



**LICENSING COMMITTEE - LICENSING HEARING**  
**(SUB-GROUP B)**  
**09 September 2013 at 10.30 am**  
**Council Chamber, Argyle Road, Sevenoaks**

**AGENDA**

**Membership:**

Cllrs. Davison, Piper and Raikes

(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**

**Apologies of Absence**

**2. Declarations of interest.**

**3. Application for a review of the Premises Licence for the Royal Oak, West Yoke, Ash  
(Pages 1 - 46)**

(Ash and New Ash Green)

**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.

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**LICENSING ACT 2003 - APPLICATION FOR A SUMMARY REVIEW OF A PREMISES LICENCE**

**Licensing Sub-Committee – 9 September 2013**

Report of                      Head of Environmental & Operational Services - Mr Richard Wilson

Status:                        For Decision

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**Portfolio Holder**        Cllr. Ms Lowe (Housing and Community Safety)

**Contact Officer(s)**    Mrs Leeann Ext. 7270

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**Recommendation to Licensing Sub-Committee:** Members' instructions are requested

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**Introduction and Background**

- 1        The procedure for Hearings of Sub-Committees of the Licensing Committee is established in accordance with Section 9 of the Licensing Act 2003.
- 2        The application is made by Superintendent Keers on behalf of the Chief Officer of Police for the Kent Police area for a summary review of the premises licence for The Royal Oak, West Yoke, Ash, Sevenoaks, Kent. TN15 7HT on the grounds of the licensing objectives of the prevention of crime and disorder. The application has been made in accordance with section 53A of the Licensing Act 2003.
- 3        The grounds for summary review are:

On Sunday 11th August 2013 there was an incident at the premises involving serious crime under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder).

A copy of the certificate and summary review application is attached to this report as Appendices A and B.

**The steps that the licensing authority may consider taking are:**

- The modification of the conditions of the premises licence;
- The exclusion of licensable activities from the scope of the licence;
- The removal of the designated premises supervisor from the licence;
- The suspension of the licence;
- The revocation the licence.

Modification of the conditions of the premises licence can include the alteration or modification of existing conditions or addition of any new conditions, including

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those that restrict the times at which licensable activities authorised by the licence can take place. Further examples of possible licensing conditions, including those aimed at tackling crime and disorder, can be found in the amended guidance issued under section 182 of the 2003 Act.

The licensing authority must take into account any relevant representations made. Relevant representations are those that:

- Relate to one or more of the licensing objectives;
- Have not been withdrawn; and
- Are made by the premises licence holder, a responsible authority or any other person (who is not also a responsible authority).

### **Representations received from statutory consultees:**

Fire Safety	<b>NO COMMENTS RECEIVED</b>
Trading Standards	<b>NO COMMENTS RECEIVED</b>
Social Service	<b>NO COMMENTS RECEIVED</b>
Police	<b>SEE ABOVE STATEMENT</b>
Commercial	<b>NO COMMENTS RECEIVED</b>
Environmental Protection	<b>NO OBJECTIONS</b>
Development Control	<b>NO COMMENTS RECEIVED</b>

### **Representations received from interested parties: - Appendix E.**

1 in support of the Review of the premises licence

15 objecting to the Review of the premises licence

### **At the hearing the licensing authority must:**

- consider what steps it considers appropriate for the promotion of the licensing objectives; and
- decide which interim steps cease to have effect altogether or become the subject of any steps which it considers are appropriate when making its determination on the review.

**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 No. 44.

The decision of this Hearing will be encompassed within the issued premises licence, and the licence will take effect on the 9th September 2013 subject to any appeal to a Magistrates Court or higher Court.

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 against different groups in the community?	No	N/A
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?		

**Conclusions**

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

The following conditions are already added to the premises licence.

**Mandatory conditions**

**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

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(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.



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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.

### **Conditions consistent with the Operating Schedule**

No admission to the premises after Midnight.

CCTV will be installed and working to the satisfaction of the police and Licensing Authority.

The patio doors to the garden and main bar door/lobby should not be opened at any time during the type of entertainment.

The location of the entertainment should be to the rear of the bar area which is predominately constructed of brick, with speakers facing into the building towards the front door.

Any refuse and empty bottles should not be put out in the refuse areas after 21:00 hours at night.

Entertainment from music, including live, recorded, karaoke music, television should cease at 23:00 hours Monday, Tuesday, Wednesday, Thursday and Sunday and at 00:00 hours Friday and Saturday.

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Performers should be supervised to ensure the loading of equipment at the end of any gig does not disturb surrounding residents.

### **Condition to be placed on the licence following the interim steps hearing**

A suitable Drugs Policy to be worked on and permanently put in place.

### **The following were added to the Licence as follows (pending the full review hearing):**

CCTV to be adapted and outside camera repaired, to allow immediate taking of images recorded by police upon arrival whether on disk, video tape or otherwise. All recording to be kept for a minimum period of 28 days – prevention of crime and disorder, by allowing immediate viewing and circulation aiding apprehension of offenders – this allows an interim measure by the premises with CCTV coverage continuing following an incident.

Additional visits by brewery staff to be carried out.

Supply of alcohol:

Sunday to Thursday 10:00 - 23:00

Friday and Saturday 10:00 - 23:00

The opening hours of the premises:

Sunday to Thursday 10:00 - 23:30

Friday and Saturday 10:00 - 23:30

The designated premises supervisor where the premises licence authorises for the supply of alcohol be changed from

Mr Kevin Morris  
3 Gresham Close  
Rainham  
Kent. ME8 7RR

to

Samantha Pegler  
Royal Oak,  
West Yoke,  
Ash TN15 7HT

The reason for the above modifications to the premises licence is to take interim steps due to the potential undermining of the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance in light of an alleged breach of licence conditions, until a full review hearing is held.

