

20 June 2019 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks  
Despatched: 12.06.19



# Licensing Committee

## Membership:

Chairman, Cllr. Clack; Vice-Chairman, Cllr. Pett  
Cllrs. Abraham, Dr. Canet, Carroll, Coleman, Esler, Mrs. Hunter, Layland, Parkin  
and Raikes

## Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. <b>Minutes</b> To agree the Minutes of the meeting of the Committee held on 18 March 2019 and 21 May 2019, and the Licensing Hearings held on 4 July 2018, 12 July 2018, 20 July 2018 and 15 March 2019*, as a correct record. (*contains exempt information)	(Pages 1 - 44)	
2. <b>Declarations of interest</b> Any interests not already registered.		
3. <b>Actions from the previous meeting</b>	(Pages 45 - 46)	
4. <b>Licensing Partnership Annual Update Report 2018/19</b>	(Pages 47 - 84)	Sharon Bamborough Tel: 01732227325
5. <b>Licensing Act 2003 - Statement of Licensing Policy</b>	(Pages 85 - 92)	Sharon Bamborough Tel: 01732227325
6. <b>Work Plan</b>	(Pages 93 - 94)	

\*EXEMPT INFORMATION

Consideration of Exempt Information

Recommendation: That, under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting when considering the confidential appendix of the minutes of the Licensing Sub Committee hearing

held on 15 March 2019 above, on the grounds that likely disclosure of exempt information is involved as defined by Schedule 12A, paragraphs 1 and 2 (Information relating to any individual, and information which is likely to reveal the identity of an individual).

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or [democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk).

LICENSING COMMITTEE

Minutes of the meeting held on 18 March 2019 commencing at 6.00 pm

Present: Cllr. Mrs. Morris (Chairman)

Cllr. Clark (Vice Chairman)

Cllrs. Abraham, Dr. Canet, Clack, Clark, Esler, Halford, McArthur, Pett and Raikes

Apologies for absence were received from Cllrs. Kelly, Lake and Parkin

22. Minutes

Resolved: That the Minutes of the meeting of the Licensing Committee held on 30 January 2019 be approved and signed by the Chairman as a correct record.

23. Declarations of interest

No additional declarations of interest were made.

24. Actions from the previous meeting

The Chairman thanked the Sub-Committee who heard the Licensing Hearing on 15 March 2019 and Councillor Esler who acted as Chairman for this Hearing.

25. Licensing Act 2003 - Statement of Licensing Policy

The report was introduced by the Chairman of the Committee who invited Members to consider a minor review of the Council's current Statement of Licensing Policy for the five-year period 1 April 2015 to 31 March 2020 so as to include a policy for outdoor events. Some minor errors for correction were highlighted in the report and Appendix. The Chairman advised that the Policy would be updated next year however the current proposed amendments were to cover outdoor events for which license applications were expected to be received in the coming months.

In response to Member concerns relating to drug use at festivals, Officers advised that license applications would be considered on a case by case basis and safety measures would be conditioned accordingly. Members were advised the Licensing department would consider requests for finishing times contrary to that listed as the terminal hour for outdoor events. It was emphasised that the proposed policy relating to outdoor events would not apply to Temporary Event Notices (TENs).

## Agenda Item 1

### Licensing Committee - 18 March 2019

Resolved: That the amendments to the Statement of Licensing Policy as set out in Appendix A be approved for public consultation.

#### 26. Work Plan

The work plan was noted. It was agreed that results of the consultation on the minor review of the Council's Statement of Licensing Policy would be considered at the meeting on 10 July 2019.

The Chairman conveyed thanks from the Portfolio Holder for Legal and Democratic Services to the Licensing Committee and the Licensing Officers for all their hard work and support over the past four years.

THE MEETING WAS CONCLUDED AT 6.17 PM

CHAIRMAN

LICENSING COMMITTEE

Minutes of the meeting held on 21 May 2019 commencing at 7.30 pm

Present: Cllr. Clack (Chairman)

Cllr. Pett (Vice Chairman)

Cllrs. Abraham, Dr. Canet, Carroll, Esler, Mrs. Hunter, and Layland

Apologies for absence were received from Cllrs. Raikes

1. Declarations of interest

No additional declarations of interest were made.

2. Appointments to Licensing (Hearing) Sub-committees

The Committee considered a report setting out the proposed memberships for the Sub-Committees for Licensing Hearings.

Resolved: that the following memberships of the Licensing Sub-Committees, be approved.

Sub-Committee A - Cllrs. Clack, Carroll and vacancy

Sub-Committee B - Cllrs. Pett, Coleman and Hunter

Sub-Committee C - Cllrs. Abraham, Esler and Dr. Canet

Sub-Committee D - Cllrs. Raikes, Parkin and Layland

Cllr. to be a floating Member (Vacancy)

THE MEETING WAS CONCLUDED AT 7.41 PM

CHAIRMAN

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**LICENSING HEARING**

Minutes of the meeting held on 4 July 2018 commencing at 10.30 am

Present: Cllrs. Abraham, Clack and Raikes

Also present: George Goodson - Applicant's representative  
Jessica Foley - Licensing Officer  
David Lagzdins - Solicitor  
Vanessa Etheridge - Democratic Services Officer

1. Appointment of Chairman

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

(Councillor Clack in the Chair)

2. Declarations of interest

There were none.

3. Report to Licensing Sub-Committee Following Receipt of a Representation in Relation to an Application made under The Licensing Act 2003 for Emerson Grange in Hextable - 18/00376/LAPRE.

The Chairman commenced the meeting and immediately adjourned it to allow time for the Applicant's representative to arrive.

Meeting adjourned 10.33 am.

Meeting reconvened 10.35 am.

The Chairman welcomed everyone to the meeting.

The Hearing gave consideration to a report by the Chief Officer Environmental and Operational Services giving details of an application for a new premises licence under the Licensing Act 2003. It was noted that an objection had been received and that accordingly the application had been referred to the Sub-Committee for determination. No objector was present.

The Hearing heard from the Applicant's representative, he summarised the kind of events they hoped to hold and why they were applying for the licence and answered questions on timings and the operating schedule submitted. They wished to fully integrate with the local community and be a good neighbour, and had offered window washing and the services of a tree surgeon to local neighbours including the objector. Hearing Members queried the entrance policy and how alcohol would be served and paid for to get an idea of the operations.

## Agenda Item 1

### Licensing Hearing - 4 July 2018

At 11.07 a.m. the Hearing Members withdrew to consider the issues raised accompanied by the Council's Legal Advisor and Clerks to the Hearing for the purpose of providing advice only.

At 11.43 a.m. the Hearing Members, Council's Legal Advisor and Clerks to the Hearing returned to the Council Chamber.

The Chairman informed the Hearing that the Sub-Committee had had regard to the Licensing Objectives and to the representations made by the Applicant and interested parties, to the guidance issued under s. 182 of the Licensing Act 2003 and the Council's Statement of Licensing policy.

Resolved: That a Premises License in respect of Emerson Grange, Cinnamon Care Collection, Rowhill Road, Hextable, Kent BR8 7RL, subject to mandatory conditions and amended operating schedule in the notice of determination attached as an appendix to these minutes, be granted.

THE MEETING WAS CONCLUDED AT 11.43 AM

CHAIRMAN

**LICENSING ACT 2003 - Section 23**

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**Notice of determination for application premises licence**

**To:** Hextable Care Limited

**of:** Emerson Grange, Cinnamon Care Collection, Rowhill Road, Hextable, Kent.  
BR8 7RL

**Ref:** 18/00376/LAPRE

Sevenoaks District Council being the licensing authority, on the 6 February 2018 received an application for a premises licence in respect of premises known as Emerson Grange, Cinnamon Care Collection, Rowhill Road, Hextable, Kent, BR8 7RL.

On the 4 July 2018 there being valid representation which was received but had not been withdrawn, a hearing was held to consider this representation, and having considered it the Licensing Sub-Committee determined as follows:

**To grant the Premises Licence:**

Section A	To allow the performance of plays both indoors and outdoors everyday from 10:00 to 23:00 hours. On New Year's Eve from 10:00 until 00:30 on New Year's Day.
Section E	To allow Live music both indoors and outdoors everyday from 10:00 to 23:00 hours. On New Year's Eve from 10:00 until 00:30 on New Year's Day.
Section F	To allow recorded music both indoors and outdoors everyday from 10:00 to 23:00 hours. On New Year's Eve from 10:00 until 00:30 on New Year's Day.
Section G	To allow performance of dance both indoors and outdoors everyday from 10:00 to 23:00 hours. On New Year's Eve from 10:00 until 00:30 on New Year's Day.
Section M	To allow the supply of alcohol for consumption on the premises everyday from 10:00 to 23:00 hours. On New Year's Eve from 10:00 until 00:30 on New Year's Day.
Section O	To allow the premises to be open to the public everyday from 00:00 to 00:00 hours.

