



LICENSING COMMITTEE - LICENSING HEARING
(SUB-GROUP E)

26 June 2012 at 10.30 am

Council Chamber, Argyle Road, Sevenoaks

AGENDA

Membership:

Cllrs. Orridge (substitute), Raikes and Walshe

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 Democratic 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 Partnership Manager on 01732 227325.

1. Appointment of Chairman
2. Declarations of interest.
3. Quantum House, High Street, Farningham, Kent DA4 0DT (Pages 1 - 16)
(Farningham, Horton Kirby and South Darenth)

**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.

- (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 Regulations.

This page is intentionally left blank

LICENSING COMMITTEE (HEARING) – 26 JUNE 2012

APPLICATION FOR A PREMISES LICENCE FROM QUANTUM HOUSE, HIGH STREET,
FARNINGHAM, KENT, DA4 0DT FOR A NEW APPLICATION UNDER THE LICENSING ACT 2003

APPLICATION REFERENCE NO: 12/01249/LAPRE

Report of the: Community and Planning Services Director

Status: For Decision

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 Mr Francis Thangarajah, 171 Burnt Ash Hill, Lee, London. SE12 0QF

The application is to:

Section M	To allow sale of alcohol on Monday to Saturday from 09:00 until 22:00 hours and Sunday from 09:00 until 18:00 hours for consumption off the premises.
-----------	---

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

General

I have been a licence holder for over 25 years, all my life I have been in the retail industry and I have been managing over 60 stores around the U for cooperation group. Myself and staff are fully trained and we operate zero tolerance towards licensing objectives. We always operate challenge 25 policy. I am open to any training programme to improve.

The Prevention of Crime and Disorder

We will install shutters. 24 hrs CCTV System. Burglar alarm. 24hours monitoring service. All the high volume alcohol will be kept behind.

Public Safety

Agenda Item 3

24 hrs CCTV in process. Public liability insurance policy.

The Prevention of Public Nuisance

For being in a village we open the shop between 8am-10pm, based on my experience if a situation occurs which requires special care then i am prepared to stop the sale of alcohol for a period of time.

The Protection of Children from Harm

We will require a valid id for every sale made within the store, we will keep a clear record of refused book. We will also request ID for the sale of age related products such as DVDs lighters matches knives lottery and all other products.

Representations received from statutory consultees:

Fire Safety	NO COMMENTS RECEIVED
Trading Standards	NO COMMENTS RECEIVED
Social Service	NO COMMENTS RECEIVED
Police	NO OBJECTIONS
Commercial	NO OBJECTIONS
Environmental Protection	NO OBJECTIONS
Development Control	NO COMMENTS RECEIVED

Representations received from interested parties:

5 local residents and 1 persons involved in business in the vicinity.

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

Agenda Item 3

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.