### **Appendices**

Appendix A – Summary Licence Review Application

Appendix B – Certificate under section 53A(1)(b) of  
The Licensing Act 2003

Appendix C - Current Premises Licence – Part A

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Appendix D - Location maps

Appendix E - Representations received from interested parties

Appendix F – Minutes of the Licensing ‘Interim Steps’ hearing held on 19 August 2013

### **Background Papers:**

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

The Licensing Act 2003

Section 53A Licensing Act 2003 – Summary Review Guidance

Section 182 of the Licensing Act 2003 guidance

Section 21 of the Violent Crime Reduction Act 2006

**Mr Richard Wilson**  
**Head of Environmental & Operational Services**

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FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Sevenoaks District Council

**Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I Superintendent Keers [on behalf of] the chief officer of police for the Kent police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

**1. Premises details:**

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**The Royal Oak  
West Yoke  
Ash**

Post town: Sevenoaks

Post code (if known): **TN15 7HT**

**2. Premises licence details:**

Name of premises licence holder (if known): Shepherd Neame Ltd.

Number of premises licence holder (if known): 11/00342/LAPMV

**3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:**

I confirm that a certificate has been given by a senior member of the police force for

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the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

#### **4. Details of association of the above premises with serious crime, serious disorder or both:**

[Please read guidance note 2]

**The Royal Oak public house is a premises situated in a semi-rural location, on a main road close to New Ash Green.**

**The premises licence stipulates the times for the supply of alcohol on Friday and Saturdays as 10:00 - 01:00 hours, and stipulates the opening hours on Friday and Saturday as 10:00 - 01:30 hours.**

**At 01:55 hours in the early morning of Sunday 11<sup>th</sup> August 2013 a male person was subject of a serious assault, where he was punched and then kicked repeatedly in a totally unprovoked attack. The victim did not fight back, instead crouching down and protecting his head with his arms.**

**The assault took place directly outside the entrance of the premises, in the smoking area in front of several witnesses. Both the victim and the offender had been drinking in the bar area of the premises, but did not know each other.**

**Shortly before the assault, the bar area was still busy, with between 10-15 customers and a member of bar staff. CCTV from the premises shows people still drinking alcohol. The victim of the assault also confirms this in a signed witness statement, and it is very likely customers were still being served.**

**The victim suffered a suspected broken nose, and a large deep wound running the length of his nose. This bled profusely immediately after the attack, and in a matter of seconds following the attack, the victims friends dragged the victim inside the premises, where he lay on the floor with his legs raised in an attempt to stem the bleeding. The victim was covered in blood and had a visible wound to his nose. Pictures taken by customers at the time show how serious the injury appears.**

**The victim of the attack states that he vociferously and clearly requested an ambulance a number of times, but heard the premises supervisor state a number of times, "He doesn't need an ambulance, take him home, we're not having the police here". The premises supervisor himself also admits taking the phone from the victims friend and speaking with the 999 operator.**

**CCTV footage was not made readily available to attending police officers, and upon a police licensing visit on 13<sup>th</sup> August 2013, initially advised that the footage had been deleted. Subsequently however, the supervisor was cooperative and allowed a viewing of the footage, which confirms the above out of hours licensable activity. The CCTV system has been seized for further analysis.**

**A standard review is not suitable because:**


- **The standard review route will take at least 28 days to come to hearing and can be appealed**



- **Other powers of closure are not applicable retrospectively**
- **Although the staff themselves are helpful police believe that mandatory conditions will prevent crime and disorder as just one more incident of this nature is one too many when it is eminently preventable**
- **Interim measures applied by a licensing panel has the ability to prevent crime and disorder with immediate effect.**

**The added value of interim steps being imposed at an expedited review may effectively address the problems with immediate effect in the following manner:**

- 1) Reduction in supply of alcohol all days of the week to 23:00 hours**
- 2) Reduction in closing time of premises all days of the week to 23:30 hours.**
- 3) Removal of the current DPS.**
- 4) CCTV system to be replaced or adapted to allow immediate taking of images recorded by police upon arrival whether on disk, video tape or otherwise. All recordings to be kept for a minimum period of 28 days - prevention of crime and disorder, by allowing immediate viewing and circulation aiding apprehension of offenders - this allows an interim measure by the premises with CCTV coverage continuing following an incident**

Signature of applicant:  79923 PR

Date: 14<sup>th</sup> August 2013

Capacity: Superintendent

**Contact details for matters concerning this application:** PC 9923 BERESFORD

**Address: Licensing Officer  
Tasking & Coordination Unit  
Maidstone Police Station  
Palace Avenue  
Maidstone  
Kent**

Telephone number(s): 101

Email: west.division.licensing@kent.pnn.police.uk

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Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.



Kent Police  
Maidstone Police Station  
Palace Avenue  
Maidstone  
ME15 6NF

**CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003**

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder<sup>1</sup>.

*Premises*<sup>2</sup>:

The Royal Oak  
West Yoke  
Ash  
TN15 7HT

Premises licence number (if known): 11/00342/LAPMV

Name of premises supervisor (if known): Shepherd Neame

I am a Superintendent <sup>3</sup> in the Kent  
police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because<sup>4</sup>:

Kent Police have considered whether a standard review under Section 51, Licensing Act 2003 is suitable, but have decided that it is not for the following reasons;

- 1) The standard review will take at least 28 days to come to hearing and this can be appealed, further delaying any remedial action
- 2) Powers of closure are not retrospective, and therefore are not applicable  
In addition Kent Police believe the following:
- 3) Interim measures applied to a premises licence by a licensing committee

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<sup>1</sup> Delete as applicable.

<sup>2</sup> Include business name and address and any other relevant identifying details.

<sup>3</sup> Insert rank of officer giving the certificate, which must be superintendent or above.

