



LICENSING COMMITTEE - LICENSING HEARING

13 September 2013 at 10.30 am
Council Chamber, Argyle Road, Sevenoaks

AGENDA

Membership:

Cllrs. Abraham, Mrs. Morris and Orridge

(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.)

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.

Apologies for Absence

1. **Appointment of Chairman**
2. **Declarations of interest.**
3. **Application for a Temporary Event Notice - White Horse, Sundridge - 20 September 2013** (Pages 1 - 26)
4. **Application for a Temporary Event Notice - White Horse, Sundridge - 18 October 2013** (Pages 27 - 50)

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.

This page is intentionally left blank

LICENSING ACT 2003 – HEARING TO CONSIDER A TEMPORARY EVENT NOTICE

Licensing Sub-Committee – 13 September 2013

Report of Chief Officer Environmental and Operational Services – Mr Richard Wilson

Status: For Decision

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

Contact Officer(s) Mrs Leeann Leeds Ext. 7270

Recommendation to Licensing Sub-Committee: Members' instructions required.

Introduction and Background

- 1 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 front of this agenda.
- 2 The application is made by Mr Ian Fenn, The White Horse Inn, 105 Main Road, Sundridge, Sevenoaks, Kent TN14 6EQ for a Temporary Event Notice from 21:00 hours until 23:45 hours on 20 September 2013. The Temporary Event Notice seeks to allow up to 150 people on the premises for the provision of regulated entertainment and the sale of alcohol. The Temporary Event Notice received on 30th August 2013 is attached as Appendix 1
- 3 The Environmental Health objection notice received via public access on 3rd September 2013 is attached as Appendix 2

Issues to be decided and options

- 4 Having regard to the Notice and the objection of the relevant responsible authority, members may
 - take no action and permit the event in the manner described in the Temporary Event Notice;
 - issue a counter notice (i.e. refuse the event) under s 105(2)(b) if the Sub-Committee considers it appropriate for the promotion of nuisance licensing objective to do so; and
 - impose one or more of the existing premises licence conditions on the Temporary Event Notice if the authority considers it appropriate for the promotion of the licensing objectives to do so and if the conditions would not be inconsistent with the carrying out of the licensable activities under the Temporary Event Notice.

Agenda Item 3

- 5 The relevant statutory provisions are sections 98 to 110 inclusive of the Licensing Act 2003.

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.

All parties to the hearing will receive written notice of the decision. The written notice will be given at least 24 hours before the beginning of the event period specified in the Temporary Event Notice. The parties may appeal the decision to the Magistrate's Court within 21 days of the day that the appellant was notified by the licensing authority of the decision appealed against, subject to the appeal being brought at least 5 working days before the day on which the event is proposed to commence.

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.

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 decision is to be made with regard to the Licensing Act 2003, Secretary of State's Amended Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from the Policy or Guidance the departure must be directed solely at the attainment of the prevention of crime and disorder and prevention of public nuisance objectives and such departure must be supported by clear and cogent reasons

Members are advised that they may only issue a counter notice if it is appropriate to promote the licensing objectives. The relevant statutory provisions are sections 98 to 110 inclusive of the Licensing Act 2003.

The applicable Licensing Objectives are as follows:

- the prevention of crime and disorder;
- the promotion public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

The relevant section of the Guidance issued under section 182 (as amended in October 2012) of The Licensing Act 2003 is Chapter 7

Human Rights

While all Convention Rights must be considered, those which are of particular relevant to the application are:

Article 8 - Right to respect for private and family life

Article 1 of the First Protocol - Protection of Property

Article 6(1)- Right to Fair Hearing

Article 10 – Freedom of Expression

Under the Licensing Act 2003 the Licensing Authority has a duty to exercise licensing control in respect of temporary events.

Appendices

Appendix 1 - Temporary Event Notice

Appendix 2 - Objection Notice from Environmental Health

Appendix 3 - Part A of current premises licence

Background Papers:

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

Agenda Item 3

The Licensing Act 2003

[Section 182 of the Licensing Act 2003 guidance](#)

Mr Richard Wilson
Chief Officer Environmental and Operational Services

SDC 131

LICENSING PARTNERSHIP
30 AUG 2013
SEVENOAKS DISTRICT COUNCIL

Agenda Item 3
E21 SDC W03



Sevenoaks
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 22700

* required information

Section 1 of 8

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference: This is the unique reference for this application generated by the system.