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

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

Mrs. Leeann Leeds Ext. 7270

**KRISTEN PATERSON
COMMUNITY AND PLANNING SERVICES DIRECTOR**

RISK ASSESSMENT STATEMENT

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

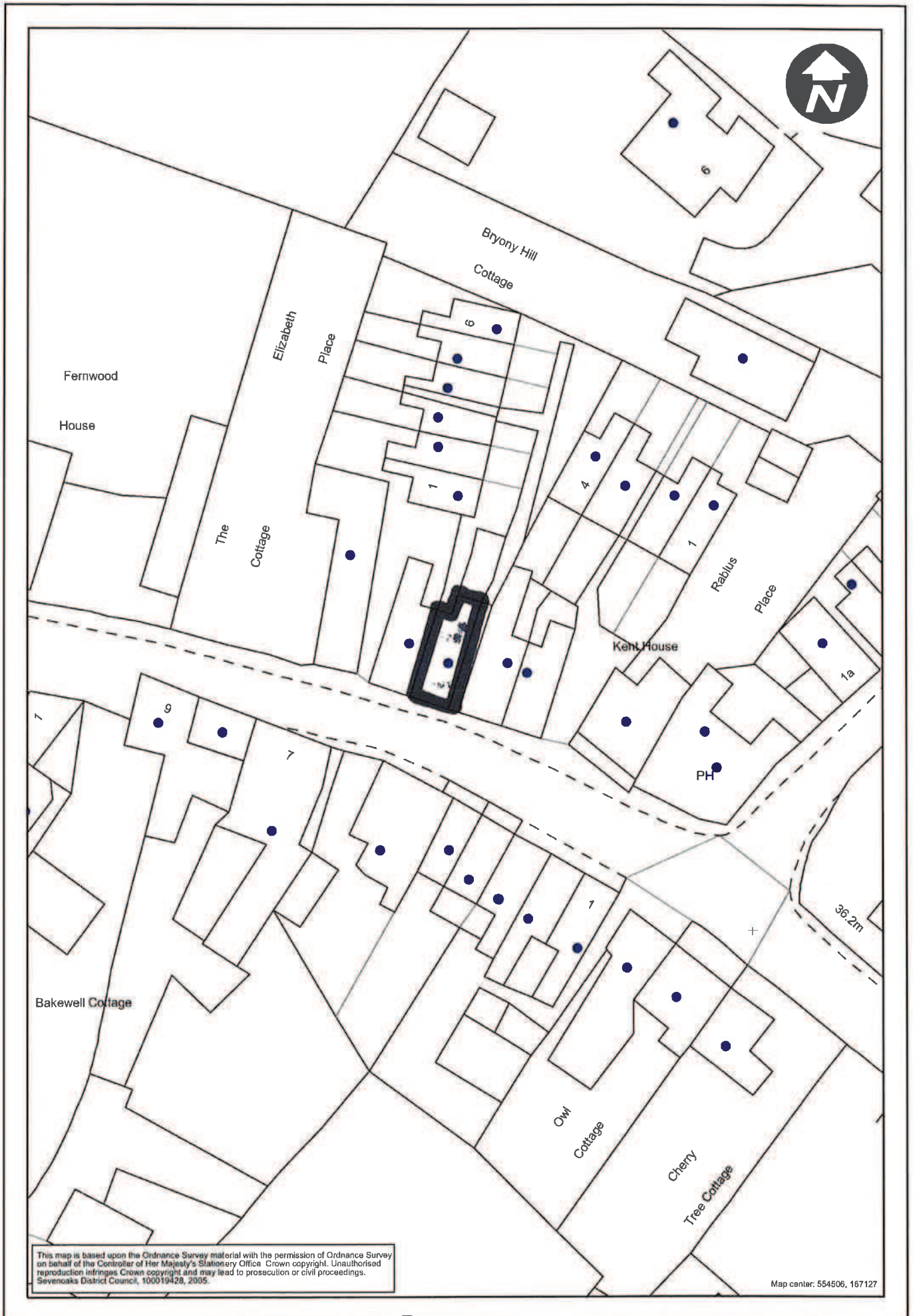
The decision of this Hearing will be encompassed within the issued premises licence, and the licence will take effect on 26 June 2012, subject to any appeal to a Magistrates Court or higher Court.

This page is intentionally left blank



This map is based upon the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office. Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Severnside District Council, 100019428, 2005.

Map center: 554505, 167127

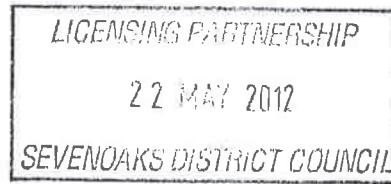


SCAN & FILE.
MACKENZIE DILLON
 SOLICITORS

J.F.Dillon

The Old Police Station
 60 Gladstone Road
 Broadstairs, Kent
 CT10 2TA
 Tel:- 01843 604222
 Fax:- 01843 600855
 mackenziedillon@yahoo.co.uk

JFD/NAH/Knight

21st May 2012

Sevenoaks Licensing Partnership
 PO Box 182
 Sevenoaks
 Kent
 TN13 1DP

Dear Ms Perry

Application for an off-licence by Quantum House, High Street, Farningham DA4 0DT

This is an objection to the application on behalf of Messrs John and David Knight respectively the owner and licence holder of the Chequers Inn, High Street, Farningham.

There are three public houses in Farningham, The Pied Bull, The Lion and the Chequers Inn. There is also an Indian Restaurant.

To date there has not been an off-licence premises within Farningham village, the nearest being at Eynsford.

