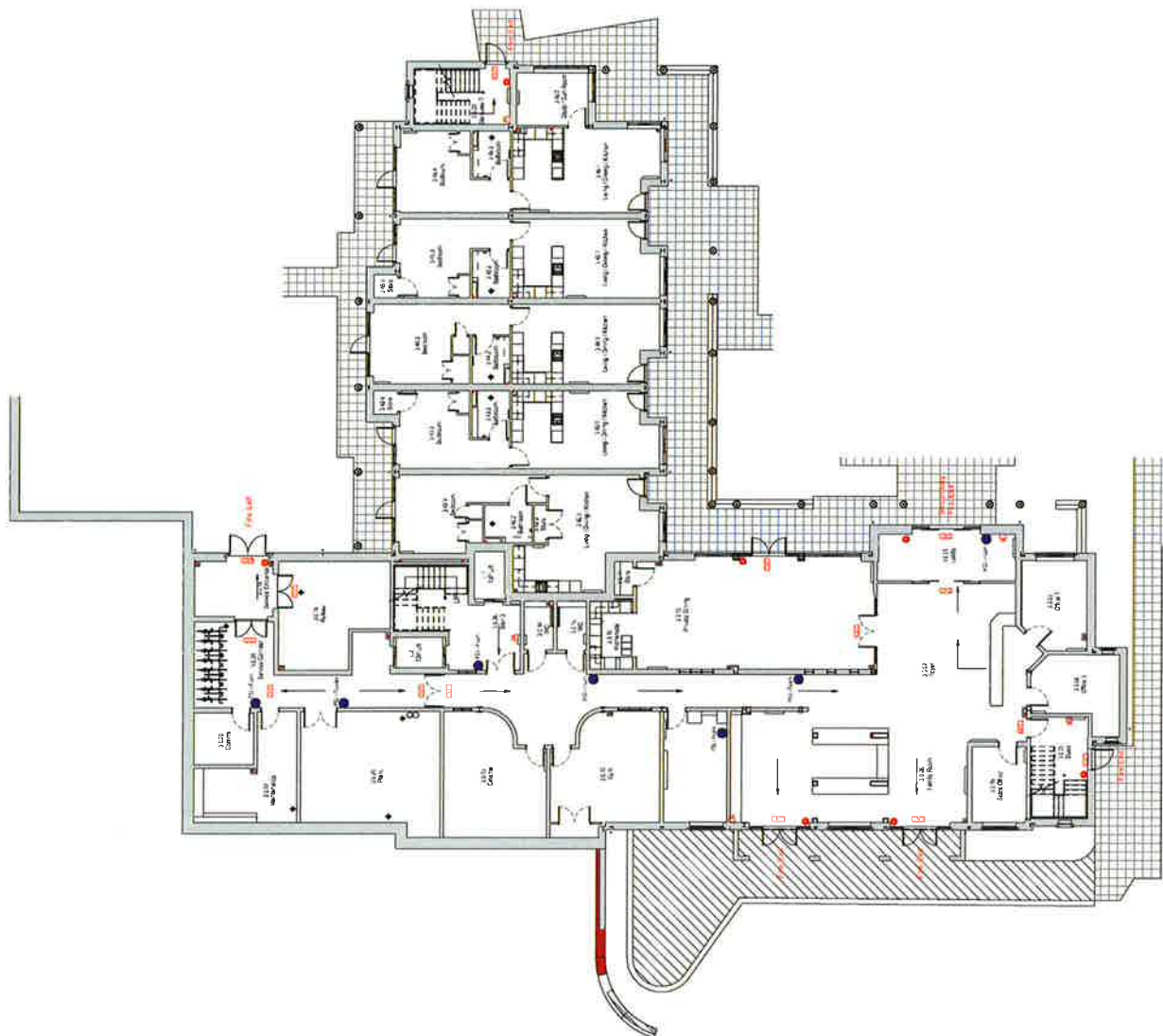
Background Papers

The Licensing Act 2003


Richard Wilson

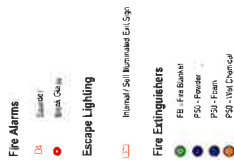
Chief Officer for Environmental & Operational Services

