



**LICENSING COMMITTEE - LICENSING HEARING**  
**(SUB-GROUP D)**

**06 August 2012 at 10.30 am**

*Council Chamber, Argyle Road, Sevenoaks*

**AGENDA**

**Membership:**

Cllrs Abraham, Mrs. Ayres and Fittock (Substitute)

(Composition: Each 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.)

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**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.

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1. Appointment of Chairman
2. Declarations of interest.
3. D 'n' M News 'n' Toys, 4 High Street, Edenbridge (Pages 1 - 20)  
(Edenbridge South & West)

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 five 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.

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APPLICATION FOR A PREMISES LICENCE FROM D 'N' M NEWS 'N' TOYS, 4 HIGH STREET, EDENBRIDGE, KENT. TN8 5AG FOR A NEW APPLICATION UNDER THE LICENSING ACT 2003

LICENSING COMMITTEE (HEARING) – 6 AUGUST 2012

APPLICATION REFERENCE NO: 12/02017/LAPRE

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Report of the: Community and Planning Services Director

Status: For Decision

Head of Service Head of Environment & Operational Services – Mr. Richard Wilson

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Recommendation: Members' instructions are requested

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### 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 Mr Mahathnaseelan Puthuvlakan of 14A Eagle Road, Wembley. HA0 4SH to allow the sale of alcohol at the convenience store.

The application is to:

Section M	To allow sale of alcohol for consumption off the premises on Monday to Thursday from 06:00 until 23:30 hours, Friday and Saturday from 06:00 until 00:00 hours and on Sunday from 08:00 until 22:30 hours.
Section O	Hours premises are open to the public are Monday to Thursday from 06:00 until 23:30 hours, Friday and Saturday from 06:00 until 00:00 hours and on Sunday from 08:00 until 22:30 hours.

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

### General

Strict implementation of Challenge 25 policy. Separating alcohol from children's section. All staff to be trained in responsible alcohol retailing. CCTV in operation 24 hours. Recording and monthly storing system. Joining Retailwatch schemes and keeping in touch with the police.

## Agenda Item 3

### The Prevention of Crime and Disorder

Train all staff and develop the right atmosphere with customers. CCTV installed inside and outside. Join Retailwatch schemes. Keep a close watch on all customers and keep clear view of premise. Liaise with local police. Be calm and decisive and do not react to provocation. All purchases made from wholesalers/cash and carry's only.

### Public Safety

Installation of appropriate and adequate safety equipment. Installation of emergency lighting and evacuation procedures be in place with warning signs. Fire evacuation procedures to comply with all current fire and health and safety legislation as required by the law. All purchases to be made from wholesalers/cash and carry's only.

### The Prevention of Public Nuisance

A management policy in place to take into account the external areas of the premises and the conduct of the customers. Notice to customers regarding consideration for neighbours. To monitor anti-social behaviour by use of CCTV. Join Retailwatch schemes. Strict policy not to serve drunken customers. Challenge 25 in force at all times.

### The Protection of Children from Harm

Strict implementation of Challenge 25 policy. Alcohol to be kept away from children's confectionery shelves. Signs to be put on shelves regards to No ID No Sale on alcohol shelves. Cigarettes and spirits to be kept behind the counter away from children. Staff fully trained on No ID No Sale Challenge 25 policy. Health and Safety measures are in place where equipment is of danger to young persons.

### Representations received from statutory consultees:

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

### Representations received from interested parties:

1 Town Council, 3 Residents living in the vicinity and 1 Residents association.

### 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.

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.

[http://www.culture.gov.uk/alcohol and entertainment](http://www.culture.gov.uk/alcohol%20and%20entertainment)

### Sources of Information:

Contact Officer(s):

Mrs. Claire Perry Ext. 7325

KRISTEN PATERSON  
COMMUNITY AND PLANNING SERVICES DIRECTOR

### RISK ASSESSMENT STATEMENT

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

The decision of this Hearing will be encompassed within the issued premises licence, and

## Agenda Item 3

the licence will take effect on the 06<sup>th</sup> August 2012, subject to any appeal to a Magistrates Court or higher Court.



Valid - JB  
27/06/12  
ZH

**Sylvia Lewis**

**From:** publicaccess@sevenoaks.gov.uk  
**Sent:** 27 June 2012 16:53  
**To:** Licensing  
**Subject:** Comments for Licensing Application 12/02017/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 4:52 PM on 27 Jun 2012 from Mrs Christine Lane.