The Pied Bull and The Lion are mainly food led. Our Clients took over the Chequers some seven years ago which is a traditional public house. Initially our Clients had to take a very firm line with certain elements who were rowdy and caused problems in the village.

Our Clients believed that they now have a regular trade of customers who behave. Our Clients are very strict on their admission policy and controlling of their clients particularly outside on the three picnic benches.

However in the past and to some extent continuing today cans of Fosters and Stella can be found thrown in the gardens of adjoining properties and some degree of unruly behaviour. There is an alley nearby, the residents of which are clubbing together to gate the alley as there has been some problems with urination in the area. Although there are these issues in general the public order situation in the village is good.

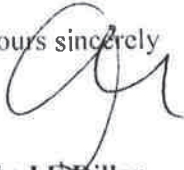
Our Clients object on the basis that there is no real need for off-licensed premises in the village (they have no objection to a general store), our Clients fear is that the presence of the off-licence will facilitate under age drinking particularly by way of proxy purchase on behalf of underage persons. This and the purchase of alcohol by persons who may have been refused service in the public houses would constitute a public nuisance, contribute to crime and disorder and be contrary to the Licensing objectives for preserving children from harm.

Agenda Item 3

In the event that the Committee sees fit to grant the application our Clients feel that it would be more appropriate to have opening hours from 09:00 until 18:00 hours rather than 22:00 hours. With those hours genuine purchasers of alcohol (of the appropriate age) will have a facility but hours after 18:00 pose a substantial risk of underage purchasing (directly or by proxy) and purchase of alcohol by those who might wish to obtain it far more cheaply than in the public house and without the supervisory surroundings of a pub. In addition our Clients have genuine fears that purchasers of cheap alcohol will then sit on the outside benches in front of their pub and any problems of cans of Fosters, Stella (which our Client do not sell) will be exacerbated with either underage or unruly young people congregating in this area and disturbing the peace and harmony of the village.

It is on that basis that our Clients have asked us to attend any hearing application to put forward these objections.

Yours sincerely



Mr J F Dillon
Mackenzie Dillon Solicitors

MACKENZIE DILLON
SOLICITORS

J F Dillon

The Old Police Station
60 Gladstone Road
Broadstairs, Kent
CT10 2TA
Tel:- 01843 604222
Fax:- 01843 600855
mackenziedillon@yahoo.co.uk

JFD/NAH/Knight

21st May 2012

Sevenoaks Licensing Partnership
PO Box 182
Sevenoaks
Kent
TN13 1DP

Dear Ms Perry

Application for an off-licence by Quantum House, High Street, Farningham DA4 0DT

Further to our objection we would like to make the point that the on-licensed trade is tightly regulated and in the main responsible about controlling drunkenness and underage sales. The on trade maintains that with the degree of supervision of off-licensed premises is less stringent and that many of the problems associated with underage and unruly drinking are associated with the off trade. We are not attacking the probity of the current applicants but there is substantial evidence to demonstrate that crime disorder and public nuisance and underage drinking stems in the main from the off as opposed to the on trade.

Yours sincerely



Mr J F Dillon
Mackenzie Dillon Solicitors

MoD may have to bring back axed staff, say MPs

ROBERT WATTS
Deputy Political Editor

THE MINISTRY of Defence may have to rehire thousands of staff it has only just made redundant, because of acute skill shortages in the Armed Forces, a Commons committee will warn this week.

MPs on the Public Accounts Committee will say that the MoD has failed to monitor the skills of staff it has let go under its Voluntary Early Release Scheme (VERS).

The committee will also strongly criticise the MoD for shedding staff before it had drawn up a new "operating model" setting out the Armed Forces' priorities for the 21st century.

Defence chiefs say they have been forced to make urgent redundancies to comply with severe budget cuts imposed by George Osborne, the Chancellor, as part of the Coalition's deficit reduction plan.

A source on the committee told *The Sunday Telegraph*: "We are unsatisfied that the MoD really knows the skills of the staff that it has been letting go. There are already acute shortages in the Armed Forces - we fear this will only make matters worse."

"The MoD has a track record of letting people go and then rehiring them straight away, often for a lot more money. That's utter madness - and we could

easily see a lot more of this because of these redundancies."