Your reference: You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name:

Family name:

E-mail:

Main telephone number: Include country code.

Other telephone number:

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Registration number:

Business name:

VAT number:

Legal status:

If your business is registered, use its registered name.
Put "none" if you are not registered for VAT.

Agenda Item 3

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

1 2 3 4 5 6 7 8 Next >



* required information

Section 2 of 8

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Yes No

Your date of birth / /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Agenda Item 3



Sevenoaks Application for a Temporary Event Notice Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 22700

* required information

Section 3 of 8

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

† Does the premises have an address?

Yes No

Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

† Building number or name	<input type="text" value="The White Horse"/>
† Street	<input type="text" value="105 Main Road"/>
District	<input type="text" value="Sundridge"/>
† City or town	<input type="text" value="Sevenoaks"/>
County or administrative area	<input type="text" value="Kent"/>
† Postcode	<input type="text" value="TN14 6EQ"/>
† Country	<input type="text" value="United Kingdom"/>

† Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

† Premises licence number

Location Details

† Provide further details about the location of the event

In Main Bar

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

Continued from previous page...

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

Public House

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

Live Music



* required information

Section 4 of 8

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises
 (see also [guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.
 (See also [guidance on completing the form, note 7](#)).

Event Dates

There must be a period of at least 10 days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also [guidance on completing the form, note 8](#))

Event start date / /
 dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
 dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

(see also [guidance on completing the form, note 9](#))

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

(see also [guidance on completing the form, note 10](#))

Continued from previous page...

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both (see also guidance on completing the form, note 11):

- On the premises only
- Off the premises only
- Both

< Previous [1](#) [2](#) [3](#) **4** [5](#) [6](#) [7](#) [8](#) Next >

Agenda Item 3



Sevenoaks
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 227004

* required information

Section 5 of 8

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 12\)](#)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

Personal licence number

Date of issue / /
dd mm yyyy

Date of expiry / /
dd mm yyyy

Any further relevant details

< Previous 1 2 3 4 5 6 7 8 Next >

Agenda Item 3



Sevenoaks
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 22700

* required information

Section 6 of 8

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 13\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

State the number of temporary event notices you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) **[6](#)** [7](#) [8](#) Next >

Agenda Item 3



Sevenoaks
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 22700

* required information

Section 7 of 8

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 14\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

Yes No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) Next >

Agenda Item 3



Sevenoaks
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 227006

* required information

Section 8 of 8

CONDITION

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 4 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

[See also guidance on completing the form, note 16\)](#)

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence: (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Add another signatory

continued from previous page...

Once you're finished you need to do the following:

1. Save this form to your computer by clicking to file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/sevenoaks/apply-1> to upload this file and continue with your application


Don't forget to make sure you have all your supporting documentation to hand.

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) **8**

For completion by the Licensing Authority

Licensing
Partnership



10. Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	 On behalf of the licensing authority
Date	
Name of Officer signing	J. Bolton

Consultee Comments for Licensing Application 13/02631/LATEN

Application Summary

Application Number: 13/02631/LATEN

Address: The White Horse Inn 105 Main Road Sundridge Sevenoaks Kent TN14 6EQ

Proposal: Temporary Event Notice

Case Officer: Sue Lee

Consultee Details

Name: Mrs Julie Short

Address: CIVIC CENTRE, DARTFORD, KENT DA1 1DR

Email: julie.short@dartford.gov.uk

On Behalf Of: SDC Environmental Protection

Comments

Environmental Health wish to object to this LATEN application in respect of the provision of regulated entertainment -live music at The White Horse Inn until 23:45 on Friday 20th September . Environmental Health have been investigating complaints from local residents regarding excessive levels of noise from amplified music arising from live bands playing at the premises since May . Sufficient evidence has recently been obtained to support the service of an Abatement Notice in respect of noise under the Environmental Protection Act 1990.