**Application Summary**

**Address:** 4 High Street Edenbridge Kent TN8 5AG

**Proposal:** Premises Licence

**Case Officer:** Jessica Bolton

[Click for further information](#)

**Customer Details**

**Name:** Mrs Christine Lane  
**Email:** [townclerk@edenbridgetowncouncil.gov.uk](mailto:townclerk@edenbridgetowncouncil.gov.uk)  
**Address:** Edenbridge Town Council High Street, Edenbridge, Kent TN8 5BD

**Comments Details**

**Commenter Type:** Councillor  
**Stance:** Customer objects to the Licensing Application  
**Reasons for comment:** - Protection of Children from Harm  
**Comments:** 4:52 PM on 27 Jun 2012 Members object to this application as it is the primary toy shop in Edenbridge

and is, as such, unsuitable for the sale of alcohol to  
protect children from harm

11, Roman Court,  
High Street  
Edenbridge,  
Kent TN8 5LW  
10/7/17

Licensing Department,  
Sevenoaks District Council,  
Council Offices  
Argyle Road,  
Sevenoaks TN3 1HG

Dear Sir/Madam,

Re: Application for a licence to sell alcohol  
by D & M News & Toys, of 4 High Street  
Edenbridge, Kent

This is my formal objection to the granting  
of such a licence, my reasons being as follows:-

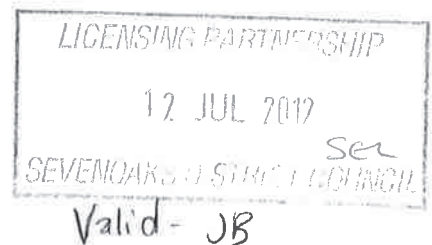
- 1) There are already several licenced premises in  
Edenbridge & one more is one too many in  
a small village such as ours.
- 2) The outlet is directly opposite residential  
premises whose occupants are not infrequently  
disturbed by noisy drunken behaviour now,  
& further encouragement can only be the  
result of another source of alcohol.

- 3) The proposed hours during which alcohol may be purchased, i.e. 0600 - 23.30. Monday to Thursday & 0600 - 000 Friday & Saturday are outrageous.
- 4) I understand that the proprietor is only asking for a licence, as he anticipates getting a higher price for the business if & when he decides to sell & a licence has been granted.

Yours faithfully,

A.B. Hancock

12/07/2017/LAPRE



11.7.2012

4, Roman Court  
High St  
Ebenkidge  
TNS 5LW

Sevenoaks Licensing Officer  
Council Offices  
Aryll Rd  
Sevenoaks TN13 1HG

Dear Sir/Madam

As a resident of the above flat  
on the ground floor facing the High St,  
I object to a Licence to sell alcohol to  
"D & M Alcohols & Toys".

- A) The front of the building is vulnerable  
to having empty cans thrown over our fence
- B) We and all the local area are  
likely to be disturbed by noise  
late at night.
- C) ~~B~~ The pavements are quite likely  
to become stained & polluted.  
This will cause extra money  
in clearing & cleaning the street.

PTO

I apologise for my poor writing  
this due to my rather poor sight  
However I do feel very strongly against  
the granting of this kind license

We already have several outlets that  
sell Alcohol late at night in the same  
high St.

Yours faithfully  
E. Law

Mrs CLARA LAW

4, Roman Court  
High St

Colindale London NW9 1JL

LICENCE  
12 JUL 2012  
SEVERN-SOUP CO LIMITED

12/02017/CAPRE Valid - JB

1 High Street  
Edenbridge  
Kent TN8 5LW

7<sup>th</sup> July 2012

Dear Sirs,

Regarding the application for a licence to sell alcohol by D+M News & Toys of 4, High Street, Edenbridge.

As you can see from my address, I live at Roman Court which has a long frontage on the High Street and one end of the building is almost opposite D+M News & Toys.

My objections to a licence to sell alcohol from these premises are as follows:-

- ① There are already two shops in the High Street and the Co-op Supermarket close beside it, selling alcohol until late in the evening.
- ② There are a number of inns, restaurants and clubs in the High Street which are licenced to sell alcohol.
- ③ The opportunity to buy alcohol, for consumption on the premises or to take home, appears to be more than adequate for a place the size of Edenbridge.

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④ Shops selling alcohol attract the criminal element.

⑤ The police, whose numbers are being reduced, don't need another licenced premise to keep an eye on.

⑥ With the alarming increase in alcohol induced medical problems, particularly among the younger generation, it seems irresponsible to allow a shop to be licenced to sell it for 17½ hours each day and 18 hours on Friday and Saturday.

⑦ We already have a problem on many Friday and Saturday nights (and other days occasionally), when groups of young people are on their way home after the clubs/pubs close. The pavement along side Roman Court seems a good stopping place for them to have a row using the most obscene language, singing and shouting, kicking empty cans around and throwing empty bottles and cans in our garden. I feel that having a shop open until midnight selling alcohol, just across the road from Roman Court, will encourage them to hang around for longer and create more disturbance. This would be very unpleasant.