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**Mandatory conditions** - the following conditions will be added to the premises licence when it is issued.

### 1. 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.

### 2. Mandatory conditions in force from 28 May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
  - (b) "permitted price" is the price found by applying the formula—  $P = D + (D \times V)$   
where -
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a

licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4.
- (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
  - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **3. Mandatory Conditions in force from 01 October 2014**

- 1.
- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an 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—
    - (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

## Agenda Item 1

- (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 in a manner which carries a significant risk of undermining a licensing objective;
  - (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 in a manner which carries a significant risk of undermining a licensing objective;
  - (d) 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;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) 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 either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
- 4. The responsible person must 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;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

### **Amended Operating Schedule conditions**

1. During the day (0800hrs to 1700hrs as a minimum) the Premises Reception will be staffed. All visitors will be required to sign in at all times. At other times when the reception is not staffed the main doors will be set to exit only.
2. Training will be given to all staff on the licensing objectives and how they apply to the premises. A register of training shall be kept updated at the premises and made available at any time for inspection by any responsible authority upon request.
3. Only residents and guests will be served alcohol.
4. A Challenge 25 scheme will be operated at all times to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card or a card bearing the PASS hologram. All staff will be fully trained in 'Challenge 25' and the training will be fully auditable and made available at any time for inspection by any responsible authority on request. The premises shall display prominent signage indicating that the Challenge 25 scheme is in operation
5. No live music outside in the gardens beyond 21:00 hours and no live music inside the building beyond 22:30 hours on any day of the year (except New Year's Eve). Doors and windows to be closed after 21:00 hours when music is being played inside to stop any noise traveling to disrupt the public.
6. Any one displaying signs of intoxication or disorderly or aggressive behaviour will be requested to leave and refused any further alcohol of any sort. Any person showing signs of being disorderly will be asked to leave, residents will be asked to return to their room or apartment.
7. After 2100hrs, alcohol will only be sold from the main bar situated on the ground floor.
8. No Children will be allowed in any area of the home selling alcohol after 21:00 hours.

The reasons for the additional and amended conditions are the prevention of crime

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and disorder, the protection of children from harm and the prevention of public nuisance.

This licence granted at the Hearing is effective from the 4 July 2018.

Dated: 4 July 2018.

Please address any communications to:

Licensing Partnership

Sevenoaks District Council

Council Offices

PO Box 182

Argyle Road

Sevenoaks

Kent TN13 1GP

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

**LICENSING HEARING**

Minutes of the meeting held on 12 July 2018 commencing at 10.30 am

Present: Cllrs. Parkin, Pett and Raikes

Also Present:	Lee Denny	Applicant/Neverworld Director
	Alex Lepingwell	Neverworld Event Manager
	Chris Beale	Neverworld Noise Consultant
	Stephen Thomas	Neverworld Solicitor
	Sandra Wadsworth	Resident
	Penny Harris	Resident
	Councillor Dickins	Councillor
	Councillor Coleman	Councillor
	Nick Chapman	Assistant Environmental Health Manager (SDC)
	Colin Alden	Environmental Health Officer (SDC)
	Annie Sargent	Environmental Health Manager (SDC)
	Ellen Shaw	Kent Police
	Phil Comben	Kent Police
	Mark Beresford	Kent Police
	Sharon Bamborough	Head of the Licensing Partnership (SDC)
	David Lagzdins	Legal Advisor (SDC)
	Michael Moss	Licensing Officer (SDC)
	Vanessa Etheridge	Democratic Services Officer (SDC)
	Holly Phillips-White	Democratic Services Officer (SDC)

Before the meeting a [Supplementary Agenda \(1\)](#) had been circulated.

The Democratic Services Officer commenced the meeting and immediately adjourned as the meeting was inquorate. All present were asked whether they were able to reconvene at 12 noon which was agreed.

Meeting adjourned 10:31am

During the adjournment [more papers](#) came to light and were circulated.

Meeting reconvened 12:11pm

1. Appointment of Chairman

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

(Councillor Pett in the Chair)

2. Declarations of interest

There were none.

3. Report to Licensing Sub-Committee following receipt of a representation in relation to an application for a Premise Licence from Phizzwizards Limited for a Time Limited Premises Licence under The Licensing Act 2003 - 18/01654/LAPRE.

The Chairman welcomed everyone to the meeting and apologised for the delayed start.

The Hearing gave consideration to the report by the Licensing Officer giving details of an application for a new time limited premise license under the Licensing Act 2003. He provided a brief overview of the application and gave details of when and what supplementary information had been received following the report being published. Two amendments to the report were highlighted, firstly the terminal hour for the sale of alcohol within the Rainbow Room until 06:00am and secondly an additional email objection which had been marked as SPAM taking the total number of resident objections to seven. It was noted that 5.1 of the Conditions for Neverworld 2018 had been agreed in the adjournment. The Licensing Officer confirmed the conditions which had been agreed by the applicant and directed Members to the two main areas of concern, the duration of the activities and the level at which noise would be monitored.

The Applicant was in attendance with his Solicitor and Event Manager and Noise consultant. The Hearing heard from the Applicant's Solicitor who summarised the event and its history at the site. The Applicant's Solicitor accepted that there had been complaints relating to public nuisance of the 'Leefest' music festival held in 2017 by the applicant and explained the measures taken to avoid these in the future. He also drew attention to the fact that a freedom of information request had been submitted to Sevenoaks District Council in 2016 which had shown no complaints for the 2016 festival, however complaints had been received in 2017. The Applicant had hired a new Events Manager and a Noise consultant. Consultation was said to have been carried out with local residents prior to the application. The Applicant's Events Manager advised that they had entered into a contract with Wilderness Farm which prohibited the site from hosting another music event of more than 500 people. The organisers wished for the event to contribute to the economy and tourism of the area and they had also carried out outreach work in the local area. 25% of tickets sold so far had been for families and the representative advised that tickets had been given to local residents who would be served by shuttle service between the festival and nearby residential areas. No day tickets would be sold.

The Applicant's Solicitor advised that the proposed operating hours had been altered from the previous year including stages being open until 2am on the Friday morning and only the Rainbow Rooms stage to remain open until 6am on the Saturday and Sunday morning. The altered operating hours were said to have been adopted following consultation with Chiddingstone Parish Council. It was noted

## Licensing Hearing - 12 July 2018

that a reduction to 1 bar between the hours of 2am and 6am would allow staff to better monitor alcohol consumption and control noise levels. There would be no use of microphones after 23:00.

The Applicant's Events Manager and Noise Consultant provided additional technical information especially concerning noise reduction. Steps had been taken to ensure appropriate event control, such as working with an experienced Sound Contractor. The Noise Consultant has significant experience with festivals, construction works and all UK motor racing courses. There would be real-time noise monitoring. A methodology had been agreed with Environmental Health Officers to take account of aircraft noise. A night-time level of 35dB had proposed at the sensitive sites in accordance with WHO guidelines, with no bass beat to be permitted.

In response to Members' questions the Applicant's representatives clarified that the Council must approve fireworks usage and it was intended that loud fireworks would only be used before 11pm. The Panel requested clarification on the delivery times as laid out in the Traffic Management Plan and where security searches would take place. Members were advised that the Rainbow Rooms would hold up to 500 people, would function primarily as a venue for late night refreshments and would also provide entertainment during the night. 'Sound Baffles' were planned to be installed to prevent omni-directional sound, reduce sound energy and to offset the effects of low frequency sounds. The Noise Consultant answered questions around the proposed noise levels, noting that sound may drop by 10dB between the outside and inside of a property with open windows, and that a level of 25dB inside a property would not impact sleep or have psychoacoustic impact. He acknowledged that the bass beat would also have to be eliminated in order to have no impact. Members were advised that if sounds levels were to go above those prescribed for the time a sound limiter would cap the sounds and stages would be closed if non-compliant.

A local resident objecting to the application raised concerns that in previous years her complaints had not been dealt with when she contacted the telephone numbers provided. The Applicant advised the process had been developed and staff would be on hand to answer the complaints telephone line at all times. A complaints message log would be visible to the Council. Applicant suggested he could circulate the complaints information to a wider group of residents than in previous years.