This page is intentionally left blank



PREMISES LICENCE

The Licensing Act 2003
Schedule 12, Part A

Premises Licence Number	12/01100/LAPRE
-------------------------	----------------

Part 1 – Premises Details

Postal address of premises , or if none, ordnance survey map reference or description, including Post Town & Post Code	
The White Horse Inn 105 Main Road Sundridge Sevenoaks Kent. TN14 6EQ	
Telephone number	01959 562837

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Sale or Supply of Alcohol Late Night Refreshment

Times the licence authorises the carrying out of licensable activities		
Sale or Supply of Alcohol		
Monday to Saturday		10:00 - 00:00
Sunday		12:00 - 23:30
Late Night Refreshment (Indoors)		
Monday to Saturday		23:00 - 00:00
Sunday		23:00 - 23:30

The opening hours of the premises	
Sunday	12:00 - 23:50
Monday to Saturday	10:00 - 00:20

The non-standard opening hours of the premises
Good Friday from 12:00 until 22:50 hours, Christmas Day from 12:00 until 15:20 hours and 19:00 until 22:50 hours. Extended opening hours from 10:00 hours New Year's Eve to 00:20 hours New Year's Day.

Agenda Item 3

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the premises

Part 2

Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence

Star Pubs And Bars Ltd
2-4 Broadway Park
South Gayle Broadway
Edinburgh
EH12 9JZ

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number SC250925

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Ian Adair Fenn
White Horse Inn
105 Main Road
Sundridge
Sevenoaks
Kent
TN14 6EQ

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: MAID0185/LP/2744
Licence Authority: Maidstone Borough Council



**Kristen Paterson
Community and Planning Services Director
Sevenoaks District Council**

Licence Number: 12/01100/LAPRE
Issue Date: 02.04.2013

Page 2 of 4

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).

Agenda Item 3

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.

Annex 2 – Embedded conditions

Regulated Entertainment - (from original Justices Licence)

Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.

Credit Sales (from original Justices Licence)

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- (a) with and for consumption at a meal supplied at the same time, is consumed with the meal and paid for together with the meal;
- (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- (c) to a canteen or mess.

Annex 3 – Conditions consistent with the Operating Schedule

Not applicable

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

Not applicable

Annex 5 – Plans

Please see attached

LICENSING ACT 2003 – HEARING TO CONSIDER A TEMPORARY EVENT NOTICE

Licensing Sub-Committee – 13 September 2013

Report of Chief Officer Environmental and Operational Services – Mr Richard Wilson

Status: For Decision

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

Contact Officer(s) Mrs Leeann Leeds Ext. 7270

Recommendation to Licensing Sub-Committee: Members' instructions required.

Introduction and Background

- 1 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 front of this agenda.
- 2 The application is made by Mr Ian Fenn, The White Horse Inn, 105 Main Road, Sundridge, Sevenoaks, Kent TN14 6EQ for a Temporary Event Notice from 21:00 hours until 23:45 hours on 18 October 2013. The Temporary Event Notice seeks to allow up to 150 people on the premises for the provision of regulated entertainment and the sale of alcohol. The Temporary Event Notice received on 30th August 2013 is attached as Appendix 1
- 3 The Environmental Health objection notice received via public access on 3rd September 2013 is attached as Appendix 2

Issues to be decided and options

- 4 Having regard to the Notice and the objection of the relevant responsible authority, members may
 - take no action and permit the event in the manner described in the Temporary Event Notice;
 - issue a counter notice (i.e. refuse the event) under s 105(2)(b) if the Sub-Committee considers it appropriate for the promotion of nuisance licensing objective to do so; and
 - impose one or more of the existing premises licence conditions on the Temporary Event Notice if the authority considers it appropriate for the promotion of the licensing objectives to do so and if the conditions would not be inconsistent with the carrying out of the licensable activities under the Temporary Event Notice.

Agenda Item 4

- 5 The relevant statutory provisions are sections 98 to 110 inclusive of the Licensing Act 2003.

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.

All parties to the hearing will receive written notice of the decision. The written notice will be given at least 24 hours before the beginning of the event period specified in the Temporary Event Notice. The parties may appeal the decision to the Magistrate's Court within 21 days of the day that the appellant was notified by the licensing authority of the decision appealed against, subject to the appeal being brought at least 5 working days before the day on which the event is proposed to commence.

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.