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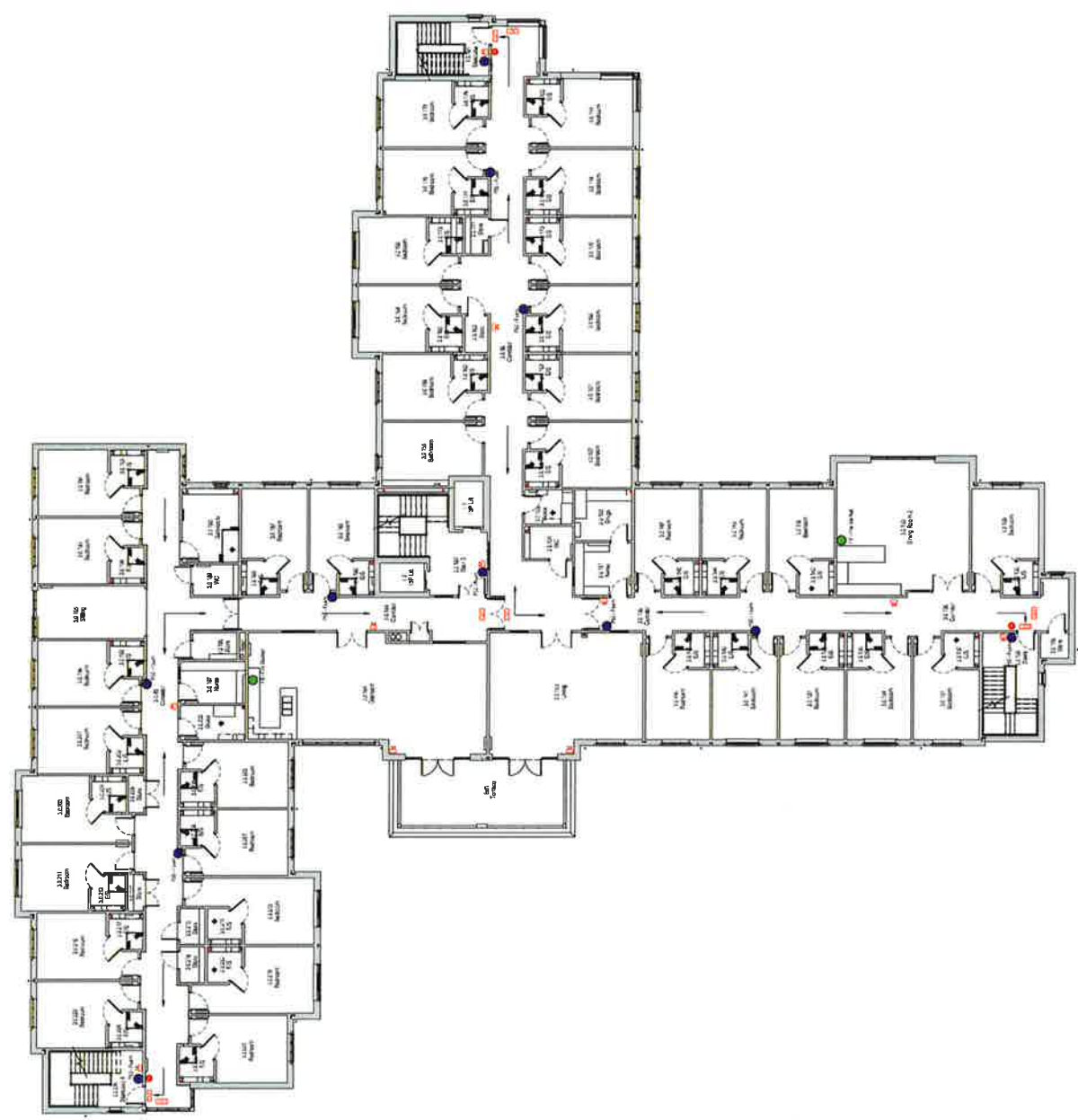
1 Care Home - Ground Floor Fire Plan
1 : 125

DATE	REV	BY	APP	DESCRIPTION
11/15/10	1	WJ	WJ	Issue for Review
				
Aale Syabas, Asst. Richmond, North Yachia, DL10 5HG T (0748 825675 E: engineer@haris-int.com W: www.haris-int.com				
Project: Proposed Civil Development - Hestable Development of Hestable Roadside Kiosk Client:				
				
