

## LICENSING HEARING

Minutes of the meeting of the Licensing Hearing  
held on 19 June 2012 commencing at 10.30 am

Present: Sub-Committee A: Cllrs. Clark, Mrs. Parkin and Pett

Also present: PC M. Beresford – Kent Police Licensing Officer for Sevenoaks  
PC B. Murray – Force Licensing Officer  
DS A. Nicholl – Serious Organised Crime Unit  
Mr M. Brown – Objector (Head of Legal & Licensing), Admiral Taverns  
Mr R. Esqulant – Objector  
Mr W. Rathore – Objector’s Legal Representative  
Mr D. Smith – Objector  
Mr R. Ward – Objector (Head of Operations), Admiral Taverns  
Mr G. MacKenzie – Sevenoaks District Council Legal Advisor  
Mrs L. Leeds – Licensing Officer, SDC  
Mrs P. Gibbs – Democratic Services Manager, SDC

#### 4. DECLARATIONS OF INTEREST.

No declarations of interest were received.

#### 5. APPOINTMENT OF CHAIRMAN

Resolved: That Councillor Pett be appointed Chairman.

#### 6. EXCLUSION OF PRESS AND PUBLIC

Resolved: That, under section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting when considering pages 9 – 20 of the following Agenda Item, on the grounds that likely disclosure of exempt information is involved as defined by Schedule 12A, paragraph 7 (Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime).

#### 7. NEW INN PUBLIC HOUSE, 75 ST JOHNS HILL, SEVENOAKS. TN13 3NY

The Hearing gave consideration to a report by the Community and Planning Services Director giving details of an application for a review of the premises licence for The New Inn, 75 St. Johns Hill, Sevenoaks, Kent. TN13 3NY on the grounds of the licensing objective of Prevention of Crime and Disorder.

The application was made by Kent Police, Council Offices, Argyle Road, Sevenoaks, Kent. TN13 1HG and the grounds for review were that a substantial amount of what was believed to be unlawful drugs were purchased at the premises on two separate occasions.

The Hearing heard from PC Beresford and DS Nicholl, the applicants on behalf of Kent Police and Mr Rathore, Mr Brown, Mr Ward and Mr Esqulant, the objectors to the application.

## Licensing Hearing - Tuesday, 19 June 2012

The Chairman adjourned the sub-Committee for the convenience of those present, and to give the opportunity for the applicants and objectors to liaise on possible conditions.

At 12.25. the Hearing adjourned.

At 12.45. the Hearing reconvened.

The objectors reported that, subject to the final decision taken by the sub-committee, agreement had been reached regarding possible conditions that were acceptable to both parties.

At 13.25 the Hearing Members and the Council's Legal Adviser withdrew to consider the issues raised.

At 15.05 the Hearing Members and the Council's Legal Adviser returned to the Council Chamber.

Following detailed consideration of all the representations it was

Resolved: That the conditions listed in Pages 14 and 15 of the report be added to the premises licence in respect The New Inn, 75 St Johns Hill, Sevenoaks, because it was considered to be necessary in order to assist with the Licensing Objective of the prevention of crime and disorder. These conditions are attached as an appendix to these minutes.

THE MEETING WAS CONCLUDED AT 3.15 pm

Chairman

## **Notice of determination of application for a review of premises licence**

**To:** PC Mark Beresford

**Of:** Kent Police

**Ref:** 12/00930/REVIEW

Sevenoaks District Council being the licensing authority, on the 19 March 2012 received an application for a review of the premises licence in respect of premises known as The New Inn, 75 St. Johns Hill, Sevenoaks, Kent. TN13 3NY

On the 19 June 2012 there being valid representations which were received and had not been withdrawn, a hearing was held to consider these representations, and having considered /them the Licensing Sub-Committee determined as follows:

### **To modify the conditions of the licence in the following respects, namely**

1. CCTV shall be fitted to a standard agreed by the Police that complies with the CCTV Code of Practice (2008 edition) produced by the Information Commissioner's Office, with all public areas, including all access and egress points covered. This shall include any exit doors, alleyways and any other areas used for the ejection of customers.
2. The CCTV system shall be serviced and maintained in accordance with the recommendation of the manufacturer and records shall be kept to that effect. All faults detected shall be remedied within 7 days of detection.
3. Unless it is being repaired in accordance with condition 2 above CCTV shall be operational at all times that members of the public and/or staff are on the premises.
4. Images shall be retained for a period of at least one calendar month by whatever means the DPS or their nominated substitute deems appropriate.
5. The Police, Police Licensing Officer or Local Authority shall have access to these images at any reasonable time and in any case within 48 hours of the request for the image being made.
6. The Police, Police Licensing Officer or Local Authority shall be allowed to take a recording by way of tape, CD Rom or any other means of the image within 48 hours of the initial request being made by either the Police or the Local Authority.
7. There shall be at least one member of staff on duty during trading hours who has received training in the use of the CCTV system and is able to provide a recording of any incident at the request of the Police or the Local Authority.
8. Access shall be given at all reasonable times to the Police in order for swabs to be taken for the Ion Track Drug Testing machine.
9. Police or the Police Licensing Officer shall be permitted to use the Ion Track Drug Testing machine as a condition of entry at all reasonable time during trading

## Minute Annex

hours.

10. All staff shall be trained in promoting the licensing objectives and the conditions of this Premises Licence, including the written drugs policy required under condition 12. Records of the training undertaken must be maintained.
11. Re-training shall be repeated on a yearly basis and records shall be kept to show members of staff who have taken the training. Training records shall be made available on demand by the Police, Police Licensing Officer or Authorised Officer of Local Authority.
12. The premises shall have a written drugs policy, this shall deal with the strategies to minimise the use and supply of illegal drugs within the premises.
13. Checks shall be made in the toilets in order to discourage drug use within them. A minimum of 2 checks per hour during trading hours shall be carried out and logged.
14. A drugs register shall be maintained and police notified of all suspected drug activity within 24 hours of the incident.
15. Insofar as is reasonably practicable all surfaces within the toilet areas shall be treated and/or constructed to prevent them being used for the taking of drugs.

The determination shall not have effect (a) until the end of the period given for appealing against the decision, or (b) if the decision is appealed against, until the appeal is disposed of. \*

Dated: 19 June 2012

Signed .....

Chair – Licensing Hearing

Signed .....

Designation – Assistant Licensing Manager

Please address any communications to:

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

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