The VERS programme is a central part of the MoD's plan to reduce its civilian and military headcount by 54,000 to 152,000 by 2015.

The average cost of making a member of the Armed Forces redundant is £56,000, while the equivalent figure for a member of civilian defence staff is £32,000. More than 8,000 personnel have already gone under the VERS.

However, defence experts fear that such heavy military job cuts - the biggest for 20

54,000

The number of military and civilian posts to be cut by 2015, reducing the MoD's total headcount by more than a quarter to 152,000

years - will leave the Forces woefully short of vital professionals.

The MoD has already identified 80 "pinch point" trades which are in short supply, including helicopter pilots, pharmacists, submariners, and medical staff. Not all of these professions have been excluded from the redundancy programme.

The committee's report on Friday will also criticise the decision to get rid of 16,000 of the 54,000 posts through

"natural wastage" - not replacing staff who retire or leave of their own accord.

This will leave the department with less control over the skills of its workforce as it removes the ability of defence bosses to pick and choose which staff are made redundant, the report will say.

Details of the report emerge just days after Philip Hammond, the Defence Secretary, said that he had balanced the defence budget - addressing a £38 billion black hole in the department's finances.

Mr Hammond agreed that the cuts represented a "challenge to confidence and morale" within the Armed Forces.

Earlier this year the National Audit Office, the public spending watchdog, said the MoD's knowledge of the skills of its civilian workforce was "generally poor". "Without a better understanding of the skills of its workforce, the department will struggle to target its headcount reduction [away from] the skills it most needs to keep," the NAO said.

In recent years the MoD's spending on consultants has risen sharply because of a shortage of key professionals. The department's spending on contractors under its Framework Agreement for Technical Support (FATS) programme has ballooned from £6 million in 2006-07 to £270 million four years later.

NEWS IN BRIEF

THREE ACCUSED OF TERRORISM

Two brothers and a cousin have appeared in court charged with dissident republican terrorism offences in Northern Ireland, including conspiracy to murder.

Paul John Duffy, 47, Damien Duffy, 42, and their cousin Shane Duffy, 41, were all remanded in custody at Lisburn Magistrates' Court. The charges also included conspiring to cause an explosion. Paul Duffy is also accused of directing dissident republican terrorism.

NEWCASTLE HAS 'DRINK PROBLEM'

The leader of Newcastle council has said that the city has a "drink problem". Nick Forbes told a conference in Manchester that there were too many off-licences, which let people drink cheaply before a night out.

'RUDEST SHOP' SHUTS DOWN

A shop described as Britain's rudest is to close after 15 years. Household outfitters Palfrey and Kemp Fords of Lymington, Hants, gained a following for its acerbic owners, Terry Palfrey and Geoff Kemp.

CREW SEARCH ABANDONED

The search has been called off for two crew members of a fishing boat missing from Weymouth, Dorset, since Thursday. The wreck of the Purbeck Isle was found 10 miles off Portland with its life raft still on board. The body of David MacFarlane, 37, was found but those of Robert Prowse, 23, and Jack Craig, 22, have not been recovered.

LOTTERY

Winning numbers: 1, 19, 39, 40, 42, 46; bonus, 22. Jackpot estimate: £6.6 million. Thunderball draw: 4, 12, 22, 31, 36; Thunderball, 12

Army cuts plan delayed after outcry

AN RAYMENT
Defence Correspondent

THE GOVERNMENT'S plan to announce the most controversial reorganisation of the Army for 50 years has been delayed amid growing fears of a public backlash over defence cuts.

The Future Force 2020 programme, which proposes shrinking the Army from around 100,000 soldiers to 70,000 by the end of 2020, was to be announced this week after being signed off by the Prime Minister. But the

announcement has been delayed until after the Whitsun Parliamentary recess to "take the heat" out of the controversial policy.

Under Future Force 2020, some of the Army's historic regiments - such as the Black Watch and the Queen's Dragoon Guards - could disappear or be amalgamated.

Leaked details of the proposals have already led to an outcry in Scotland and Wales, with MPs urging the Government not to cut regiments in their regions. *The Sunday Telegraph*

understands that between two and 11 infantry regiments could go, with those with long-term recruitment problems likely to be hardest hit.