Drawing Title: Ground Floor Plan Strategy Information				
For Information				
Scale of A1	Drawn by	Checked by	Proj No	Rev
1:500	WJ	WJ	1942	1001
Project Name:			A	

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1 Care Home - First Floor Fire Plan
1:125

DO NOT SCALE - ALL DIMENSIONS
SHOWN ARE APPROXIMATE AND SHOULD
NOT BE USED FOR CONSTRUCTION
ALL DIMENSIONS ARE TO FACE UNLESS
STATED OTHERWISE
THE COPYRIGHT OF THIS DRAWING IS VESTED IN THE
ARCHITECT AND MUST NOT BE COPIED OR REPRODUCED
WITHOUT THE WRITTEN CONSENT



- Fire Alarm
 - Sounder
 - Break Glass
- Escape Lighting
 - Normal / Self Illuminated Exit Sign
- Fire Extinguishers
 - FG - Fire Blanket
 - FG - Fire Extinguisher
 - FG - Foam
 - FG - Wet Chemical

harrisirwin

Architects & Planners

Adrian Stables, Adam Richmond,
New Yorkshire BS10 5PS
t 01748 895275
e enquiries@harrisirwin.com
w www.harrisirwin.com

Project:
Proposed Care Development - Inhabitable
Redevelopment of Honeyfields
Farmhouse
Kirkstall
Client:
Cannock