Environmental Health advised that an out of hours Council telephone line would be in operation as was in previous years. Complaints had been received following the festival in 2016. It was explained that sound may be more noticeable to the residents than to an instrument. The Applicant and his Noise Consultant advised that they could conduct noise tests from within the neighbouring properties if the residents wished. Problems in 2017 arose when a bar was re-opened with questionable authority. The Noise Consultant would have absolute authority to close the bar.

The Head of the Licensing Partnership advised that her main concern had been the risk of public nuisance caused by music and festival attendees into the early hours (06:00am). She referred to a report 2 in supplementary agenda 2 which listed the

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### Licensing Hearing - 12 July 2018

operating hours of other camping festivals around the country and showed a range of different finish times for music and sale of alcohol both earlier and later those proposed in the application.

The Assistant Environmental Health Manager expressed frustration with the late submission of proposals from the applicant and his representatives. They stated that the Applicant had found it difficult to comply with noise restrictions after 2am in the past. It was suggested that no music could be played following midnight on the Thursday with the noise levels being reduced following midnight on the weekend evenings, to cease after 2am after which it was also likely that Officers would no longer be available.

A representative from Kent Police advised the committee that the Applicant's festivals hadn't cause a significant issue in the past and this event was considered a low security risk event which would not require police presence. Kent police received the Security and Traffic management plan on 11 July 2018 and planned to liaise with applicant directly over these documents.

A local resident spoke in support of the application stating that she had attended the festival in previous years with her family and appreciated the community outreach the Applicant arranged, especially in the form of Music Masterclasses at Hever School.

The resident against the application spoke and explained that the festival had interfered with her ability to sleep at night and enjoy her home. She was concerned that she had experienced tinnitus from the festival in previous years and children nearby could not sleep. Previous promises at noise control had not been met. In response the applicant's noise consultant noted that Health & Safety regulations only recommended protection when at 80dB and above. However, tinnitus could also be induced by stress.

At 14:13 p.m. the Hearing Panel Members withdrew to consider the issues raised, accompanied by the Council's Legal Advisor and Clerk to the Hearing for the purpose of providing advice only.

At 15.20 p.m. the Hearing Panel Members, Council's Legal Advisor and Clerk to the Hearing returned to the Chamber.

The Chairman informed the Hearing that the Sub-Committee had had regard to the representations made by the Applicant and interested parties, the Licensing objectives, the Statutory Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy and was therefore granting the application subject to additional conditions where appropriate to address potential undermining of the licensing objective of prevention of public nuisance. An informative was included that residents affected by the noise and wishing to complain should call the Council and follow up their conversation with an email.

Resolved: That a Time Limited Premises Licence in respect of Neverworld, Wilderness Farm, Wilderness Lane, Hever, Kent TN8 7LP subject to

Licensing Hearing - 12 July 2018

mandatory conditions and additional conditions contained in the notice of determination attached as an appendix to these minutes, be granted.

THE MEETING WAS CONCLUDED AT 3.20 PM

CHAIRMAN



**LICENSING ACT 2003 - Section 23**

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**Notice of determination for application premises licence**

**To:** Phizzwizards Limited (Neverworld)

**of:** Wilderness Farm, Wilderness Lane, Hever, Kent. TN8 7LP

**Ref:** 18/01654/LAPRE

Sevenoaks District Council being the licensing authority, on the 16 May 2018 received an application for a premises licence in respect of premises known as Neverworld, Wilderness Farm, Wilderness Lane, Hever, Kent. TN8 7LP.

On the 12 July 2018 there being valid representations which were received but had not been withdrawn, a hearing was held to consider these representations, and having considered them the Licensing Sub-Committee determined as follows:

**To grant the Premises Licence:**

Section A: To allow the performance of a play both indoors and outdoors on  
 02 Aug 12:00 to 23:59  
 03 Aug 00:00 to 23:59  
 04 Aug 00:00 to 23:59  
 05 Aug 00:00 to 12:00

Section B: To allow the exhibition of films both indoors and outdoors on  
 02 Aug 12:00 to 23:59  
 03 Aug 00:00 to 23:59  
 04 Aug 00:00 to 23:59  
 05 Aug 00:00 to 12:00

Section D To allow boxing or wrestling entertainments both indoors and outdoors on  
 02 Aug 12:00 to 23:59  
 03 Aug 00:00 to 23:59  
 04 Aug 00:00 to 23:59  
 05 Aug 00:00 to 12:00

Sections E To allow live music both indoors and outdoors on  
 02 Aug 17:00 to 23:00  
 03 Aug 10:00 to 23:00  
 04 Aug 10:00 to 23:00

Section F To allow recorded music both indoors and outdoors on  
 02 Aug 17:00 to 23:59  
 03 Aug 00:00 to 01:00  
 03 Aug 10:00 to 23:59  
 04 Aug 00:00 to 02:00  
 04 Aug 10:00 to 23:59

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05 Aug 00:00 to 02:00  
05 Aug 10:00 to 18:00

One small venue (Rainbow Room) will have recorded music until 06:00 each day, all other venues will close at 02:00.

Section G To allow the performance of dance both indoors and outdoors on  
02 Aug 17:00 to 23:59  
03 Aug 00:00 to 02:00  
03 Aug 10:00 to 23:59  
04 Aug 00:00 to 02:00  
04 Aug 10:00 to 23:59  
05 Aug 00:00 to 02:00

Section L To allow late night refreshment both indoors and outdoors on  
02 Aug 23:00 to 23:59  
03 Aug 00:00 to 05:00  
03 Aug 23:00 to 23:59  
04 Aug 00:00 to 05:00  
04 Aug 23:00 to 23:59  
05 Aug 00:00 to 05:00

Section M To allow the supply of alcohol both on and off the premises on  
02 Aug 12:00 to 23:59  
03 Aug 00:00 to 02:00  
03 Aug 10:00 to 23:59  
04 Aug 00:00 to 02:00  
04 Aug 10:00 to 23:59  
05 Aug 00:00 to 02:00

One small venue (Rainbow Room) will serve alcohol until 06:00 Friday, Saturday and Sunday mornings.

Section O To allow the premises to be open to the public  
02 Aug 12:00 to 23:59  
03 Aug 00:00 to 23:59  
04 Aug 00:00 to 23:59  
05 Aug 00:00 to 14:00

**To add the conditions on the Licence as follows:**

**Mandatory conditions** - the following conditions will be added to the premises licence when it is issued.

### 1. 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.

## 2. Mandatory conditions in force from 28 May 2014

- 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 2. For the purposes of the condition set out in paragraph 1-
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
  - (b) "permitted price" is the price found by applying the formula—  $P = D + (D \times V)$   
where -
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

## Agenda Item 1

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4.
  - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
  - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### 3. Mandatory Conditions in force from 01 October 2014

- 1.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an 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—
    - (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 in a manner which carries a significant risk of undermining a licensing objective;
    - (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 in a manner which carries a significant risk of undermining a licensing objective;

- (d) 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;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 3.
- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) 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 either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
4. The responsible person must 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;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

#### 4. Door supervision

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Any premises which includes a condition that door supervisors must be at the premises to carry out a security activity, shall ensure that each such person is licensed to conduct such activities by the Security Industry Authority.

### 5. Exhibition of films

Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

Where -

(a) the film classification body is not specified in the licence, or  
(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,  
admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In this section:-

"children" means person aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

### Operating Schedule conditions

1. Any plays or wrestling performances provided will be non-amplified and not require the use of any large PA amplification.
2. Posters will be displayed at the main exit asking attendees to leave quietly, stewards will amplify this message verbally.
3. All effects lighting will be contained by the marquees and surroundings trees. Security and site lighting will be positioned to prevent any light spillage into residential windows.
4. Amnesty bins will be provided at the entrances to the campsite and the entrance to the arena.
5. All guests will be searched on entry.
6. Under 18s will wear brightly coloured 'Under 18s' wristband with the telephone number of their elected guardian.
7. Any venue featuring entertainment or material that may be considered explicit or adult will have age restricted entry and will be inside opaque tented venues to prevent access or viewing by children.

**The following additional conditions:**

1. No Special effects, fireworks, strobes, lasers or pyrotechnic effects are to be used or take place within the licensed premises area without the written approval of the District Council which shall not be unreasonably withheld.
2. All lighting shall be designed to ensure it does not result in unreasonable light trespass/intrusion or glare at nearby residential properties.