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 decision is to be made with regard to the Licensing Act 2003, Secretary of State's Amended Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from the Policy or Guidance the departure must be directed solely at the attainment of the prevention of crime and disorder and prevention of public nuisance objectives and such departure must be supported by clear and cogent reasons

Members are advised that they may only issue a counter notice if it is appropriate to promote the licensing objectives. The relevant statutory provisions are sections 98 to 110 inclusive of the Licensing Act 2003.

The applicable Licensing Objectives are as follows:

- the prevention of crime and disorder;
- the promotion public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

The relevant section of the Guidance issued under section 182 (as amended in October 2012) of The Licensing Act 2003 is Chapter 7

Human Rights

While all Convention Rights must be considered, those which are of particular relevant to the application are:

Article 8 - Right to respect for private and family life

Article 1 of the First Protocol - Protection of Property

Article 6(1)- Right to Fair Hearing

Article 10 – Freedom of Expression

Under the Licensing Act 2003 the Licensing Authority has a duty to exercise licensing control in respect of temporary events.

Appendices

Appendix 1 - Temporary Event Notice

Appendix 2 - Objection Notice from Environmental Health

Appendix 3 - Part A of current premises licence

Background Papers:

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

Agenda Item 4

The Licensing Act 2003

[Section 182 of the Licensing Act 2003 guidance](#)

Mr Richard Wilson
Chief Officer Environmental and Operational Services

18/10/2013

SDC

Agenda Item 4

2.1 web SDC

13/02634/LATEN

Sevenoaks
Application for a Temporary Event Notice
Licensing Act 2003

LICENSING PARTNERSHIP
30 AUG 2013
SMU
SEVENOAKS DISTRICT COUNCIL

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 22700

* required information

Section 1 of 8

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference: This is the unique reference for this application generated by the system.

Your reference: You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name:

Family name:

E-mail:

Main telephone number: Include country code.

Other telephone number:

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Registration number:

Business name:

VAT number:

Legal status:

If your business is registered, use its registered name.
Put "none" if you are not registered for VAT.

Agenda Item 4

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [Next >](#)



Sevenoaks
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
 Telephone: 01732 22700

* required information

Section 2 of 8

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

- Yes No

Your date of birth / /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes No

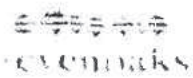
If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Agenda Item 4



Sevenoaks Application for a Temporary Event Notice Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 227004

* required information

Section 3 of 8

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

† Does the premises have an address?

Yes No

Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

† Building number or name

† Street

District

† City or town

County or administrative area

† Postcode

† Country

† Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

† Premises licence number

Location Details

† Provide further details about the location of the event

In Main Bar

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

Continued from previous page...

Describe the nature of the premises below (see also guidance on completing the form, note 4)

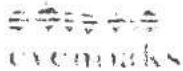
Public House

Describe the nature of the event below (see also guidance on completing the form, note 5)

Live Music

< Previous 1 2 3 4 5 6 7 8 Next >

Agenda Item 4



Sevenoaks Application for a Temporary Event Notice Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 22700

* required information

Section 4 of 8

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises
(see also [guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.
(See also [guidance on completing the form, note 7](#)).

Event Dates

There must be a period of at least 10 days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also [guidance on completing the form, note 8](#))

Event start date / /
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

(see also [guidance on completing the form, note 9](#))

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you

intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

(see also [guidance on completing the form, note 10](#))

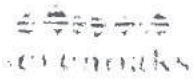
Continued from previous page...

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both (see also guidance on completing the form, note 11):

- On the premises only
- Off the premises only
- Both

< Previous 1 2 3 4 5 6 7 8 Next >

Agenda Item 4



Sevenoaks
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 227004

* required information

Section 5 of 8

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 12)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

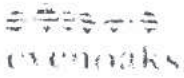
Personal licence number

Date of issue / /
dd mm yyyy

Date of expiry / /
dd mm yyyy

Any further relevant details

< Previous 1 2 3 4 **5** 6 7 8 Next >



Sevenoaks
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 22700

* required information

Section 6 of 8

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 13)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes

No

State the number of temporary event notices you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period:

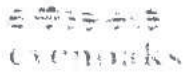
a) Ends 24 hours or less before; or Yes

No

b) Begins 24 hours or less after the event period proposed in this notice?