Drawings Title:
Second Floor Fire Strategy Information


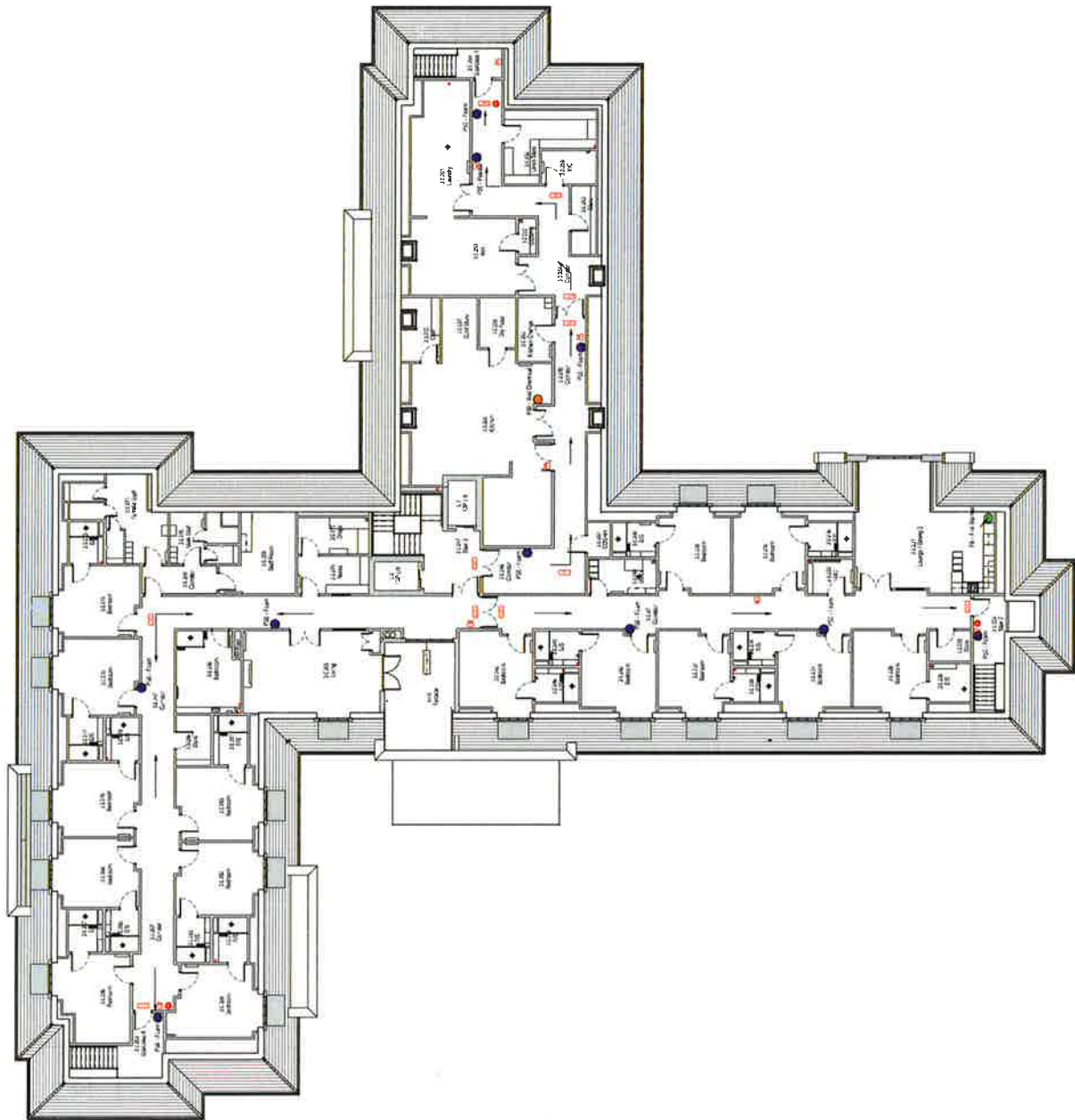
For Information

Scale & A1
A1:1000
Date
11.12.19
Drawn By
JMB
Checked By
JMB

Project No.
1942
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1 Care Home - Second Floor Fire Plan
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Page 13

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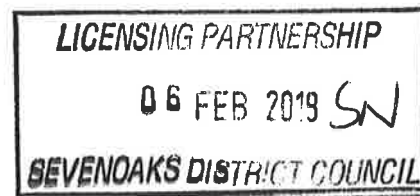
Bolanle Morafa

From: Uniform_Service_Request_Connector-Licensing@sevenoaks.gov.uk
Sent: 06 February 2018 10:13
To: Licensing
Subject: Uniform LI Connector: New Licensing application notification

A new Uniform Licensing application has been created by the Licensing Connector server.

Application Reference Value: 18/00376/LAPRE Application Type: LAPRE Application CaseType: NEW Application
Address: Emerson Grange Cinnamon Care Collection Rowhill Road Hextable
Created: 06/02/2018 00:00:00
Message sent from host name WKIP-SOAP-15 by user LicensingConnectorService_LIVE at 06/02/2018 10:12:52.

You have been sent this message because your address is defined as a contact address in the Uniform Licensing Connector configuration. Contact your Uniform systems administrator if you no longer wish to receive this message.





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 **Emerson Grange** 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

Emerson Grange
Cinnamon Care Collection
Rowhill Road
Hextable

Post town

Swanley

Post code

BR8 7RL

Telephone number of premises (if any)

01233 224040

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

Hextable Care Limited

Address

Garden Floor
2 Kensington Square
London
United Kingdom
W8 5EP.

Registered number (where applicable)

09530899

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

Limited Comapny

Telephone number (if any)

01233 244040

E-mail address (optional)

emerson.gm@cinnamoncc.com

Part 3 - Operating Schedule

When do you want the premises licence to start?

01/05/2018

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)

The building is currently in the construction process and is laid out in Rowlands road which is on a hill for this reason some gardens are on the ground floor and some on the first floor.

The Buildings consist of two small blocks of apartments block one housing 23 apartments and block two housing 18 apartments, the main home also has 5 apartments attached to the ground floor.

The care home consists of 85 assisted rooms providing care over four floors, with 15 rooms on the third floor, 35 rooms on the second floor and 35 on the first floor.

On each of these floors are separate dining and lounge facility's, the ground floor is made up of A reception, A club room for apartment owners, a bar area with large tv, hairdressers, gym and Cinema, in addition to this there are two large garden areas one attached to the ground floor bar area and the second attached to the first-floor lounge area.

We would like a licence to cover the complete main building and attached rear gardens only this would enable us to supply residents and guests with drinks during meals and in the lounge and garden areas at other times.