3. NOISE

Live Music shall only take place during the following periods

Thursday- 10:00 to 23:00

Friday- 10:00 to 23:00

Saturday- 10:00 to 23:00

Playing of recorded music shall only take place during the following periods

Thursday- 10:00 to 24:00

Friday- 10:00 to 24:00

Saturday- 00:00 to 02:00

Saturday- 10:00 to 24:00

Sunday- 00:00 to 02:00

Playing of low level music may take place during the following periods

Friday- 00:00 to 01:00

Saturday- 02:00 to 06:00

Sunday- 02:00 to 06:00

Sunday- 10:00 to 18:00

The use of microphones by MCs and DJs is permitted only between the hours of 10:00 and 23:00 on any day. Microphones may be used for emergency announcement and spoken word including comedy, cabaret and poetry performance at any other time.

Low level music shall be defined as: recorded music played in association with the consumption of refreshment or other activity which may include dancing. The overriding test shall be that, at any noise sensitive receptor, low level music shall not exceed the specified noise limit and shall not contain bass beats.

4. The following Music Noise Levels shall apply to the event.

## Agenda Item 1

Day	Time	LAeq (1 minute) measured at 1 meter from noise sensitive and/ or locations specified in condition 11 & 13	Noise levels in the 63Hz and 125Hz octave frequency bands (at noise sensitive premises more than 2km away from the Licenced Premises Only)
Thursday	10:00 to 23:00	60dBA	70
	23:00 to 24:00	35dBA	Low level music - No bass beats
Friday	00:00 to 01:00	35dBA	Low level music - No bass beats
	10:00 to 23:00	60dBA	70
	23:00 to 24:00	45dBA	62dBLZeq(1,63Hz octave) and 59dBLZeq(1,125Hz octave)
Saturday	00:00 to 06:00	35dBA	Low level music - No bass beats
	10:00 to 23:00	60dBA	70
	23:00 to 24:00	45dBA	62dBLZeq(1,63Hz octave) and 59dBLZeq(1,125Hz octave)
Sunday	00:00 to 06:00	35dBA	Low level music - No bass beats
	10:00 to 18:00	60dBA	70

### 5. Basis of measurement

- (a) Mindful of the difficulty in avoiding noise from aircraft, noise measurements will be recorded in period intervals of 1 minute. Aircraft noise will be redacted and at the end of each 30 minute period the arithmetic mean of the remaining measurements will be calculated. The result will be used as the guide for compliance with licence conditions.

6. At least two weeks prior to the event, the licensee shall provide the Environmental Protection Team with details of all sound equipment, staging and acoustic mitigation proposed to be in use during the event. Such details shall include acoustic calculations / mapping to predict the cumulative MNL and demonstrate how the proposed systems will be sufficient to ensure that the offsite MNL shall not be exceeded.
7. At least two weeks prior to the event a methodology shall be agreed with the Environmental Health Team (confirmed in writing) by which sound propagation

test(s) shall be undertaken. Such testing shall include all sound stages and shall take place prior to any regulated entertainment taking place.

8. The sound propagation testing will take place between 20:00 and 21:00 on Wednesday 1st August 2018.
9. The Environmental Health Team will be notified at least 2hrs in advance of testing taking place to allow for officers to be present during sound checks.
10. The licensee shall nominate, in writing, a sound engineer who throughout the course of the event shall be in control of the Music Noise Level (MNL). This sound engineer shall operate independently of any DJ, or artiste in all music areas within the licensed site.
11. The licensee's sound engineer shall take continuous noise measurement readings from a minimum of three locations agreed in advance of the event with the District Council's Environmental Protection Officer. The monitoring locations will be sited so as to be representative residential exposure to the MNL from the event at Truggers Lane, Rectory Lane and Markbeece. A fourth offsite monitor will be supplied for use if necessary.
12. Data from these monitoring locations shall be made available via remote reporting to the Environmental Protection Officer via a dedicated web-portal or similar throughout the course of the event.
13. The licensee's sound engineer shall take additional noise measurement readings as necessary to ensure compliance at noise sensitive properties.
14. At all times during the playing of regulated or unregulated entertainment, the licensee shall nominate in writing a minimum of 4 persons who shall assist the licensee's sound engineer with onsite management of the MNL. These nominated persons shall carry out any and all instructions given by the licensee's sound engineer or the District Council's Environmental Protection Officer to reduce or modify the MNL to ensure compliance with the relevant noise conditions.
15. The licensee shall maintain a complaint telephone line throughout the event. The licensee shall ensure that where a mobile telephone is to be used, that an appropriate network provider is selected to ensure good network service during the course of the event. This telephone number shall be provided to the Environmental Health Team at least two weeks in advance of the event.
16. During the event the licensee shall ensure that calls are answered and responded to within 15 minutes. A schedule of persons responsible for monitoring the complaint telephone will be supplied to the licensing authority.
17. Where anonymous complaints are received, the licensee shall make reasonable effort to investigate the details of the complaint and take action as appropriate. Public information will ask callers to provide a postcode in order to locate complaints, however they will not be required to supply names or telephone numbers.

## Agenda Item 1

18. All calls shall be logged. The Environmental Protection Team shall have online view of the event noise log at all times.
19. Where calls are received in respect of the MNL, the licensee shall visit the area in focus and undertake noise measurements to ascertain the validity of the complaint. Where MNLs are found to exceed those in condition 4. Immediate steps will be taken to reduce the MNL to the levels agreed.
20. At least 1 week prior to the event the licensee will send a letter to all residents within 1km of the event site. The wording of the letter shall be provided to the Environmental Protection Team and will as a minimum contain the following:
  - (a) Details of event timings
  - (b) Information on agreed noise levels
  - (c) Details of complaints procedure (including complaint telephone line)
  - (d) Steps that will be taken to rectify complaints.
21. No Helicopter landings or take offs, other than any required in response to an emergency, shall take place at the premises for the duration of the event.
22. Challenge 25 will be in operation at the entrance to the event area and at all places where the sale of alcohol is permitted.
23. Signage will be clearly displayed at all places where the sale of alcohol is permitted advising customers that Challenge 25 is in operation.
24. SIA licensed security will be used in any positions where searching, refusal of entry, patrolling or intervention may be required and at the sites of all licensable activities.
25. Stewards and volunteers will be used to assist with general information and monitoring of activity around the site; this team will not replace or replicate the provisions of the SIA licensed security team.
26. All security staff, stewards and volunteers will be suitably briefed in their duties prior to the admission of the public to the site and before entertainment provision starts on each event day. This briefing should include, but is not limited to, communications, emergency procedures and welfare.
27. It shall be a condition of entry that each attendee will be searched upon entry to the event site. All searching will be carried out by suitably accredited staff and any prohibited items will be retained securely by staff.
28. Amnesty bins provided by the organiser at point of entry to the event area, these must be adequately secured and emptied by suitable staff. Any items removed from these bins should be securely stored and dealt with in an appropriate manner.
29. All security staff, stewards and volunteers will wear clothing which makes them

easily identifiable to members of the public.

30. All staff are required to wear the correct Personal protective equipment (PPE) for the activities they are undertaking at all times. All PPE must be in a clean and useable state.
31. Key staff shall be issued with a radio; this includes key staff at the site of each licensable activity and the security team
32. All staff shall be provided a contact sheet prior to the event stating the frequencies each team will be using on the radio and a list of mobile numbers in the event of radio failure.
33. Public car parking will be managed through experienced traffic management staff that shall be fully visible and identifiable during the duration of the event.
34. Posters will be displayed at all exits requesting attendees leave quietly, this message will be reinforced by stewards and volunteers as necessary.
35. A direct telephone line must be made available in order to receive any complaints from members of the public. The line must be manned for the duration of the event with details provided to the public of event hours. The complaint contact number must be provided to the public at least 5 days prior to the event.
36. A log book will be maintained detailing any incidents and accidents occurring on or within close proximity of the site or any complaints received by any means in relation to the event from any person, responsible authority or staff. Any such record must be signed and dated by the person making the entry and must be produced to an authorised officer of the local authority or to a police officer on reasonable request.
37. No unaccompanied children will be permitted on the event site at any time.
38. If a tent is provided that contains adult content signs will be placed at the entrance to the tent advising that persons under the age of 18 are not permitted. During times that the tent contains adult content security staff will be positioned at the entrance to the tent to prevent access by anyone under the age of 18.

This licence granted at the Hearing is effective from the 12 July 2018.

Dated: 12 July 2018.