Philip Hammond, the Defence Secretary, has already stated that the regiments likely to go are those that failed to recruit in the UK and relied on troops from the Commonwealth, which is seen as an attack on Scottish regiments. However, criticism of the plans in Scotland forced the Government to reassert that no "infantry cap badges" would be lost.

12/01249/LAPRE

LICENSING PARTNERSHIP
22 MAY 2012
ZH
SEVENOAKS DISTRICT COUNCIL

Agenda Item 3

3 Elizabeth Place
High Street
Farningham
Kent
DA4 0DS

8th May 2012

Dear Sirs,

I am writing regarding the licensing application SE/12/00244/FUL for Quantum House.

As a villager who lives in very close proximity to Quantum House, I am most concerned about a convenience store/off license located in this position which is to be open until 10pm.

Elizabeth Place is located adjacent to Quantum House and we residents are currently in the process of installing a gate to the entrance to Elizabeth Place due to customers from the Indian Restaurant and The Chequers Pub using the alleyway to urinate and vomit on their way home in the evening. I'm sure you can appreciate our concern that another establishment selling alcohol would be of great concern to those of us living in Elizabeth Place. The alleyway also seems to be a place for people to 'hang about' late in the evening and as there is no other entrance to out houses, safety when coming home in the evening is of paramount importance.

Parking and traffic issues are also a growing concern for us villagers and we frequently have to park some distance from our homes, carrying heavy bags of shopping. Arguments are the norm here both over parking spaces as is, about who is going to reverse to let who through, cars are frequently damaged and there are already parking restrictions which impact on locals. Customers visiting an off license late in the evening will certainly exacerbate the parking problems we already experience.

I would ask that you take these issues into account when considering this license application.

Yours sincerely,



Brenda Cameron

The Cottage
High Street
Farningham
Kent
DA40DT
012322 864023 frannyswann@hotmail.com

2/5/12

Dear Sirs

I am writing with regard to the licensing application SE/12/00244/FUL for Quantum House.

As a villager who wishes to live in a working village I am in favour of new businesses and a supporter of the change of use to a convenience store.

My concerns centre on the off licence application and the late licensing hours applied for. I live three doors down from Quantum House.

I am concerned by the plans showing spirits just inside the door. I have lived in Farningham for 30 years. In that time we have had an armed raid on the bank, an armed raid on the butchers and a raid on what was a green grocers shop opposite Quantum House. During this raid the owner had a heart attack and died. Recently the electricity substation in Sparepenny Lane was awarded its own 24 hour guard because of theft. Farningham suffers from being on the M25 and the ability to make a quick getaway. Late opening times and visible alcohol seem to me to increase the possibility of similar problems.

Parking may not seem to be a licensing issue but we are getting to a point where arguments take place in the road, both around who has to reverse the length of the High Street which at this end is only one car wide, damage to wing mirrors and parking spaces. Most of the houses in the High Street have no allotted parking spaces and are reliant on road space. Most have two cars. A quick look at an ariel photograph will show how many cottages and houses are packed in at this end of the village. It's a jigsaw puzzle. None have parking.

From 3.30 the builders come to the Chequers pub - a few doors down from Quantum House. The High Street is full of vans. At 6pm they go and if you are lucky as a resident you can park your car for the evening before the Indian Restaurant take away trade comes in followed by the evening meal trade and the pub regulars; a lot from outside the area. There will be no more parking spaces in the High Street, Sparepenny Lane or London Road until after midnight. Cars are parked illegally in all roads as there is nowhere else for them to go. I believe further visitors looking to park for a late evening off licence trade will just exacerbate the situation and lead to further altercations.

The adjoining village Eynsford has an off licence less than five minutes away.

I therefore support the change of use and an off licence but ask that the evening off licence hours be reduced.

Yours sincerely

Mrs Frances Swann.



Licensing Partnership
PO Box 182
Sevenoaks
TN13 1GP

3 Rablus Place
Farningham
Kent
DA4 0DU

8th May 2012

Dear Sirs,

I am writing regarding the licensing application SE/12/00244/FUL for Quantum House.