<sup>4</sup> Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

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will have immediate effect in preventing crime and disorder



*Sept 9 2013* *14/8/2013*  
.....  
(Date)

# PREMISES LICENCE



The Licensing Act 2003  
Schedule 12, Part A

Premises Licence Number	11/00342/LAPMV
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**Part 1 – Premises Details**

Postal address of premises , or if none, ordnance survey map reference or description, including Post Town & Post Code	
Royal Oak West Yoke Ash Sevenoaks Kent. TN15 7HT	
Telephone number	01474 872301

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Films Indoor sporting events Live music Recorded music Performances of dance Facilities for making music Sale or Supply of Alcohol Late Night Refreshment

Times the licence authorises the carrying out of licensable activities		
Films	Every Day	10:00 - 00:00 (Indoors)
Indoor sporting events	Every Day	10:00 - 00:00 (Indoors)
Live music	Sunday to Thursday	10:00 - 23:00 (Both Indoors and Outdoors)
	Friday and Saturday	10:00 - 00:00 (Both Indoors and Outdoors)
Recorded music	Sunday to Thursday	10:00 - 23:00 (Indoors)
	Friday and Saturday	10:00 - 00:00 (Indoors)
Performances of dance	Every Day	19:00 - 00:00 (Indoors)
Facilities for making music	Every Day	10:00 - 00:00 (Indoors)

Licence Number: 11/00342/LAPMV  
Issue Date: 07/03/2011

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Late night refreshment	Sunday to Thursday	23:00 - 00:00 (Indoors)
	Friday and Saturday	23:00 - 01:00 (Indoors)
Supply of alcohol	Sunday to Thursday	10:00 - 00:00
	Friday and Saturday	10:00 - 01:00

**Non standard times for the following licensable activities:**  
Films, Live Music, Recorded music, Performances of dance, Facilities for making music and Late night refreshment on New Year's Eve until close on New Year's Day.

Recorded music, Late night refreshment and Supply of alcohol on Christmas Eve, Boxing Day, St Valentine's Day, St Patrick's Day, St George's Day, Easter Friday, Saturday, Sunday and Monday, May, Spring and August Bank Holiday Saturday, Sunday and Monday and Halloween. All the above from 10:00 until 01:00 hours.

<b>The opening hours of the premises</b>	
Sunday to Thursday	10:00 - 00:30
Friday and Saturday	10:00 - 01:30

<b>The non-standard opening hours of the premises</b>	
For Easter (Friday, Saturday, Sunday and Monday), May, Spring and August Bank Holiday (Saturday, Sunday and Monday), Christmas Eve, Boxing Day, Valentines Day, Halloween, St. Patrick's Day and St Georges Day. All the above 10:00 until 01:30 hours and for New Year's Eve until close of business on New Year's Day.	
Garden will be closed to the public at 23:00 hours.	
No access to the public after 23:00 hours.	

<b>Where the licence authorises supplies of alcohol whether these are on and / or off supplies</b>	
Alcohol is supplied for consumption both on and off the premises.	

#### Part 2

<b>Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence</b>
Shepherd Neame Ltd 17 Court Street Faversham Kent. ME13 7AX

<b>Registered number of holder, for example company number, charity number (where applicable)</b>
None

<b>Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>
Mr Kevin Morris 3 Gresham Close Rainham Kent. ME8 7RR

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Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number: Medway-10-PL-2178

Licensing Authority: Medway Council



Kristen Paterson  
Community and Planning Services Director  
Sevenoaks District Council

Licence Number: 11/00342/LAPMV  
Issue Date: 07/03/2011

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Licence issued by:  
The Licensing Partnership P.O. Box 1821 Sevenoaks Kent TN13 1GP  
Telephone number: 01732 227004

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## Annex 1 – Mandatory conditions

### 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.

Licence Number: 11/00342/LAPMV  
Issue Date: 07/03/2011

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Licence issued by:  
The Licensing Partnership, Box 18, Sevenoaks Kent TN13 1GP  
Telephone number: 01732 227004

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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.

### Annex 2 – Embedded conditions

Not applicable

### Annex 3 – Conditions consistent with the Operating Schedule

No admission to the premises after Midnight.

CCTV will be installed and working to the satisfaction of the police and Licensing Authority.

The patio doors to the garden and main bar door/lobby should not be opened at any time during the type of entertainment.

The location of the entertainment should be to the rear of the bar area which is predominately constructed of brick, with speakers facing into the building towards the front door.

Any refuse and empty bottles should not be put out in the refuse areas after 21:00 hours at night.

Entertainment from music, including live, recorded, karaoke music , television should cease at 23:00 hours Monday, Tuesday, Wednesday, Thursday and Sunday and at 00:00 hours Friday and Saturday.

Performers should be supervised to ensure the loading of equipment at the end of any gig does not disturb surrounding residents.