## Agenda Item 1

Please address any communications to:

Licensing Partnership

Sevenoaks District Council

Council Offices

PO Box 182

Argyle Road

Sevenoaks

Kent TN13 1GP

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

**LICENSING HEARING**

Minutes of the meeting held on 20 July 2018 commencing at 10.30 am

Present: Cllrs Clark, Esler and Kelly

Also present:	Darian Keady	Environmental Health (SDC)
	Quentin Coulombel du Beaudiez	Applicant/Brisket & Barrel partner
	Sebastian Gagnebe	Brisket & Barrel partner
	George Stacey	Resident
	Demi Lockett	Resident
	David Lagzdins	Legal Advisor (SDC)
	Jessica Foley	Licensing Officer (SDC)
	George Lewis	Democratic Services Officer (SDC)
	Vanessa Etheridge	Democratic Services Officer (SDC)

1. Appointment of Chairman

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

(Councillor Clark in the Chair)

2. Declarations of interest

There were none.

3. Report to Licensing Sub-Committee following a representation in relation to an application for a variation made under the Licensing Act 2003 for Brisket and Barrel in St Johns Hill, Sevenoaks - 18/01270/LAPRE

The Chairman welcomed everyone to the meeting.

The Hearing gave consideration to the report by the Licensing Officer giving details of an application for a variation to a premises license under the Licensing Act 2003.

The applicant and his company partner were in attendance and he summarised the company's first year as a business in the St John's Hill area of Sevenoaks, helping bring customers to the Bat & Ball area. They explained that the restaurant had engaged in two live events, both controlled by temporary event notices, which drew no complaints from nearby residents. The applicant advised that the terraced area outside would be for up to 60 people, with an outside bar manned at all times.

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### Licensing Hearing - 20 July 2018

After the applicant explained that the entrance from the road would be closed to keep noise levels for residents low, Members questioned how access would be gained. He confirmed that this would be through the restaurant itself, down some steps and into the terraced area. Disabled access would be through the street beside the restaurant, which would be fenced off.

Members questioned how often the restaurant would screen films and what type of film would be shown. The applicant confirmed films could be shown once or twice a year and that family films, James Bond or similar films, would be shown.

Environmental Health confirmed that the noise impact, especially during summer months, was detrimental to the properties that overlooked the back of the restaurant. They explained that noise could come from various sources that included noise from customers outside and from staff both during working hours and whilst packing away after the restaurant had shut.

A local resident from an adjacent flat objected to the application and raised concern about the noise being from 11am to 11pm on six days of the week, sometimes until midnight due to staff clearing up.

The Chairman moved, and it was

Resolved: That under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting when considering noise recordings submitted by the Environmental Health Officer, on the grounds that likely disclosure of exempt information is involved, as defined in Schedule 12A: paragraph 1 - Information relating to any individual.

The Hearing was played noise recordings collected by Environmental Health from the objector's property.

The Chairman moved and it was

Resolved: That the public and press no longer be excluded from the Hearing.

Members invited the applicant to explain whether an earlier finish to the licensable activities was reasonable. The applicant agreed and explained that he wanted to come to a decision that suited all interested parties, which included a change of route from the restaurant to the terrace to encompass where the smoker is inside the kitchen area instead of through the street, which would affect neighbouring properties. The applicant also offered to restrict the use of the terrace to Thursdays, Fridays, Saturdays and Sundays and to stop the music on the terrace at 9 p.m., except on the occasions when there was live music.

At 11.38 a.m., the Hearing Panel Members withdrew to consider the issues raised, accompanied by the Council's Legal Advisor and Clerk to the Hearing for the purpose of providing advice only.

Licensing Hearing - 20 July 2018

At 12.06 p.m. the Hearing Panel Members, Council's Legal Advisor and Clerk to the Hearing returned to the Chamber.

The Chairman informed the Hearing that the Sub-Committee had had regard to the representations made by the Applicant and objector, the Licensing objectives, the Statutory Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy and was therefore granting the application subject to additional conditions outlined in the Notice of Determination.

Resolved: That a Variation to a Premises Licence in respect of Brisket & Barrel, 123 St John's Hill, Sevenoaks, Kent TN13 3PE subject to mandatory conditions and additional conditions contained in the notice of determination attached as an appendix to these minutes, be granted.

THE MEETING WAS CONCLUDED AT 12.12 PM

CHAIRMAN



LICENSING ACT 2003 - Sections 35 and 36

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## **Notice of determination of application for variation of premises licence**

**To:** Brisket & Barrel

**Of:** 123 St John's Hill, Sevenoaks, Kent, TN13 3PE

**Ref:** 18/01270/LAPRE

Sevenoaks District Council being the licensing authority, on the 19 April 2018 received an application for a variation to a premises licence in respect of premises known as Brisket & Barrel, 123 St Johns Hill, Sevenoaks, Kent, TN13 3PE.

On the 20 July 2018 there being valid representations which were received had not been withdrawn, a hearing was held to consider these representations, and having considered them the Licensing Sub-Committee determined as follows:

### **To grant the variation of the Premises Licence**

**Section B:** To allow the exhibition of films outdoors:

Thursdays 12:00 - 21:00 hours

Fridays and Saturdays 12:00 - 22:00 hours

Sundays 12:00 - 17:00 hours

**Section M:** To allow the supply of alcohol for consumption both on and off the premises every day from 09:00 to 23:00 hours.

**Section O:** To allow the premises to be open to the public every day from 09:00 to 23:00 hours.

To add the conditions on the Licence as follows:

**Mandatory conditions** - the following conditions will be added to the premises licence when it is issued.

#### **1. 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.

#### **2. Mandatory conditions in force from 28 May 2014**

## Agenda Item 1

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
  - (b) "permitted price" is the price found by applying the formula—  $P = D + (D \times V)$

where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4.
  - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the

permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### 3. Mandatory Conditions in force from 01 October 2014

1.

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an 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—
  - (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 in a manner which carries a significant risk of undermining a licensing objective;
  - (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 in a manner which carries a significant risk of undermining a licensing objective;
  - (d) 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;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) 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

## Agenda Item 1

policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person must 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;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

### 4. Exhibition of films

- Where the film classification body is specified in the licence, unless subsection (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

- Where -

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In this section -

"children" means person aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

### Operating Schedule conditions

1. Substantial food shall be available at all times during the permitted hours.

2. The premises shall install and maintain a comprehensive CCTV system. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon request of Police or authorised officer

3. All staff will be trained to ask customers to leave quietly in the evening when

necessary.

4. There will be appropriate signage at the premises requesting customers to leave quietly.

5. An appropriate under-age system will be operated in accordance with Mandatory Conditions.

**Additional Conditions**

1. That the exhibition of films outdoors shall be limited to 4 occasions each calendar year.
2. That within the following hours the Premises shall be defined in accordance with those plans submitted to the Council as part of application 18/01270/LAPRE:

Thursdays 12:00 - 21:00 hours

Fridays and Saturdays 12:00 - 22:00 hours

Sundays 12:00 - 17:00 hours

but otherwise the Premises shall be defined in accordance with the plans submitted to the Council as part of application 17/02674/LAPRE

**Informatives**

1. It is noted that the Applicant offered not to play music outdoors after 21:00, except where live music events are held
2. It is noted that the Applicant offered to limit live music events to four per year
3. It is noted that the Applicant offered to be considerate of their neighbours in the type of music played
4. The Applicants are asked to ensure that staff are considerate when clearing the terrace area and that they do so quietly and quickly

The reason for the Additional Conditions is to achieve the Licensing Objective of the Prevention of Public Nuisance.

This licence granted at the Hearing is effective from the 20 July 2018.

Dated: 20 July 2018.

Please address any communications to:

Licensing Partnership  
Sevenoaks District Council  
Council Offices  
PO Box 182  
Argyle Road  
Sevenoaks  
Kent TN13 1GP

# Agenda Item 1

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

**LICENSING HEARING**

Minutes of the meeting held on 15 March 2019 commencing at 10.30 am

Present: Cllrs. Clark, Esler and Kelly

Also Present: Applicant  
Democratic Services Officer  
Legal Officer  
Licensing Officer  
Head of Licensing Partnership  
Kent Police

1. Appointment of Chairman

Resolved: That Councillor Esler be appointed as Chairman of the meeting.

2. Declarations of interest

Councillor Kelly declared that the Police Detective Inspector who reviewed the second allegation was his son-in-law. However, they had not spoken about the case and he remained open minded.

3. Application for a Hackney Carriage Driver's Licence

The Chairman moved and it was

Resolved: That under section 100A (4) of the Local Government Act 1972, the public were excluded from the meeting when considering the report, on the grounds that likely disclosure of exempt information was involved as defined by Schedule 12A, paragraph 1 (information relating to any individual) and paragraph 2 (information which is likely to reveal the identity of an individual).