As a villager who lives in very close proximity to Quantum House, I am most concerned about a convenience store/off license located in this position which is to be open until 10pm.

Elizabeth Place is located adjacent to Quantum House and we residents are currently in the process of installing a gate to the entrance to Elizabeth Place due to customers from the Indian Restaurant and The Chequers Pub using the alleyway to urinate and vomit on their way home in the evening. I'm sure you can appreciate our concern that another establishment selling alcohol would be of great concern to those of us living in Elizabeth Place. The alleyway also seems to be a place for people to 'hang about' late in the evening and as there is no other entrance to our houses, safety when coming home in the evening is of paramount importance.

Parking and traffic issues are also a growing concern for us villagers and we frequently have to park some distance from our homes, carrying heavy bags of shopping. Arguments are the norm here both over parking spaces as is, about who is going to reverse to let who through, cars are frequently damaged and there are already parking restrictions which impact on locals. Customers visiting an off license late in the evening will certainly exacerbate the parking problems we already experience.

I would ask that you take these issues into account when considering this license application.

Yours sincerely, *SE Tomlin (MRS. S.E. TOMLIN)*

GD Henry (MR G.D. HENRY)

We are supporting our neighbours in this complaint. Our property is to the left of Elizabeth Place, behind the Indian restaurant, off the High Street. We are against the opening times to 10pm, because of nuisance. We also think the shop, should not be granted a liquor license, due to the close proximity of both a public house & a restaurant. Parking is also a real concern.

4 Elizabeth Place
High Street
Farningham
Dartford
Kent.
DA4 0DS.

Licensing Partnership
PO Box 182
Sevenoaks
TN13 1GP

8th May 2012

Dear Sirs,

I am writing regarding the licensing application SE/12/00244/FUL for Quantum House.

As a villager who lives in very close proximity to Quantum House, I am most concerned about a convenience store/off license located in this position which is to be open until 10pm.

Elizabeth Place is located adjacent to Quantum House and we residents are currently in the process of installing a gate to the entrance to Elizabeth Place due to customers from the Indian Restaurant and The Chequers Pub using the alleyway to urinate and vomit on their way home in the evening. I'm sure you can appreciate our concern that another establishment selling alcohol would be of great concern to those of us living in Elizabeth Place. The alleyway also seems to be a place for people to 'hang about' late in the evening and as there is no other entrance to our houses, safety when coming home in the evening is of paramount importance.

Parking and traffic issues are also a growing concern for us villagers and we frequently have to park some distance from our homes, carrying heavy bags of shopping. Arguments are the norm here both over parking spaces as is, about who is going to reverse to let who through, cars are frequently damaged and there are already parking restrictions which impact on locals. Customers visiting an off license late in the evening will certainly exacerbate the parking problems we already experience.

I would ask that you take these issues into account when considering this license application.

Yours sincerely,



Agenda Item 3

Licensing Partnership
PO Box 182
Sevenoaks
TN13 1GP

1 Elizabeth Place
High Street
Farningham
DA4 0DS.

8th May 2012

Dear Sirs,

I am writing regarding the licensing application SE/12/00244/FUL for Quantum House.

As a villager who lives in very close proximity to Quantum House, I am most concerned about a convenience store/off license located in this position which is to be open until 10pm.

Elizabeth Place is located adjacent to Quantum House and we residents are currently in the process of installing a gate to the entrance to Elizabeth Place due to customers from the Indian Restaurant and The Chequers Pub using the alleyway to urinate and vomit on their way home in the evening. I'm sure you can appreciate our concern that another establishment selling alcohol would be of great concern to those of us living in Elizabeth Place. The alleyway also seems to be a place for people to 'hang about' late in the evening and as there is no other entrance to our houses, safety when coming home in the evening is of paramount importance.

Parking and traffic issues are also a growing concern for us villagers and we frequently have to park some distance from our homes, carrying heavy bags of shopping. Arguments are the norm here both over parking spaces as is, about who is going to reverse to let who through, cars are frequently damaged and there are already parking restrictions which impact on locals. Customers visiting an off license late in the evening will certainly exacerbate the parking problems we already experience.

I would ask that you take these issues into account when considering this license application.

Yours sincerely,

M. A. Chambers.