### Annex 4 – Conditions attached after a hearing by the licensing authority

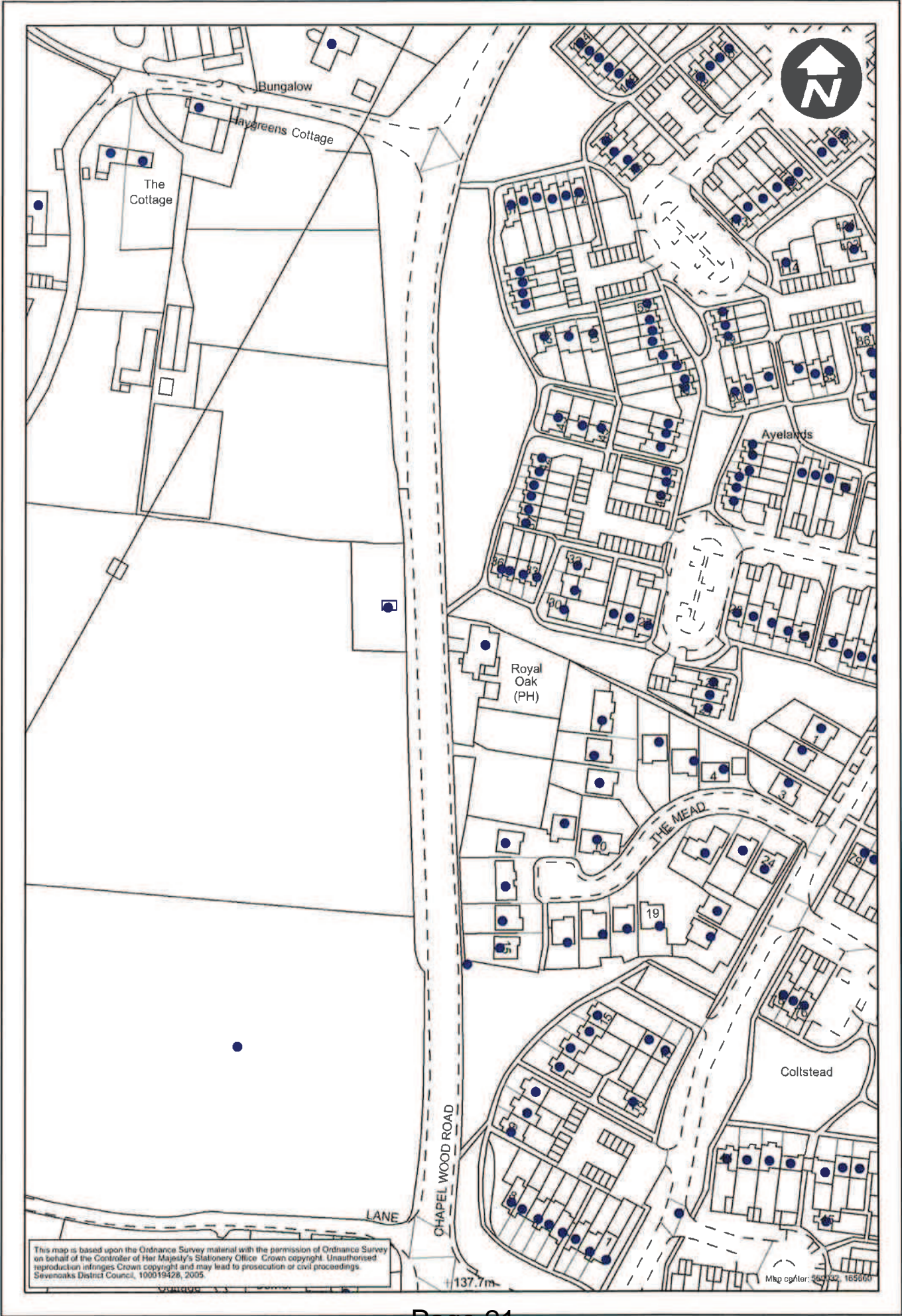
Not applicable

### Annex 5 – Plans

Please see attached

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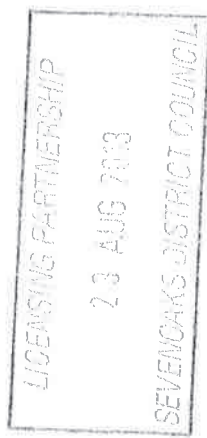




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13/02513/REVIEW

SML



Sylvia Lewis

From: [Redacted]  
Sent: 17 August 2013 14:28  
To: Licensing  
Subject: The Royal Oak Pub, Chapel Wood Road, New Ash Green

Dear Sirs

The following is a copy of a text message that has come to my attention this weekend.

> "Hey how do you fancy helping us out as we are in a bit of poo with the pub. We are in trouble with the licensing authority as we were serving a bit after time and a fella that has only been in here once who apparently is a bailiff got a bit of a dig outside and made a bit of a big deal of it involving everyone except the Gary Glitter Brigade!! That has been put to one side after we surrendered the cctv to help and all they want to do now is take our licence away for serving a bit after time to a few stragglers left over from a birthday party that the fella wasn't invited to.

> Sadly for us that's a bit grim really as far as we are concerned. So if you fancy helping us retaining our good name and humour and you know we have that lol. Can you do us a favour and send a quick e mail to ..... [Licensing@sevenoaks.gov.uk](mailto:Licensing@sevenoaks.gov.uk) Regarding the Royal Oak in New Ash Green before Monday and tell em what a lovely family run pub we keep and how worth the trip is to bask in our hospitality !!! Lol well not quite like that but, and it is anonymous by the way ... A good positive comment may dig us out of a hole.... No worries if you haven't the time but we could do with a hand if you could spare it.."  
Dave & Son

It is not a secret in the village and surrounding areas that this pub regularly serves after hours and it has also been noticed that some patrons are still in the pub until the early morning (4am) especially on Friday and Saturdays.

The car park is a total mess and it is also a known haunt for drug dealing as well as other activities. I personally reported this to the police about 18 months ago but still it goes on.

I cannot divulge who passed this text on to me but suffice it to say I for one am not surprised having witness all sorts of misdemeanours since the current landlord took up residence.

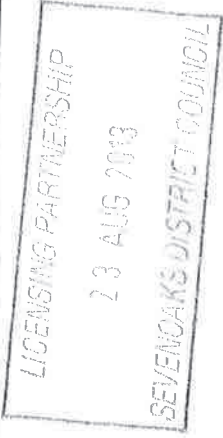
Ian Reynolds



13102513 / REVIEW

SML

**From:** [REDACTED]  
**Sent:** 19 August 2013 12:22  
**To:** Licensing  
**Subject:** Royal oak ( New Ash Green )



*To whom it may concern*

*We have lived in the village for the past 35 years. We have always embraced the village way of life.*

*When Kevin and Sonya took over the Royal Oak Public house they became like a breath of fresh air the pub was transformed and became a social hub for both young and old, It was somewhere we could have a quiet drink or it was a place we could take our grandchildren and sit out in the garden whilst they played in the children's play area.*

*We feel if Kevin and Sonya lose their licence over outside elements I.E. travellers this would be wrong and unjust.*

*Kind regards*

*Robert Pritchard*

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**Sylvia Lewis**

**From:**

**Sent:**

**To:**

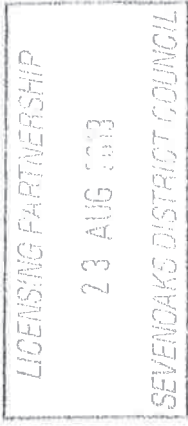
**Subject:**

[Redacted]

17 August 2013 13:24

Licensing

Royal Oak in New Ash Green



To Whom it May Concern

I am just writing to say how much we enjoy going out to the Royal Oak in New Ash Green.

We have visited many pubs but each time we visit this public house we have been made very welcome they are very friendly and there humor makes a great atmosphere.

Thank you for your time in reading this email.