3/  
for the inhabitants of Roman Court and the occupiers of the flats over the last four shops in the High Street opposite.

Thank you for your attention.

Yours faithfully,

M.J. Christian

M.J. CHRISTIAN (Miss)

f

12/02017/LAPRE

LICENSING PARTNERSHIP  
10 JUL 2012 2H  
SEVENOAKS DISTRICT COUNCIL

Valid - JB.

Roman Court Residents Association

Roman Court
High Street
Edenbridge
Kent
TN8 5LW

10th July 2012

Sevenoaks Licensing Department
Council Offices
Argyle Road
Sevenoaks, Kent
TN13 1HG

Dear Sirs

Application for a licence to sell alcohol by D&M News and Toys, 4 High Street, Edenbridge

I am writing on behalf of the undersigned residents of Roman Court, to register their objection to the granting of a licence for the sale of alcohol to D&M News and Toys, 4 High Street, Edenbridge.

Their reasons are as follows:

- 1) There are already several other licensed premises in the High Street and these are considered sufficient for the area.
2) There are likely to be disturbances late at night in the area around Roman Court, as already experienced by the residents.

Yours faithfully

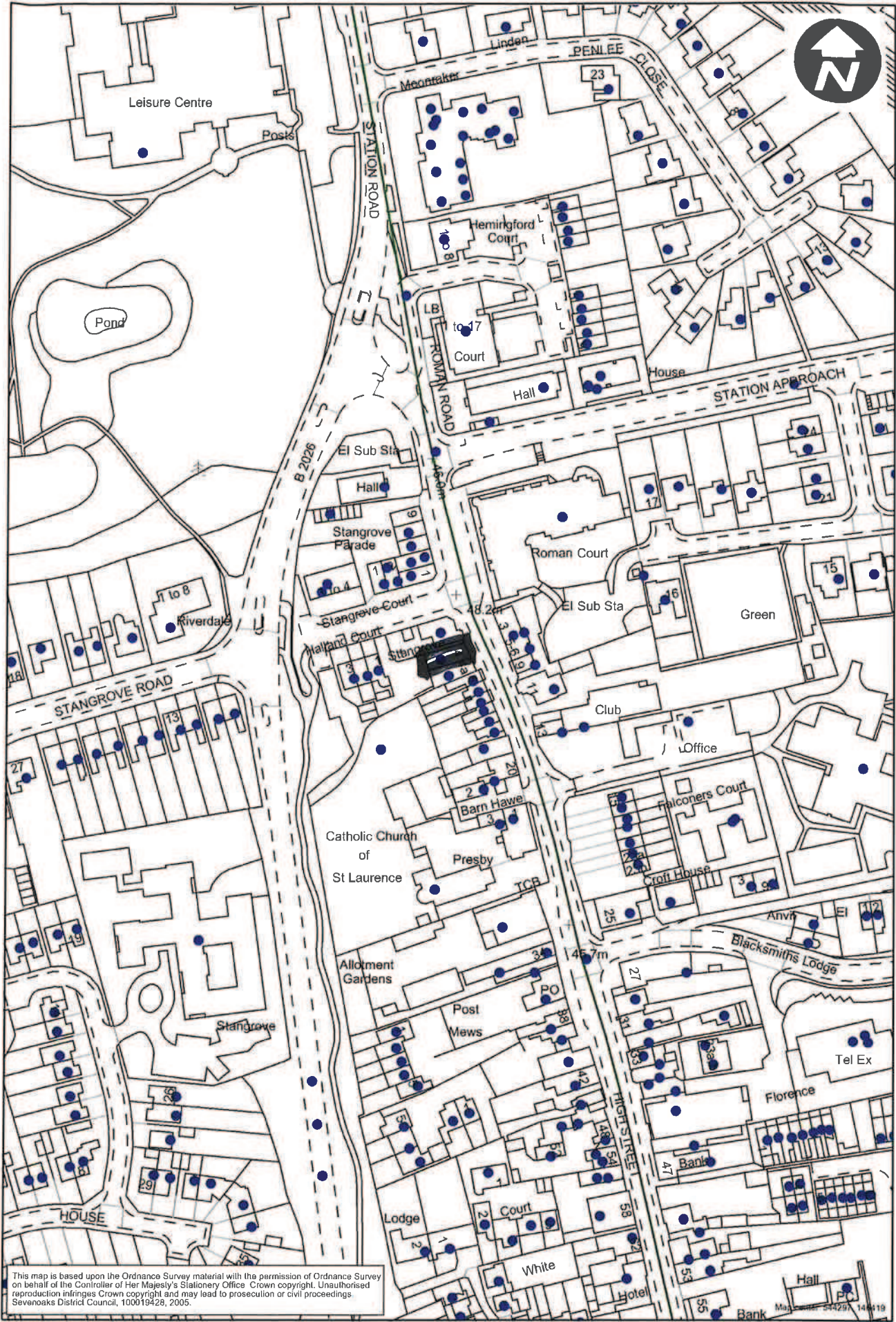
Margie R. Horwood
(Mrs. M. R. Horwood)
Hon. Secretary