The Hearing gave consideration to a report by the Chief Officer Environmental & Operational Services giving details of an application for a Hackney Carriage Driver Licence. The application did not currently meet the criteria within the Council's statement of Hackney Carriage and Private Hire Licensing Policy, as detailed within the exempted report. The report requested that the Sub-Committee determine the application.

The Chairman advised that Sub-Committee would be considering whether the applicant was 'fit and proper' as required for the granting of a Hackney Carriage Driver's Licence. They would be considering, in particular, whether the applicant satisfied the test set out in Button on Taxis.

## Agenda Item 1

### Licensing Hearing - 15 March 2019

The Hearing was introduced by the Licencing Officer who gave a background to the case, as set out in the exempted report.

The Legal Advisor explained to the applicant that they were aware that English was not his first language and he was entitled to have an interpreter present given the importance of the issue before them. He noted that the applicant had been asked by the Licensing Officer before the Hearing whether he would like an interpreter, which he had declined. He was still entitled to an interpreter and could ask for one at any point during the hearing. The applicant declined an interpreter, noting it would cause delay.

The applicant explained the series of events and responded to questions concerning information contained within the exempted report. The Hearing heard further information from the applicant as outlined in the confidential appendix to these minutes.

The Hearing heard information from a representative of Kent Police in attendance, and a response from the applicant as outlined in the confidential appendix to these minutes.

At 11.00 a.m. the Hearing Members withdrew to consider the issues raised, accompanied by the Council's Legal Advisor and the Clerk to the Hearing for the purposes of providing advice only.

At 11.23 a.m. The Hearing Members, Council's Legal Advisor and the Clerk to the Hearing returned to the Council Chamber.

The Chairman advised that the applicant had failed to satisfy the Sub-Committee that he satisfied the test of being a 'fit and proper' person to hold a Hackney Carriage Driver's License for the reasons set out in the confidential appendix to these minutes.

The Chairman moved that the applicant's request for a Hackney Carriage Driver's License be refused.

It was therefore

Resolved: That the application for a Hackney Carriage Driver's Licence be refused.

THE MEETING WAS CONCLUDED AT 11.26 AM

CHAIRMAN

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**ACTIONS FROM THE MEETING HELD ON 18 March 2019 (as at 23.05.19)**

Action	Description	Status	Contact Officer
Action 1	That the Police Welfare and Vulnerability Engagement (WAVE) Presentation be given to a future meeting of the Advisory Committee and the Licensing Committee with a Police representative invited.	The Police will be attending the next meeting of the Licensing Committee.	Sharon Bamborough Ext. 7325

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## LICENSING PARTNERSHIP ANNUAL UPDATE REPORT 2018/19

### Licensing Committee - 20 June 2019

Report of: Chief Officer Environmental and Operational Services

Status: For Information

Key Decision: No

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**This report supports the Key Aim of sustainable economy.**

Portfolio Holder Cllr Margot McArthur

Contact Officer Sharon Bamborough Ext. 7325 / 07970 731616

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**Recommendation to Licensing Committee:** To note the performance of the Licensing Partnership as contained within the report and to ask the Head of the Licensing Partnership to continue to provide an annual update on the Licensing Partnership activity to the Licensing Committee each municipal year.

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**Reason for recommendation:** To ensure the Licensing Committee are updated on the performance of the Licensing Partnership.

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### Introduction and Background

- 1 The Council is a member of the Licensing Partnership with Maidstone, Tunbridge Wells Borough Council and London Borough of Bexley which provides line management responsibilities to their respective licensing enforcement teams and an administration team at Sevenoaks to carry out the processing of licence applications, notices, permits and representations.
- 2 The Licensing Partnership has completed 9 years of working together, with London Borough of Bexley becoming a partner as of 31 October 2016.
- 3 This arrangement provides each council with sovereignty over its policies and decision making processes whilst operating within a partnership that gives resilience and capacity to deal with the fluctuating demands on the service through the year.
- 4 This report is an annual update on the performance and activity of the Licensing Partnership.

## Agenda Item 4

- 5 In 2009 it was agreed that both the line management and administration of the Council's licensing processes would be undertaken in partnership with Maidstone Borough Council (MBC) and Tunbridge Wells Borough Council (TWBC). It was agreed that the administrative team processing licensing application would be based at the offices of Sevenoaks District Council (SDC) with Licensing Officers continuing to be based at each council.
- 6 Each Council retained responsibility for setting its licensing policies, fees, compliance strategies and decision making at Sub and Full Licensing Committees. The Licensing Partnership Manager had line management responsibility for the operation of the administration team and the Licensing Officers of the three councils.
- 7 In January 2010 the new Licensing Partnership took effect and the back office functions started to be transferred to the administration team based at SDC. The Licensing Partnership uses a single database to maintain the licensing records for the three authorities. The database structure enables reporting to be carried out on an individual basis and allows for the variances that still exist in the policies and procedures of the three authorities.
- 8 The Licensing Partnership is governed by a legal agreement made between the four councils and the Chief Officer/Heads of Service responsible for licensing at their respective authorities meet four times a year as a Licensing Partnership Board to oversee performance and the direction of the Partnership. The chairmanship of the board rotates around the partnership.
- 9 In May 2017, the Licensing Partnership Manger tragically and suddenly passed away, causing an unanticipated but understandable huge impact on the management and performance of the partnership. The Admin Hub Team at Sevenoaks concentrated on trying to ensure they continued on with the day to day work, and the new Head of the Licensing partnership has been in post since 30 October 2017. The intervening period had, naturally, upset the usual performance and scrutiny, but performance is back on track.
- 10 The Head of the Licensing Partnership, Sharon Bamborough, comes from a London local authority background.

### **2018 - 2019 Performance report**

- 11 The performance of the Licensing Partnership has been generally high performing despite the huge challenges of the past year, which included:
  - Tri-annual review of gambling policy,
  - the introduction of new Animal licensing legislation (very late in the day by DEFRA) which created a considerable amount of work, and
  - staff turnover within the Hub team.

The indicators for each of the four authorities and the combined Licensing Partnership results are attached as Appendix A.

- 12 The Hub team at Sevenoaks has gone through a number of staff changes (mainly due to staff leaving for promotion/progression elsewhere) which has meant that the team has had many newer officers trying to learn the job which is a very demanding role in respect of the information they are expected to absorb and processes they need to learn (in the last year there have been 4 new members of staff on a team of six officers).

#### Key Activities in the last six months

- 13 The general processing and consultation on applications within timeframe has been maintained but there will have been times when performance would have slipped due to staff shortages and lack of fully trained team (annual leave etc.)
- 14 In respect of enforcement work, following a revision of the performance measures by the Head of the Partnership in July 2018, much more of the workload of the officers is being reported which is reflective of the total work carried out (previously only compliance visits were being reported). Now, all investigations of complaints and requests for advice/ information and other site visits are reported in addition to the number of premises compliance visits.
- 15 In respect of the applications outstanding more than a month after consultation - this generally occurs when the application needs to be referred to a hearing and performance on this has improved compared to the previous year.
- 16 The Partnership handled a very large amount of work in 2018/19. The performance measures should be read in conjunction with the entire volumes of work delivered. The headlines of the performance are as follows:
- In this time period, approx. **7700** applications, notices, permits and pieces of work were received and carried out.
  - From this total, **2102** pieces of work were for Sevenoaks
  - Taking into account the different amounts of time needed for different types of applications, and the differing nature of the work carried out for some of the partners, Sevenoaks share of processing work accounted for approx. 27% of the processing work of the entire partnership in 2018/19
  - Over **20,000** emails were received in the main Licensing inbox and actioned for all four partners
  - In addition, the Head of Licensing has needed to devote a higher percentage of her time to Bexley more than any other partner due to partnership agreement and additional work demands.

## Agenda Item 4

- 17 During 2018 - 19 the cost of the Licensing Partnership was £475,000 of which Sevenoak's share was approx.£124K

### Performance against Service Plan Objectives for 2018/19

- 18 Objective 1 - *To manage the Licensing Partnership to deliver efficiency savings and achieve performance targets.*

- a) This is ongoing and performance is monitored on a weekly and monthly basis.
- b) 1:1 meetings with staff are carried out monthly and
- c) the Licensing Partnership Board meets 4 times a year.