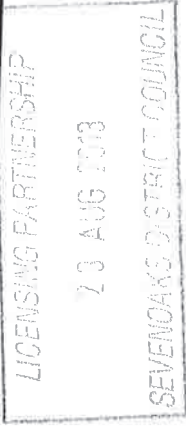
13/02513/REVIEW

SML

Agenda Item 3

Sylvia Lewis

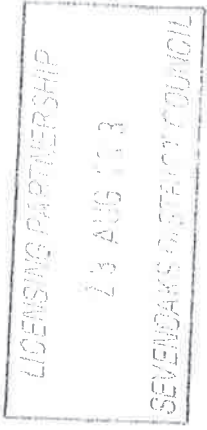
From: [REDACTED]  
 Sent: 17 August 2013 09:59  
 To: Licensing  
 Subject: The Royal Oak



This is just a short message in support of the management at the Royal Oak in Ash. They are a very friendly and helpful couple who do there utmost to help anyone out. Since they have taken over at the Oak they have brought the pub out off a very black time, the team in the Oak treat everyone with a kind and considerate manner so I would support them in all matters. Roland Blackmore

Sent from my iPhone

SML



**Sylvia Lewis**

**From:** [REDACTED]  
**Sent:** 18 August 2013 00:20  
**To:** Licensing  
**Subject:** Royal Oak in New Ask Green

To whom it may concern

I was shocked & saddened to find out that the landlords of the Royal Oak in New Ash Green have the possibility of losing their licence. This would be a total travesty and a blow to the local community as this is a lovely & very friendly family run pub, where you can go & have an enjoyable evening & always come out with a smile on your face because of the happy atmosphere.

Although I am not from Sevenoaks, I visit family & friends very regularly & when I do I look forward to visiting Kevin & Sonia behind the bar at the Royal Oak where we always receive a very warm welcome.

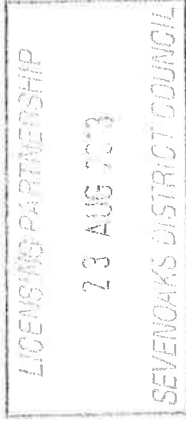
When I heard that they might lose their licence, I felt so strongly that I had to email you & let you know what a shame it would be to lose such a happy bubbly couple.

Many Thanks in advance

Colin Sagers

SML

Agenda Item 3



Sylvia Lewis

**From:** [Redacted]  
**Sent:** 18 August 2013 11:00  
**To:** Licensing  
**Subject:** Royal Oak Pub

To whom it may concern

I hear from a regular at the Royal Oak , in New Ash Green, that they are having problems with the licensing board, I only wish to offer them support in saying what a nice welcoming family run pub it is. While I only get to visit when on holiday, it would be a great shame for this type of honest family business succumb To infringements beyond their control, ie trying to keep the relationship between customer retention at a balance within the law. I can only say from an outsider looking in, it was very well run.

Donald W Mac Leod MBE



Scotland

Lifeboat Coxswain.

Sent from my iPhone



13/02513 / REVIEW

SML

**Sylvia Lewis**

**From:**

**Sent:**

**To:**

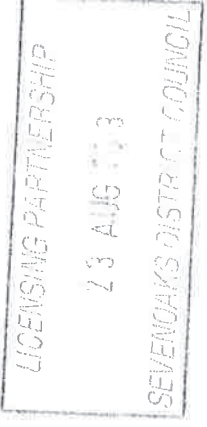
**Subject:**

John W. Lewis

18 August 2013 14:50

Licensing

Royal oak ash

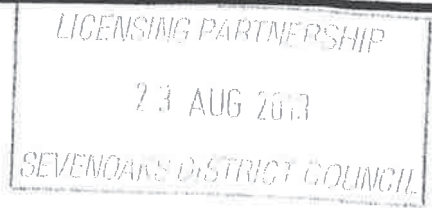


Sent from my iPad I have lived in new ash green for 38 years and my local is the royal oak at ash in the last two years it has become more than just a pub it has been nicely refurbished and more of a family country pub than ever before and this we put down to the new owners if you would like any more information do not hesitate to contact me.

SML

Jessica Bolton

From: Licensing  
 Sent: 19 August 2013 09:21  
 To: Jessica Bolton  
 Subject: FW: Re The Royal Oak ( New Ash Green )



From: [REDACTED]  
 Sent: 18 August 2013 19:23  
 To: Licensing  
 Subject: Re The Royal Oak ( New Ash Green )

To whom it may concern

I am writing to tell you about the experiences both myself and my family have had at the above premises, over the last few years.

Always when we arrive we are greeted warmly and made to feel welcome, the place is always clean and tidy, and welcomes all sectors of the community.

We enjoy the drink and the food offerings every time we make the trip over there , as its such a pleasure and stress free.

The place always seems very well run , and in 3 years i have never witnessed any trouble or wrong doing, which certainly makes a change these days.

I have to say that more places like this establishment need to be around for families like my own, who don't always want the chain atmosphere where every place is the same and the offerings are the same also, independent public houses are dwindling fast and i am so glad we found the " royal oak " and hope to have many years popping over there ahead of us.

Kind regards  
DB



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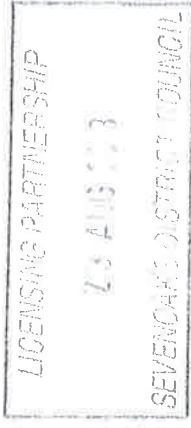
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Sylvia Lewis

SML

**From:** [REDACTED]  
**Sent:** 19 August 2013 21:20  
**To:** Licensing  
**Subject:** Royal Oak Pub



Dear Sir, Madam,

I am emailing you in respect of the Royal Oak pub in New Ash Green. I am a frequent customer and would like to let you know how much I enjoy visiting. This is due to the friendly family atmosphere in the pub during the day, but I also visit during the evening with my friends from the local area and we like the local community feel. I believe removing the current landlords licence or the current landlord and his family will be a detriment to this pub and the local area in general.

The current landlord has turned the Royal Oak around from a place no one wanted to go to a couple of years ago before they started there, to now in which it is a centre for the whole community.