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) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

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

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both - please make selection with an "x"</u> (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	23:00	<u>Please give further details here</u> (please read guidance note 4) None	Both	X
Tue	10:00	23:00			
Wed	10:00	23:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 5) New Years Eve 10:00 - 00:30 New years Day.		
Thur	10:00	23:00			
Fri	10:00	23:00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6) Premises will be open 24 hours for residents and visiting family and will be staffed at all times.		
Sat	10:00	23:00			
Sun	10:00	23:00			

B

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	X
Mon	10:00	23:00	Please give further details here (please read guidance note 4) None		
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for performance of live music (please read guidance note 5) New Years Eve 10:00 - 00:30 New years Day.		
Thur	10:00	23:00			
Fri	10:00	23:00	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) Premises will be open 24 hours for residents and visiting family and will be staffed at all times.		
Sat	10:00	23:00			
Sun	10:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	X
Mon	10:00	23:00	Please give further details here (please read guidance note 4) None		
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for playing recorded music (please read guidance note 5) New Years Eve 10:00 - 00:30 New years Day.		
Thur	10:00	23:00			
Fri	10:00	23:00	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) Premises will be open 24 hours for residents and visiting family and will be staffed at all times.		
Sat	10:00	23:00			
Sun	10:00	23:00			

G

Performance of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 3).	Indoors	
				Outdoors	
				Both	X
Day	Start	Finish	Please give further details here (please read guidance note 4) None		
Mon	10:00	23:00			
Tue	10:00	23:00	State any seasonal variations for the performance of dance (please read guidance note 5) New years Eve 10:00 - 00:30 New years Day.		
Wed	10:00	23:00			
Thur	10:00	23:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 6) Premises will be open 24 hours for residents and visiting family and will be staffed at all times.		
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	23:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will the entertainment take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 3).	Indoors	
Mon				Outdoors	
Tue				Both	
Wed			Please give further details here (please read guidance note 4)		
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Sat					
Sun			Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5) None.					
Mon	10:00	23:00						
Tue	10:00	23:00						
Wed	10:00	23:00						
Thur	10:00	23:00						
Fri	10:00	23:00						
Sat	10:00	23:00						
Sun	10:00	23:00						
						<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) New years eve 10:00 to 00:30 New years Day.		

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

Name Mr George Goodson	
Date of birth: 03/02/1963	
Address 274 Lynmouth Avenue Morden Surrey	
Postcode	SM4 4RS
Personal licence number (if known) LN 2006 1263	
Issuing licensing authority (if known) London Borough of Merton	

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)

None.

O

Hours premises are open to the public
Standard days and timings
(please read guidance note 7)

Day	Start	Finish
Mon	00:01	00:00
Tue	00:01	00:00
Wed	00:01	00:00
Thur	00:01	00:00
Fri	00:01	00:00
Sat	00:01	00:00
Sun	00:01	00:00

State any seasonal variation (please read guidance note 5)

None

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)

None.

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)

During the day the Premises Reception will be staffed, All visitors must sign in at all times, at other times when the reception is not staffed the main doors will be set to exit only, Access will then only be granted by using the front door bell and credentials checked prior to access, Family members and residents will be issued with a coded fob which will allow them access at any time but they will still be required to sign in and out.

Training will also be given to all staff on the licensing objectives and how they apply to us.

b) The prevention of crime and disorder

Only residents and guests will be served alcohol providing they can prove they are above the age of 18, any one who looks intoxicated will be refused Alcohol drinks of any type.

Any person showing signs of being disorderly will be asked to leave, residents will be asked to return to their room or apartment.

c) Public safety

The home has a fully functional fire alarm system, Emergency lighting and sprinkler all of which are tested at regular intervals by the on-site maintenance team, in addition to this the fire alarm is maintained by an outside contractor every three month and the emergency lighting every six months and sprinkler system every year.

All staff are trained in evacuation procedures for the building and notices are displayed at exits next to emergency call pushes.

d) The prevention of public nuisance

In addition to residents and family signing in Limits will be placed on times of live music as follows, no live music outside in the gardens beyond 21:00 and no live Music inside the building Beyond 22:30 on any day of the year (except New years eve) also garden doors will be closed at this time to stop any noise traveling to disrupt the public, at the end of any event all attendees will be asked to leave quietly so not to disturb any residents of the home or the local area.

Any one displaying signs of intoxication or aggressive behavior will be requested to leave and refused any further alcohol of any sort.

e) The protection of children from harm

Alcohol will only be sold from the main bar situated on the ground floor after 21:00.

No Children will be allowed in any area of the home selling alcohol after 21:00.