- 19 Objective 2 - *Investigate further undertaking of licensing functions for other local authorities.*

**Result:** A great deal of time was spent in talks over the year with Bromley - much work was done by the Head of Licensing to calculate quotes, model different options and liaise with their Head of Service, Finance and HR staff. After a lot of delay Bromley eventually advised they did not wish to pursue joining the partnership.

- 20 Objective 3 - *Seek further efficiency savings in processes and use of online facilities.*

- Introduce electronic issue of licences for premises licensing -  
**result:** Introduced towards end of year.
- Update Document Retention Policy and get rid of hard copy duplicate filing system  
**result:** achieved (resulting in time savings and reduction in costs)
- Reduce the face to face interaction for Licensing Partnership staff by implementing scripts to enable customer service staff to assist licensees in their requirements  
**result:** carried over to 2019/20 service plan due to project delay at Sevenoaks to include Licensing (not within our control) however we have implemented other changes to achieve this including appointment only system set up in Maidstone and Tunbridge Wells; drivers making own appointments with garages to avoid needing to call hub team

- 21 Objective 4 - *Ensure all online forms are implemented and in use by customers and explore other software solutions*

- The library of on line forms should implemented across the four partners - to include new forms for Bexley (Special Treatments) and any updates needed for existing ones  
**Result:** most forms now online and more are to be developed (e.g. special

- treatments)
  - Arrange for purchase and installation of electronic record management system, Enterprise (from Idox)  
**Result:** this had to be put on hold due to a pre-planned server move by Idox and Sevenoaks IT (out of our control) - it is carried over to the 2019/20 service plan
  - Arrange for purchase and installation of electronic enforcement software for use out and about, called Mobile App (from Idox)  
**Result:** this had to be put on hold due to a pre-planned server move by Idox and Sevenoaks IT (out of our control) - it is carried over to the 2019/20 service plan
- 22 Objective 5 - *Undertake a programme of training for Members and officers. Ensure all new Members on each Licensing Committee receive appropriate training.*
- Result:** training has been given as and when required
- 23 Objective 6 - Revision of Policies & Procedures
- Review Gambling Policies across the Partnership in readiness for January 2019 when they must come into force  
**Result:** achieved
  - Review Street trading policy at Maidstone regarding designation of street trading pitches  
**Result:** carried over to 2019/20 service plan at request of Maidstone
  - Review Street trading 'policy' at Sevenoaks regarding designation of street trading pitches  
**Result:** Achieved - initial discussion with Legal services and Chief Officer showed no demand for this, therefore, at this time, no need to adopt legislation or implement policy
  - Investigate feasibility and implement if approved, the charging for pre-application advice to licence applicants  
**Result:** started though not achieved yet due to other work demands, but in progress - carried over to 2019/20 service plan for completion
  - A minor review of Licensing Act Statement of Licensing Policy to introduce, across the partnership, a section on outdoor events.  
**Result** - not achieved in year but started in January 2019 and in progress to be adopted 2019
  - A review of the Hub Team Admin procedures and update where necessary  
**Result:** A lot of progress has been made in streamlining and updating procedures but due to high number of procedures and practices this could not be completed in year - carried over to 2019/20 service plan for completion

The new service plan for 2019/20 is attached as Appendix B

### Key achievements

- 24 Since joining the partnership in The Head of the Partnership has needed to prioritise any new or outstanding IT issues for Bexley to ensure progress is made
- 25 Previous initiatives run by Bexley such as the proactive approach in working with licensees prior to large events such as World Cups and seasonal events, have worked very well. The Head has again rolled this type of practice out over the last year and correspondence was sent to all licensing premises throughout entire partnership in the run up to the Royal Wedding and before Christmas last year.
- 26 With the support of the Partnership the Metropolitan Police and Kent Police delivered the new Met Police initiative WAVE (Welfare and Vulnerability Engagement), which seeks to educate and re-train all involved in the licensing industry about being more proactive in spotting vulnerable people who should be assisted when in licensed premises
- 27 The introduction of the new Animal Welfare Regulations 2018 legislation replaced the majority of existing animal licensing (including animal boarding, dog breeding, hiring of horses, exhibition of animals, selling animals as pets) but it also included new areas previously un-licensable (dog day care/home boarding) and tightened up the rules and standards for all. This was introduced at very short notice by DEFRA (first guidance documents were released in August 2018 for the new legislation coming in from 1<sup>st</sup> October 2018, application forms were released approximately 2 weeks before the implementation date) which lead to a rush to understand the new regulations, to set fees, create new procedures and to handle all new applications from existing licensees and new operators. This created a very large demand of enquiries and interest from public and interested bodies. The additional work caught out every local authority and was the subject of much debate and challenge (of DEFRA) at the national Institute of Licensing conference in November 2018. The impact was substantial. The Partnership handles animal licensing for three of the four partners. We have now successfully licensed nearly 100 premises (Sevenoaks have approx. 30).
- 28 We have been part of a successful funding bid to Government (lead by Kent CC) to give funding to the installation of electric chargers for Ultra Low Emissions Vehicles (ULEVs) used by the taxi trade. Each of the Partners Sevenoaks, Maidstone and Tunbridge Wells will be funded to install one charging point for exclusive use by the taxi trade. The purpose of this initiative is to encourage more of the taxi trade to switch over to ULEVs and thereby contribute to cleaner air in the Environment. The chargers need to be installed by end of March 2020 under the conditions of the grant.

## **Key Implications**

### Financial

Financial implications have been dealt with in the body of the report.

### Legal Implications and Risk Assessment Statement.

This is a report to update on the progress of the Licensing Partnership.

### Equality Assessment

This is a report to update on the progress of the Licensing Partnership. There is no perceived impact on end users.

### Appendices

Appendix A - Performance Indicator Update  
report 2018 -19

Appendix B - Licensing Partnership Service Plan  
2019/20

### Background Papers

None

**Mr. Richard Wilson**

**Chief Officer Environmental and Operational Services**

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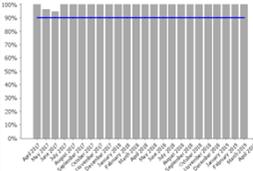
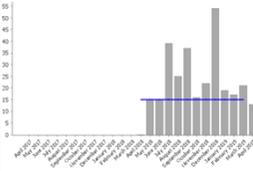
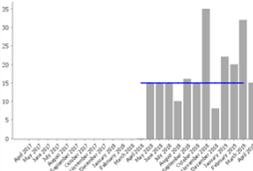
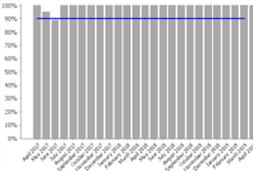
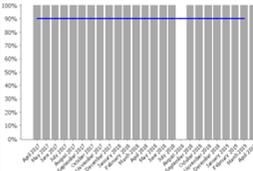
# Licensing Performance Report - Sevenoaks – Portfolio

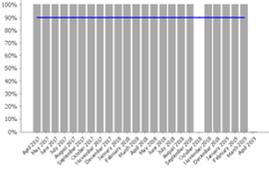
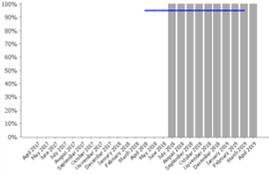
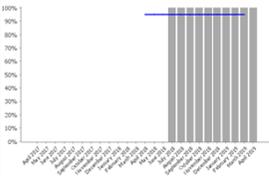
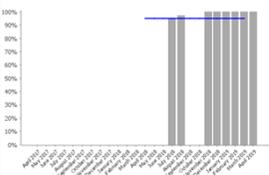
## APPENDIX A

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Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
The percentage of renewal invitations sent out by deadline	100%	95%	✔		100%	✔	100%	✔	100%	✔	100%	✔
The percentage of valid personal licences processed within 2 weeks (Hub Team)	100%	95%	✔		100%	✔	100%	✔	93.75%	⚠	100%	✔
Percentage of unopposed applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date)	100%	95%	✔		100%	✔	100%	✔	100%	✔	100%	✔
The percentage of valid temporary event notices processed within	98%	95%	✔		100%	✔	99%	✔	97.12%	✔	98.85%	✔