Kind Regards,  
William Mills

SML

Sue Lee

**From:** [REDACTED]  
**Sent:** 22 August 2013 13:48  
**To:** Licensing  
**Subject:** The Royal Oak, New Ash Green Review

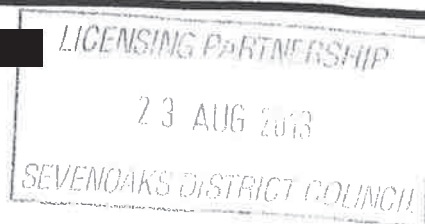
LICENSING PARTNERSHIP  
23 AUG 2013  
SEVENDAKS DISTRICT COUNCIL

The Royal Oak is a very friendly family pub run by lovely people, Kevin, Sonia, and Sam. Every time you walk in the pub you are made to feel extremely welcome by staff and owners. I haven't got a bad word to say about the place, I've always had a lovely time whenever I've gone there.

Thanks  
Tim Soane

Sue Lee

**From:** [REDACTED]  
**Sent:** 22 August 2013 12:57  
**To:** Licensing  
**Subject:** Royal Oak pub, New Ash Green



To whom it may concern,

I wish to express my concern about the possible shut-down at the Royal Oak pub in New Ash Green.

As a regular at the pub, I would be really disappointed if the Oak was shut down. The family running it have really turned the place around, and made it a very pleasant and nice pub to be in. They are a great bunch, always friendly and accommodating to their customers. The pub wasn't always this way, it has not always had the best reputation - but it has certainly changed a lot since the current owners took over. I would be very sad to see them go, considering the changes they have made to make it such a nice friendly pub.

I hope you take this into consideration when making the decision over the pub.

Regards,

Beth Monday

## Agenda Item 3

### Appendix E

The Royal Oak  
Chapelwood Road  
West Yoke  
New Ash Green  
Kent  
TN15 7HT

16<sup>th</sup> August 2013

Dear Sir,

Since April 2011 we, as a family, have without incident, run the Royal Oak public house in New Ash Green. This was after a 4 month, £85,000 re-furbishment program, involving not only a complete renovation of the premises inside and out, but also the accommodation above that we now consider and call home.

We have a diverse range of customers that regularly visit the pub at varying times. From senior citizens, mums and toddler groups; serving Police service officers, retired cabinet office staff and pillars of the community through to race car drivers, motorcycle clubs, musicians and sports & TV personalities. Normal hardworking, law-abiding citizens. However, to every action there is a reaction as we are all aware and we are also all aware that in life there are some less sociable members of society that the rest of us are expected to tolerate both in the workplace and in our social time. Unfortunately in the licensed trade we not only tolerate these individuals, we also have a duty of care to for fill regarding their health and safety.

On Saturday 10<sup>th</sup> August we were hosting a 21st birthday party for one of our regular younger customers. The evening went well but was totally spoilt by two individuals fighting outside of the pub after leaving. Individuals who do not live locally and consider this type of behaviour to be, dare I say, normal and acceptable.

We were as mortified as anyone would be regarding the situation. We take a hard line on drugs and violence as far as we can without intimidating other customers with signs and spraying adhesive products on surfaces and we sometimes find it exhausting and disappointing that the law can often fall on the side of the offender and their human rights?

That said, having had dealings with the chap who returned to the Pub bleeding; earlier when serving him I found him to be rather rude and arrogant and overheard him make some rather distasteful comments regarding my somewhat rotund stature. This profession tends to induce selective hearing and in this situation you learn to let this sort of behaviour and comment flow over you as he wasn't local and when without an audience was possibly a pleasant individual. Please note, I did say possibly.

That aside there can be no excuse for violence in any situation and since this incident we have suffered a 60% fall in trade and leaves us yet another massive mountain to climb to keep our home and business on track. A business that, may I add, two and a half years on has not yet reached a profit situation. A business we have invested a lot of time, money and effort into.

In the time we have been in New Ash Green we have worked extremely hard to make our Pub part of the community and to integrate into village life as a family. We involve ourselves and the Pub in fund raising for local charities and are supporters of the local Milestone School.

We have not once in the time we have been running the Royal Oak called upon the services of the Police.



## Agenda Item 3

This is not due to the fact that as an ex member of UK Special Forces I am more than capable of dealing with a situation. It is because we do not tolerate this type of behaviour therefore never had to call upon their services thus wasting valuable resources. However, I have in the past been requested to assist the Police Service on several occasions by providing and making CCTV footage available to investigate local crime, all unconnected to the pub I might add and was only to glad to do so.

This incident was no different and when receiving a telephone call from Gravesend Police, an appointment was made for 1800hrs on Sunday for CID officers to attend the pub and view the footage of the alleged offence. The appointment was not kept and I assumed that having a massive workload due to austerity measures, this incident had slipped down the list of their priorities.

On Tuesday 13<sup>th</sup> August a call was received from PC Mark Beresford Sevenoaks Licensing Officer requesting an appointment to visit the premises and “ask a few questions” regarding an alleged incident. I met with PC Beresford in the bar and as I was upstairs placing funds in the safe at the time of the alleged incident, gave as much information as I could from the evenings events as I recalled them and from my knowledge of the CCTV footage that I had viewed and that in essence there was very little to see as it occurred outside as people were leaving and the outside lights were off. I also informed PC Beresford that as the front door of the Pub was not locked the man re-entered the bar on foot, not dragged as suggested, demanding an Ambulance and was compos mantas enough to issue me with a threat to sue as the incident happened on licensed premises. Despite this we allowed him to continue to remain in the bar while he regained his composure providing him with sterile towels. After his somewhat dramatic spell on the floor of the bar and being refused a further drink he then left with no thanks but I can safely say I was not expecting any. His only comment was, “Where there is blame there is claim.”

During the time he was in the bar he repeatedly called for an Ambulance and at one stage I personally spoke to the controller and when I was asked, “In your opinion does the gentleman require an Ambulance?” I replied, “No he does not.”

PC Beresford was then invited to our private accommodation to view the footage for himself and was offered a blank DVD to copy any information he required regarding the alleged offence. He chose instead to remove the whole machine which, as this left me with no CCTV coverage thus technically uninsured. Possibly not the best solution to the problem but again I was happy to assist.