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 Date

Capacity

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)

Use this page if there is any other information that you think we should know about.
Information entered on this page will be sent to us, along with the data on the rest of the form when you use the "Submit" option.

As a care home we plan to have several full time activities staff who will arrange varied activities every day to engage and promote good health to the residents, these will include singing, dancing, watching films and TV, residents parties and bbq's.
in addition to this we will have performers coming into the building who may also sing, dance and act in plays.
this is not an exhaustive list as we will arrange activities that the residents would like within the limits of the Licence.
In addition we do also have a minibus for regular outings.

**David Hersey
Penbryn
Rowhill Road
Hextable, Swanley Kent BR8 7RL**

Tel: [REDACTED]

To:
Licensing Partnership
PO Box 182, Sevenoaks Kent TN13 1GP
Email: licensing@sevenoaks.gov.uk

3 June 2018

Dear Sirs,

LICENSING ACT 2003

Hextable Care Limited/Emerson Grange Care Home Rowhill Road BR8 7RL

I refer to the Public Notice dated 10 May 2018 regarding an Application by the above Care Home for licensable activities and the proposed hours of opening and I strongly OPPOSE this Application.

We live directly next door to the Care Home and have had to live with the chaos that this building work has caused for me and my family over the past 2 years. The following is just a few of the things we have had to endure:

Noise of the building and various machines and vehicles being used from early morning till evening;
Dust/dirt covering everything in our possession, we have not been able to open a window because everything got covered in dirt;
Have not been able to hang washing on the line because it came in dirtier than before it was washed;
Our own vehicles and property (windows, blinds etc) have been continuously covered in the dust;
Workmen being able to view directly over into our garden and the disturbance caused;
Sub-contractors, ie plumbers and glaziers, throwing their rubbish – a toilet (!) and panes of glass in the bushes before they drive off.

But I think the worst of all has been the parking problems we have had to endure over these last 2 years. We have a gate entrance driveway that has been continuously blocked by delivery and highway lorries as well as personnel. I have had to get up earlier than I would normally have done each morning, before the builders arrived, to go outside to move our vehicles so we had room to get out. We have forever had to go onto the building site to ask them to move a vehicle, etc. etc. Several times we have had all our power cut off for the day when a machine went through a power cable, I could go on and on, and we were just beginning to breathe a sigh of relief in the hope that this building is finally coming to an end and things would start to settle down when this LICENSING ACT 2003 Notice was put out!!!

So now, if this Application is passed we will now have – even MORE NOISE – from the music planned, cars arriving – doors slamming, AND EVEN MORE VEHICLES TRYING TO PARK outside, where there is not enough parking spaces so no doubt there will be parking outside our entrance or blocking our manoeuvring out yet again – have you seen Rowhill Road parking facilities? they are non-existent – only one side of the road can be used but only if you park up on the pavement as it is, there are 2 schools in the road, and with the junior school just further up the road on the same side, the opposite side on the pavement is already chock-a-bloc at school times with children being delivered/collected to school.

/...

David Hersey

Page 2

LICENSING ACT 2003

Hextable Care Limited

Emerson Grange Care Home Rowhill Road BR8 7RL

I can see the Home wants to make the place welcoming and encourage more people to visit to make more profit from the sale of alcohol and events that they would like to hold, but at whose expense! Have they not considered that we have endured enough!

My family has 2 dogs and a small baby, you can only begin to understand the upset the building of this vast complex has had on our lives and as we thought it was coming to an end we now learn that they now want Licensing Activities.

I feel this is finally rubbing salt into the wound. I was under the impression that this was to be an elderly people's residence but now it seems they want to turn it into a dance club with music and alcohol! How would you feel if someone wanted to set this up next door to you? – it is us that will have to live with this. I have no objection to Christmas and New Year celebrations but not other times – we all go to work here and need our sleep.

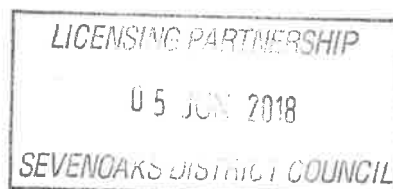
Before all this building work started Rowhill Road was a quiet, clean and sought after residential Road. Come and look now – the pavements and road are ruined (dug up/put back/dug up again/put back again, and so on, oil dripping out of vehicles etc, it's a mess.

