

APPLICATION FOR A PREMISES LICENCE FROM SEVENOAKS INDOOR BOWLS CENTRE, HOLLYBUSH CLOSE, SEVENOAKS, KENT. TN13 3UX FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003

APPLICATION REFERENCE NO: 13/02319/LAPRE

Licensing Committee (Hearing) – 28 October 2013

Report of Chief Officer Environmental & Operational Services

Status: For Decision

Key Decision: No

Contact Officer(s) Jessica Bolton Ext: 7480

Recommendation: Members' instructions are requested.

Introduction and 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 to the agenda

The application is made by Sevenoaks IBC Ltd, Sevenoaks Indoor Bowls Centre, Hollybush Close, Sevenoaks, Kent. TN13 3UX

Application is to allow licensable activities at the premises.

The application is to allow:

Section A	To allow exhibition of plays indoors every day from 09:00 until 23:00 hours. Christmas Eve, New Year's Eve until 01:00 hours the following day.
Section B	To allow the exhibition of films indoors every day from 09:00 until 23:00 hours. Christmas Eve, New Year's Eve until 01:00 hours the following day.
Section C	To allow indoor sporting events every day from 09:00 until 23:00 hours. Christmas Eve, New Year's Eve until 01:00 hours the following day.

Section E	To allow live music indoors every day from 09:00 until 23:00 hours. Christmas Eve, New Year's Eve until 01:00 hours the following day.
Section F	To allow recorded music indoors every day from 09:00 until 23:00 hours. Christmas Eve, New Year's Eve until 01:00 hours the following day.
Section G	To allow performances of dance indoors every day from 09:00 until 23:00 hours. Christmas Eve, New Year's Eve until 01:00 hours the following day.
Section H	To allow anything similar to E, F or G indoors every day from 09:00 until 23:00 hours. Christmas Eve, New Year's Eve until 01:00 hours the following day.
Section L	To allow late night refreshment indoors on Christmas Eve, New Year's Eve until 01:00 hours the following day.
Section M	To allow sale of alcohol for consumption on the premises every day from 09:00 until 23:00 hours. Christmas Eve, New Year's Eve until 01:00 hours the following day.
Section O	Hours premises are open to the public from 09:00 until 23:30 hours Christmas Eve, New Year's Eve until 01:00 hours the following day.

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

General:

The premises has been operating as a club for many years without any failings in the promoting of the licensing objectives.

There are 2 paid staff, including the applicant, and 4 volunteers who are also members of the club who have previous experience working in the alcohol licensing industry. The applicant has started training staff and the volunteers, using the personal licence training documents as a template, and will be maintaining records of this training.

Both paid staff also have full CRB certificates.

Private Functions (including wedding receptions) - These will be operated under a written standard operating procedure, to be produced and agreed by the premises supervisor, and will be made available for inspection by the police or licensing authority.

Birthday parties will only be accepted when the birthday party is for someone who is celebrating being 30 years old or over.

Bookings will only be taken in person, not over the phone or by any other method.

There will be an option available whereby a deposit can be required if deemed necessary.

The person taking the booking will ensure that full contact details including phone number are taken for the person making the booking.

The maximum attendance for any function will be 150 people.

Incident Log - a written incident log will be kept and maintained.

The applicant has demonstrated a willingness and desire to work with the local community previously by regularly contacting police about congregating youths in the nearby public car park (totally unconnected with the premises). This robust approach to any nuisance behaviour outside of the premises will continue.

Well managed premises with responsible staff

The Prevention of Crime and Disorder:

The premises has one CCTV camera which covers the outside of the entrance. This is monitored in the staff office. The entrance door has a security control lock, which can be utilised when needed.

There is also Sevenoaks District Council CCTV operating in the adjacent car park, which is capable of overlooking the entrance of the premises, and monitoring the front part of the premises. This CCTV system is controlled and monitored by Sevenoaks CCTV control room.

The premises is an existing paying member of the Sevenoaks Safer Town Partnership, and will continue to play an active part in this. As such, the premises has a town centre radio, and the ability to contact the CCTV control room when required.

There is no history of drink driving associated with this premises to the best of my knowledge, and currently there is a very strict zero-tolerance on any kind of drink driving.

There is a secure and lockable staff office, which is easily accessible from the reception area. The reception is located close to the entrance, and needs to be passed in order to gain further access to the premises.

Effective and responsible management

SDC Have CCTV outside

Public Safety:

Fire exits

Staff have taken first aid courses and know the fire evacuation procedure

Staff are trained in the use of the clubs defibrillator

In addition to the measures already stated, 3 persons have been trained and issued certificates in 1st aid. 16 people have been trained in the use of a defibrillator available at the premises.

The Prevention of Public Nuisance:

The applicant and premises generally have good working relationships with the local community, and wish this to continue.

It is recognised that the premises is situated near to a care home, and this is along the only access route to the premises. There is a good working relationship with the manager and staff at this facility, and a number of persons use both of the facilities. It will be ensured that there is an appropriate contact policy to ensure staff at the care home can contact the staff at this premises should there be any issues that need addressing urgently.

A sign will be placed in a visible location reminding any patrons leaving the premises that they need to respect neighbours and leave quietly.

As a club, this premises already has a robust approach to nuisance youths and disorder.

The smoking area is situated at the front of the premises, with the premises as a physical barrier between this area, the care home and residents.

Taxi numbers will be available upon request.

Appropriate instructions, training and supervision to prevent incidents of public nuisance

The Protection of Children from Harm:

A Challenge 25 policy will be operated and maintained at the premises, to a standard agreed by Police and/or trading standards officers. This will include a refusal register, which we already currently operate.

We also have a source of expert information on children and vulnerable persons, who is an existing member of the club who we are able to consult.

Children must be accompanied by a responsible adult. All under 21 are to be challenged and will not be served alcohol without ID

We have a child protection officer.

Representations received from statutory consultees:

Fire Safety	NO OBJECTIONS
Trading Standards	NO COMMENTS RECEIVED
Social Service	NO COMMENTS RECEIVED

Police	NO OBJECTIONS
Commercial	NO COMMENTS RECEIVED
Environmental Protection	NO OBJECTIONS
Development Control	NO OBJECTIONS

Representations received from interested parties:

25 received from local residents (Appendix A)

1 received from Sevenoaks Town Council (Appendix B)

The above representations were received in response to the original application made, however the application before the Licensing Sub Committee is an amended application in light of an agreement reached with the Police (attached as Appendix C) who have therefore not objected

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 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.

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).

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, 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).

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.

Key Implications

Financial

None directly arising from this report.

Legal Implications and Risk Assessment Statement

Are set out within the report.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate	No	N/A

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
against different groups in the community?		
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

Conclusions

Members' instructions are requested.

Appendices

Appendices A & B– Representations

Appendix C - Email from Police

Appendix D – Floor plan

Appendix E - Map

Background Papers:

<https://www.gov.uk/government/organisations/home-office/series/alcohol-licensing-premises-licence-application.html>

The Licensing Act 2003

Richard Wilson

Chief Officer for Environmental and Operational Services