This was offered in the full knowledge that I had broken my licensing conditions by serving some drinks some thirty minutes after the time allowed by law. But I considered it very important to assist the Police in anyway I could. This is my first offence in the six years that have been in the trade and although an oversight by my staff the responsibility remains fully with me as Designated Premises Supervisor. I am ashamed that I have found myself in this situation that may threaten my families business and livelihood. I realise the seriousness of the offence and furthermore the consequences for myself, my family and indeed Shepard & Neame Brewery.

I stand guilty as charged and offer my mitigating circumstances and sincere apologies to the panel.

However, I must add that I have briefly read a statement made by PC Beresford regarding this matter and I find it paints an extremely dark and may I say seedy picture of the incident, my family business and indeed myself considering that it would seem, as far as I am aware no charges or prosecutions have been brought to any party involved and my thoughts are that PC Beresford, after writing this statement and further stating comments in front of The licensing officer during our meeting that I believe to be at very least, embroidered, seems to be placing himself as Judge Jury and Executioner and I must reserve my right to defend myself.

## Agenda Item 3

Kevin Morris



SEL

**Sylvia Lewis**

**From:** MICHAEL GREENHEAD  
**Sent:** 18 August 2013 10:53  
**To:** Licensing  
**Subject:** The Royal Oak licence review



Dear Sir or Madam

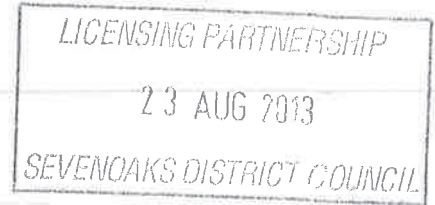
I have been a regular customer at the Royal Oak for 33 years as you can imagine I have seen lots of Landlords come and go, not all of them were good for the customers. When Kevin Sonia a Sam took over 2 years ago they made a lot of changes to the Pub making it more spacious and the most comfortable Pub in the area. The management and staff are always friendly and make even passers by welcome, we would like to keep Kevin Sonia and Sam at the Pub and keep our Pub open.

Thank you  
M Greenhead

Jessica Bolton

**From:** Licensing  
**Sent:** 19 August 2013 09:19  
**To:** Jessica Bolton; Leeann Leeds  
**Subject:** FW: Review of Licence: Royal Oak West Yoke Ash Sevenoaks Kent TN15 7HT

SEL



**From:** Karen Christie [REDACTED]  
**Sent:** 19 August 2013 08:54  
**To:** Licensing  
**Subject:** Review of Licence: Royal Oak West Yoke Ash Sevenoaks Kent TN15 7HT

Dear Sir/Madam

I am a resident of New Ash Green and am writing in connection with your review of the licence in respect of the Royal Oak Public House, West Yoke, Ash, Sevenoaks.

I am writing in support of Kevin, Sonia and Sam. They have transformed the Royal Oak into a family friendly pub making sure that all customers are made welcome. They have worked hard and invested a lot of time and money into making the pub a success. Over the years we have seen many landlords and landladies come and go - they have tried to make the pub a success but the majority have failed which I am sure Shepherd Neame will agree with. Finally we (the customers) have a family who are making a success and who also listen to want their customers want and have turned the pub around to make everyone feel safe and welcome.

I hope that you will take my comments into consideration when reviewing their personal licenses.

Yours faithfully  
Karen Christie

\*\*\*\*\*

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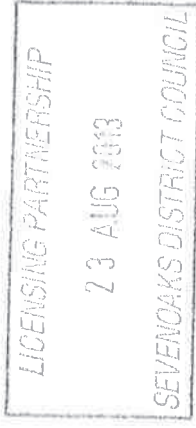
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13/02/13/REVIEW

SEL

**Sylvia Lewis**

**From:** Shaun Keen  
**Sent:** 17 August 2013 08:17  
**To:** Licensing  
**Subject:** Royal oak new ash green



To whom it may concern,

I have been made aware of a possible licensing situation with my local.

I have been visiting the royal oak since its present owners have run it, it is a very friendly pub, where my kids have always felt very welcome by Kevin and Sonia.

I have never seen any trouble in the pub, and have only seen a friendly professional service.

Yours faithfully,

Shaun Keen



Sent from my iPhone

13/02513/Review  
SEL

Agenda Item 3



Sylvia Lewis

**From:** jade Marks [REDACTED]  
**Sent:** 19 August 2013 13:46  
**To:** Licensing  
**Subject:** The Royal Oak, New Ash Green

Dear sir/madam

I am writing this as I am an employee of Kevin Morris who works at the Royal Oak Pub in New Ash Green. I have only been employed by Kevin for about three months, and during that time I have never loved a job as much as I do this one. It is very much a well run family pub and to say I fit in as part of the family would be an understatement. They are well respected members of the community who have bought this pub back to life and have only ever did their very best to keep it that way. I hope that you take these things into account, as I'm sure I'm not the only one who feels the same way, and if they were to be released as managers then it would upset the majority of customers. And I wouldn't want to work for anyone else as I feel my loyalties are with them.

Thank you for taking the time to read this.

Yours sincerely  
Jade Marks

LICENSING HEARING

Minutes of the meeting of the Licensing Hearing  
held on 19 August 2013 commencing at 1.05 pm

Present: Cllrs. Abraham, Mrs. Ayres and Ayres

Also present:

P.C. Beresford	-	Kent Police Representative
Ms. C. Eames	-	Objector's Legal Representative
Mr. G. Barnes	-	Objector
Mr. K. Morris	-	Objector
Ms. S. Pegler	-	Objector
Ms. J. Bolton	-	Licensing Officer
Mrs. L. Leeds	-	Licensing Officer
Mr. G. Grove	-	Legal Adviser
Ms V. Etheridge	-	Democratic Services Officer
Mr. R. Wilson	-	Observer (Head of Environment & Operational Services)

1. Appointment of Chairman

Resolved: That Cllr. Ayres be appointed Chairman of the meeting.

2. Declarations of interest

There were no declarations of interest.

3. Licensing Act 2003 - consideration of interim steps following an application for a summary review of a premises licence - Royal Oak, West York, Ash

The Hearing gave consideration to a report by the Head of Environment & Operational Services giving details of an application under Section 53 of the Licensing Act 2003 for a summary review hearing and that accordingly the application had been referred to the Sub-Committee for consideration of interim steps pending a formal review hearing and determination on the grounds of the licensing objective of prevention of crime and disorder in accordance with Section 53A of the Licensing Act 2003.