Handwritten signatures and names: J. Crawford, That Z, J.B. Hancock, Patricia Holroyd (51), M. Conner, Win Colarke, S. Gair, B. Law, M. Shaw, E. Spryng, B. Lethbridge, J. Cliffe, J.S. Christian, Joan M... K. Gray, Page 15 (6)

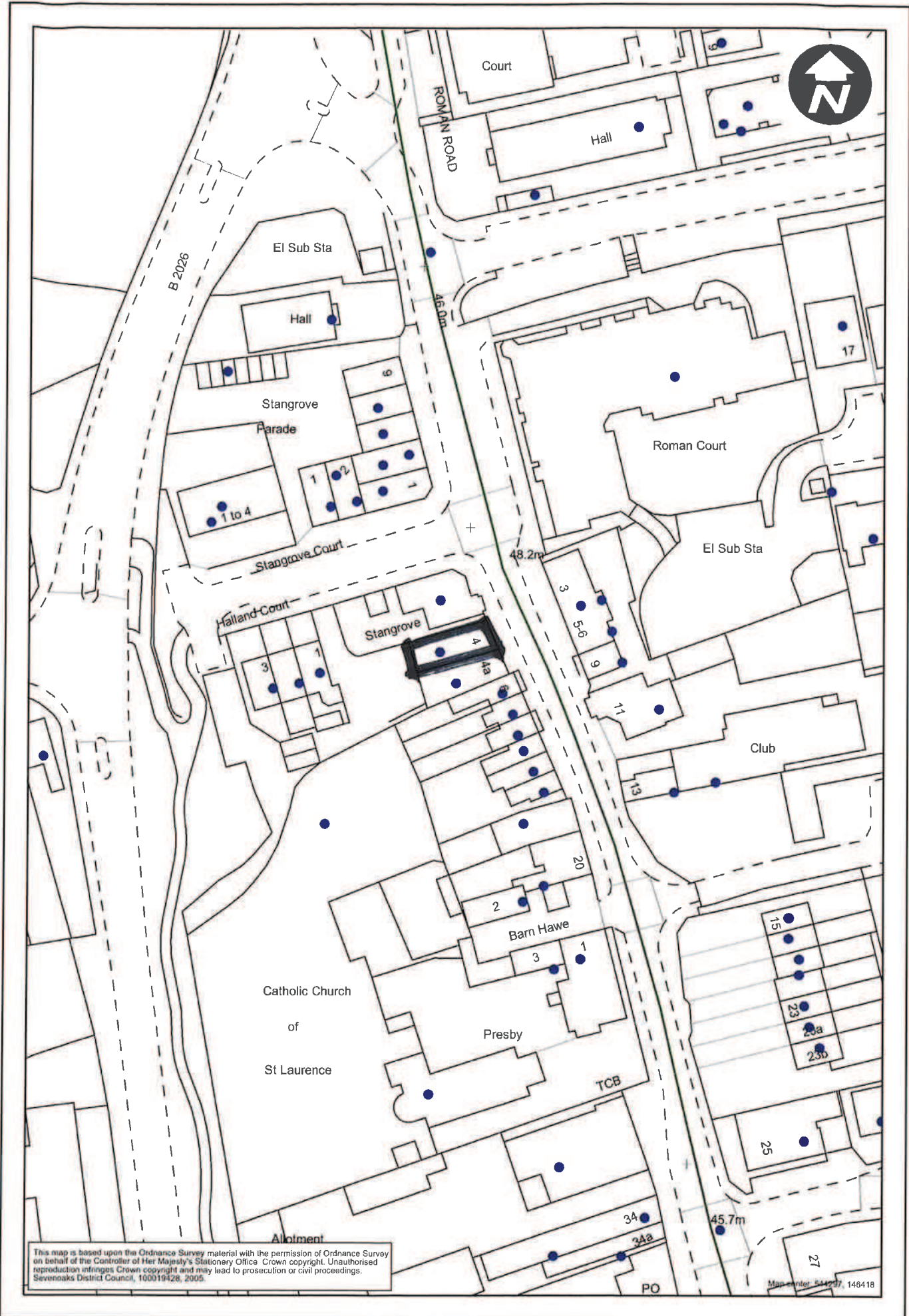
LICENSING PARTNERSHIP  
12 JUL 2012 *SMC*  
SEVENOAKS DISTRICT COUNCIL

Valid - JB.

12 | 02017 | WAPRE







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Map number 544297, 148418