< Previous 1 2 3 4 5 6 7 8 Next >

Agenda Item 4



Sevenoaks
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
Telephone: 01732 22700

* required information

Section 7 of 8

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 14)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?

Yes No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?

Yes No

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) Next >



Sevenoaks
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
licensing@sevenoaks.gov.uk
 Telephone: 01732 22700

* required information

Section 8 of 8

CONDITION

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 4 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user. See also guidance on completing the form, note 16)

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. This formality requires a fixed fee of £21

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence: (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name	<input type="text"/>
Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Agenda Item 4

continued from previous page...

Once you're finished you need to do the following:

1. Save this form to your computer by clicking to file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/sevenoaks/apply-1> to upload this file and continue with your application


Don't forget to make sure you have all your supporting documentation to hand.

< Previous 1 2 3 4 5 6 7 8

For completion by the Licensing Authority

Partnership



10. Acknowledgement (Please read note 1.8)	
I acknowledge receipt of this temporary event notice.	
Signature	 On behalf of the licensing authority
Date	30-08-13
Name of Officer signing	J. Baller

This page is intentionally left blank

Consultee Comments for Licensing Application 13/02634/LATEN

Application Summary

Application Number: 13/02634/LATEN

Address: The White Horse Inn 105 Main Road Sundridge Sevenoaks Kent TN14 6EQ

Proposal: Temporary Event Notice

Case Officer: Sylvia Lewis

Consultee Details

Name: Mrs Julie Short

Address: CIVIC CENTRE, DARTFORD, KENT DA1 1DR

Email: julie.short@dartford.gov.uk

On Behalf Of: SDC Environmental Protection

Comments

Environmental Health wish to object to this LATEN application in respect of the provision of regulated entertainment -live music at The White Horse Inn until 23:45 on Friday 18th October.

Environmental Health have been investigating complaints from local residents regarding excessive levels of noise from amplified music arising from live bands playing at the premises since May . Sufficient evidence has recently been obtained to support the service of an Abatement Notice in respect of noise under the Environmental Protection Act 1990.

This page is intentionally left blank



PREMISES LICENCE

The Licensing Act 2003
Schedule 12, Part A

Premises Licence Number	12/01100/LAPRE
--------------------------------	----------------

Part 1 – Premises Details

Postal address of premises , or if none, ordnance survey map reference or description, including Post Town & Post Code	
The White Horse Inn 105 Main Road Sundridge Sevenoaks Kent. TN14 6EQ	
Telephone number	01959 562837

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Sale or Supply of Alcohol Late Night Refreshment

Times the licence authorises the carrying out of licensable activities		
Sale or Supply of Alcohol		
Monday to Saturday		10:00 - 00:00
Sunday		12:00 - 23:30
Late Night Refreshment (Indoors)		
Monday to Saturday		23:00 - 00:00
Sunday		23:00 - 23:30

The opening hours of the premises	
Sunday	12:00 - 23:50
Monday to Saturday	10:00 - 00:20

The non-standard opening hours of the premises
Good Friday from 12:00 until 22:50 hours, Christmas Day from 12:00 until 15:20 hours and 19:00 until 22:50 hours. Extended opening hours from 10:00 hours New Year's Eve to 00:20 hours New Year's Day.

Agenda Item 4

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the premises

Part 2

Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence

Star Pubs And Bars Ltd
2-4 Broadway Park
South Gayle Broadway
Edinburgh
EH12 9JZ

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number SC250925

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Ian Adair Fenn
White Horse Inn
105 Main Road
Sundridge
Sevenoaks
Kent
TN14 6EQ

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: MAID0185/LP/2744
Licence Authority: Maidstone Borough Council



**Kristen Paterson
Community and Planning Services Director
Sevenoaks District Council**

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).

Agenda Item 4

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.

Annex 2 – Embedded conditions

Regulated Entertainment - (from original Justices Licence)

Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.

Credit Sales (from original Justices Licence)

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- (a) with and for consumption at a meal supplied at the same time, is consumed with the meal and paid for together with the meal;
- (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- (c) to a canteen or mess.

Annex 3 – Conditions consistent with the Operating Schedule

Not applicable

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

Not applicable

Annex 5 – Plans

Please see attached