The application was made by Kent Police and the grounds for review were that on Sunday 11 August 2013 there was an incident at the premises involving serious crime under section 53A of the Licensing Act 2003 (premises associated with serious crime and disorder), and the standard review route would take at least 28 days.

The Hearing heard from PC Beresford, the applicant on behalf of Kent Police and Ms Eames (Solicitor representing Shepherd Neame) and Mr Barnes (Property and Tenanted Trade Director – Shepherd Neame), the objectors to the application.

PC Beresford advised the Sub Committee that Kent Police did not request summary reviews as a matter of course but there were a number of factors in this case that gave them real concern that should these factors go unaddressed, the road was open for another serious assault, and a management response falling far below what is reasonable and expected, that could result in serious injury or worse of the reasons for

## Agenda Item 3

Licensing Hearing - Monday, 19 August 2013

the application. In response to the Chairman he advised that, subject to the Sub Committee's approval, certain interim steps had been agreed with the licence holder. These were that: Kevin Morris cease to be designated premises supervisor and be replaced with immediate effect by Samantha Pegler (the stepdaughter of Mr Morris and an existing member of staff); the terminal hour for sale of alcohol to be changed to 23.00 – all week, up until the full hearing; the terminal hour for the premises being open to be changed to 23.30 – all week, up until the full hearing; additional visits to be carried out by brewery management; a suitable drugs policy to be put in place; and adaptation of the CCTV.

In response to questions from the Sub Committee he advised that he had requested the transcript of the discussion with the emergency services operator which should be available in time for the full review hearing, and that he did not have dates or details with him but he believed that there had been at least one other incident at the premises in the past month.

Ms Eames confirmed the agreement that had been reached with Kent Police, and added that the restrictions should only be in place until the full review hearing. In response to questions the Sub Committee was advised that Mr Morris was a tenant at the premises and would remain living there for the time being. No action would be taken by the licence holder when at the moment no details or evidence had been passed to them. The Sub Committee advised that they did not feel happy about the choice of alternative designated premises manager, Ms Eames pointed out that the agreement had been reached with Kent Police. PC Beresford confirmed that he was happy with the choice as Ms Pegler had, since the incident, been very cooperative.

It was confirmed that this was an interim steps hearing only. Pending the submission of the full evidence at the review hearing, which the licence holder had not yet had access to, they had decided not to take a challenging role.

At 13.35 the Hearing Members, the Council's Legal Adviser and Democratic Services Officer withdrew to consider the issues raised.

At 13.47 the Hearing Members, Council's Legal Adviser and Democratic Services Officer returned to the Council Chamber.

The Chairman informed the Hearing that the Sub-Committee had had regard to the representations made by the Applicant and interested parties as well as the guidance issued under Section 53A of the Licensing Act 2003 and the Council's Statement of Licensing policy.

It was therefore unanimously,

Resolved: That the following modifications be made to the current premises licence pending the full review hearing

- a) Kevin Morris cease to be designated premises supervisor and be replaced with immediate effect by Samantha Pegler;
- b) the terminal hour for sale of alcohol to be changed to 23.00, seven days a week;
- c) the terminal hour for the premises being open to be changed to 23.30, seven days a week;

- d) additional visits to be carried out by brewery management;
- e) a suitable drugs policy to be put in place; and
- f) adaptation of the CCTV and the outside camera to be repaired.

THE MEETING WAS CONCLUDED AT 1.47 pm

Chairman

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LICENSING ACT 2003 – Section 53a

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**Notice of determination of interim steps following an application for a summary review of a premises licence**

**To:** Chief Officer of Police for the Kent Police area  
**Of:** Maidstone Police Station, Palace Avenue, Maidstone Kent  
**Ref:** 11/00342/LAPMV

Sevenoaks District Council being the licensing authority, on the 15 August 2013 received an application for the review of a premises licence in respect of premises known as The Royal Oak, West Yoke, Ash TN15 7HT.

On the 19 August 2013, within 48 hours of receipt of the chief officer's application, a hearing was held to consider whether it was necessary to take interim steps, and having considered it the Council have determined as follows:

**To make the following modifications to the Premises Licence pending the full review hearing** (to be held within 28 days of the application being received):

Supply of alcohol:

Sunday to Thursday 10:00 - 23:00  
Friday and Saturday 10:00 - 23:00

The opening hours of the premises:

Sunday to Thursday 10:00 - 23:30  
Friday and Saturday 10:00 - 23:30

The designated premises supervisor where the premises licence authorises for the supply of alcohol be changed from

Mr Kevin Morris  
3 Gresham Close  
Rainham  
Kent. ME8 7RR

to

Samantha Pegler  
Royal Oak,  
West Yoke,  
Ash TN15 7HT

**To add conditions to the Licence as follows (pending the full review hearing):**

CCTV to be adapted and outside camera repaired, to allow immediate taking of images recorded by police upon arrival whether on disk, video tape or otherwise. All recording to be kept for a minimum period of 28 days – prevention of crime and disorder, by allowing immediate viewing and circulation aiding apprehension of offenders – this allows an interim measure by the premises with CCTV coverage continuing following an incident.

A suitable Drugs Policy to be worked on and permanently put in place.

**To add the following informative to the Licence as follows (pending the full review hearing):**

Additional visits by brewery staff to be carried out.

The reason for the above modifications to the premises licence is to take interim steps due to the potential undermining of the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance in light of an alleged breach of licence conditions, until a full review hearing is held.

The interim steps are effective from the 19 August 2013.

Dated:

Signed .....

Chairman – Licensing Hearing

Signed .....

Designation – Licensing Officer

Please address any communications to:

The Licensing Partnership  
Community Services  
Council Offices  
PO Box 182  
Argyle Road  
Sevenoaks  
Kent TN13 1GP

**Note: An appeal against the interim steps may be made to the above address and a further hearing held within a further 48 hours pursuant to Section 53A Summary Review Guidance 4.(4.1).**