This Licence Application is the last straw.

We strongly OPPOSE this application and I know I am not speaking out of turn if I say I am sure all the other neighbours agree with me. If necessary I will set up a petition against this.

Yours sincerely,

David Hersey

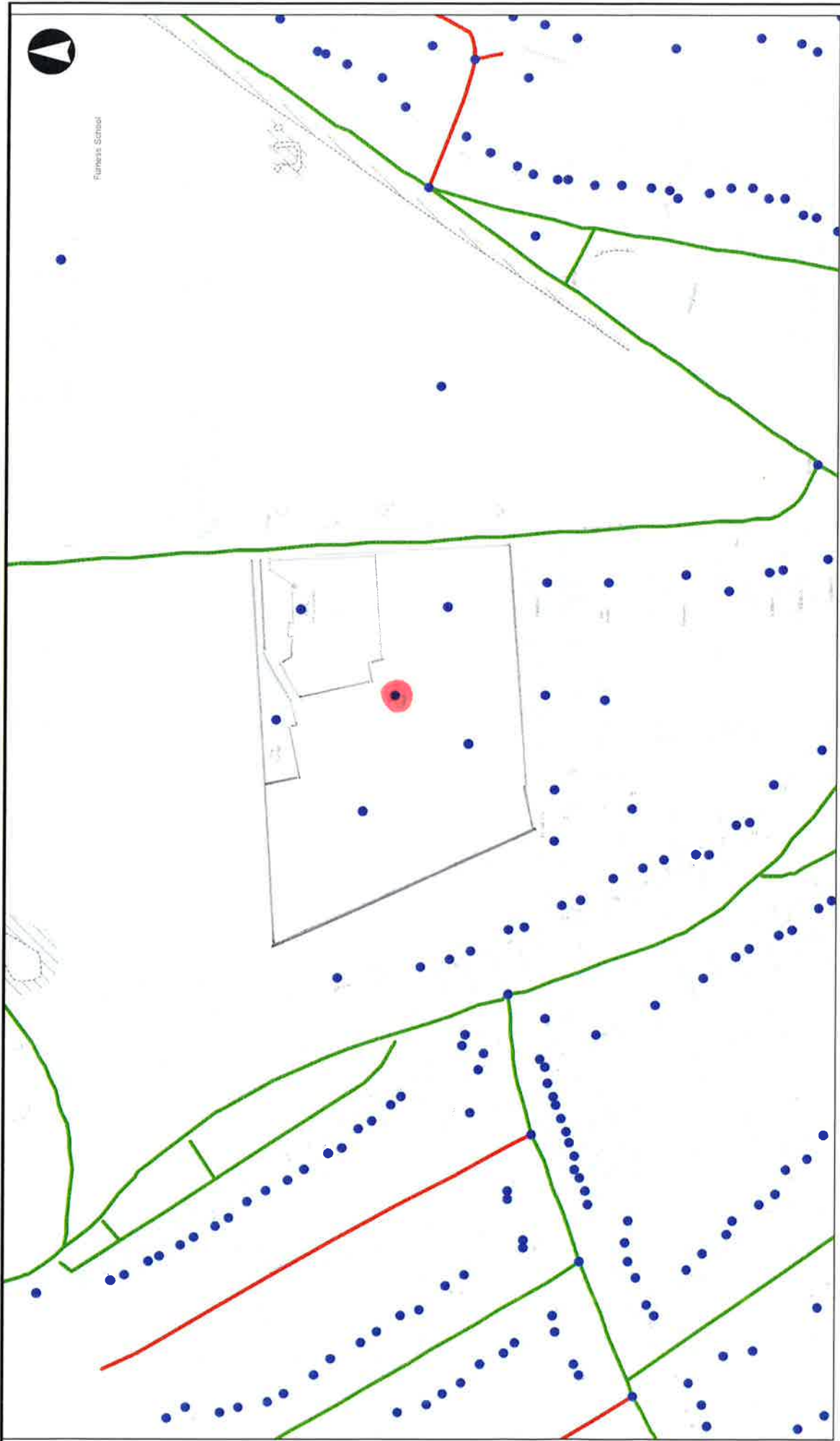




Scale: 1:955
Date: June-2018



The larger building at the back is the care home



Scale: 1:1,911
Date: June-2018