Agenda Item 4

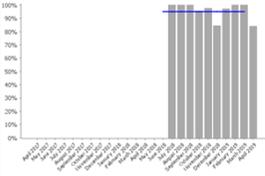
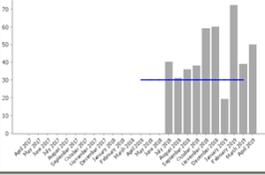
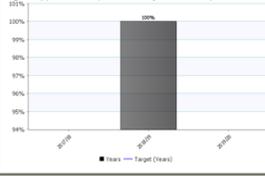
Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
one working day of receipt												
The percentage of driver and operator licenses issued within 10 days of validation (Hub Team)	100%	90%	✔		100%	✔	100%	✔	100%	✔	100%	✔
Premises Compliance	Average 70	45 per quarter	✔		30	✘	101	✔	92	✔	57	✔
Taxi Compliance	Average 51	45 per quarter	✔		30	✘	41	⚠	58	✔	74	✔
Percentage of Hackney Carriage driver licenses issued within 10 days of validation	100%	90%	✔		100%	✔	100%	✔	100%	✔	100%	✔
Percentage of Private Hire driver licenses issued within 10 days of validations	100%	90%	✔		100%	✔	100%	✔	100%	✔	100%	✔

Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
Percentage of Private Hire Operator licenses issued within 10 days of validations	100%	90%	✓		100%	✓	100%	✓	100%	✓	100%	✓
Percentage of continuation fees invoices issued 1 month in advance of fee being due	100%	95%	✓		100%	✓	100%	✓	100%	✓	100%	✓
Where continuation fees not received and action taken within a month of overdue date	100%	95%	✓		100%	✓	100%	✓	100%	✓	100%	✓
Action after suspension – Licensing officers resolve by 31 March	98%	95%	✓		97%	✓	96.43%	✓	100%	✓	100%	✓

# Licensing Performance Report - Bexley – Portfolio

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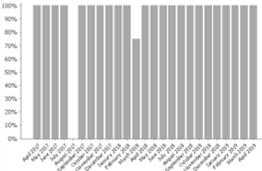
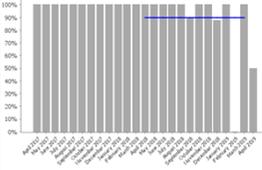
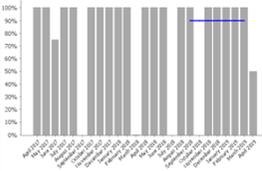
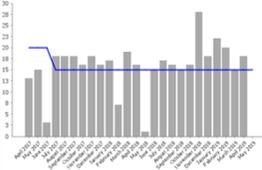
Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
The percentage of renewal invitations sent out by deadline - Bexley	100%	95%			100%		100%		100%		100%	
The percentage of valid personal licences processed within 2 weeks (Hub Team) - Bexley	94%	95%			97.22%		97.06%		93.1%		86.96%	
Percentage of unopposed applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date) - Bexley	100%	95%			100%		100%		100%		100%	

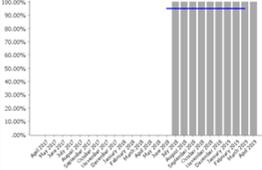
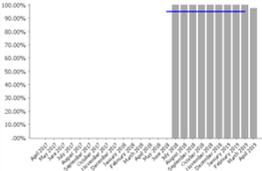
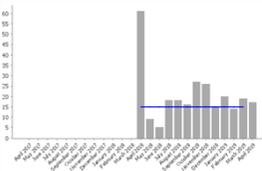
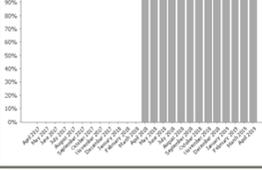
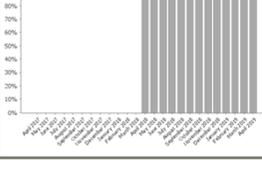
Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
The percentage of valid temporary event notices processed within one working day of receipt - Bexley	95%	95%	✓		100%	✓	100%	✓	95.2%	✓	98.88%	✓
Premises compliance - Bexley	Average 121	90 per quarter	✓		90	✓	107	✓	157	✓	130	✓
Action after suspension - Licensing officers resolve by 31 March - Bexley	100%	95%	✓		95% (Bexley do their own – no Hub Team involvement)							

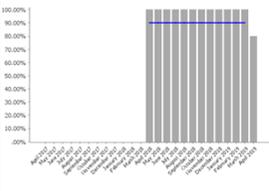
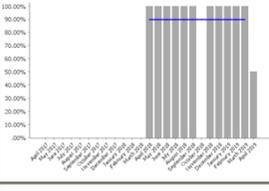
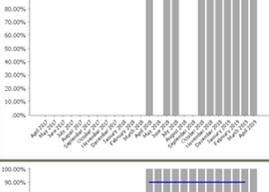
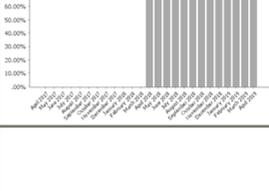
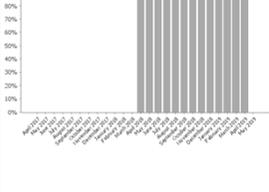
# Licensing Performance Report - Maidstone - Portfolio

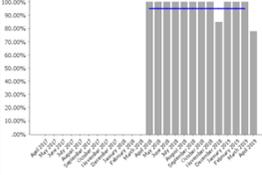
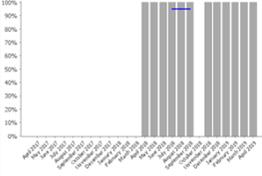
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Agenda Item 4

Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
Length of time from validation to issue of HC and dual driver licences (Percentage within 10 days)	100%	90%	✔		100%	✔	100%	✔	100%	✔	100%	✔
Length of time from validation to issue of PH driver licence (Percentage issued within 10 days)	94%	90%	✔		100%	✔	96.67%	✔	97.3%	✔	80%	✘
Percentage of PHO licences issued within 10 days	100%	90%	✔		100%	✔	100%	✔	100%	✔	100%	✔
Premises compliance	Average 50	45 per quarter	✔		32	✘	48	✔	62	✔	57	✔

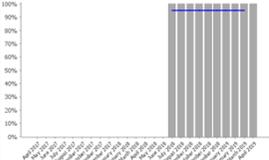
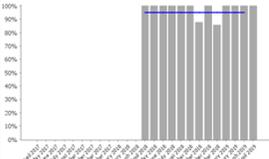
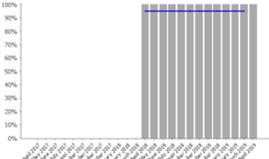
Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
The percentage of renewal invitations sent out by deadline	100%	95%	✓		100%	✓	100%	✓	100%	✓	100%	✓
The percentage of valid temporary event notices processed within one working day of receipt	99%	95%	✓		96%	✓	100.00%	✓	100.00%	✓	100.00%	✓
Page 61 Taxi Compliance	Average 62	45 per quarter	✓		75	✓	52	✓	68	✓	53	✓
Where continuation fees not received and action taken within a month of overdue date	100%	95%	✓		100%	✓	100%	✓	100%	✓	100%	✓
Percentage of continuation fees invoices issued 1 month in advance of fee being due	100%	100%	✓		100%	✓	100%	✓	100%	✓	100%	✓

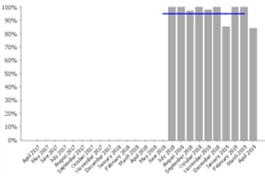
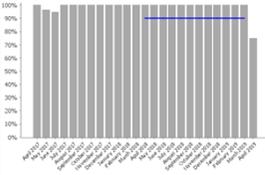
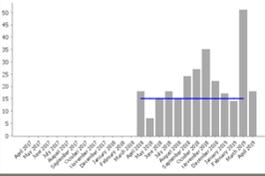
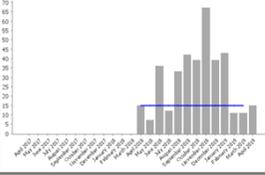
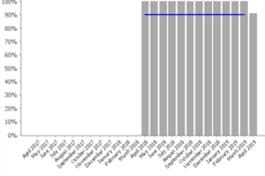
Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
The percentage of driver and operator licenses issued within 10 days of validation (Hub Team)	100%	90%	✓		100.00 %	✓	100.00 %	✓	100.00 %	✓	100.00 %	✓
Percentage of Private Hire Operator licenses issued within 10 days of validations	100%	90%	✓		100.00 %	✓	100.00 %	✓	100.00 %	✓	100.00 %	✓
Percentage of Hackney Carriage driver licenses issued within 10 days of validation	100%	90%	✓		100.00 %	✓	100.00 %	✓	100.00 %	✓	100.00 %	✓
Percentage of dual driver licenses issued within 10 days of validation	100.00%	90%	✓		100.00 %	✓	100.00 %	✓	100.00 %	✓	100.00 %	✓
Percentage of unopposed applications for new and variation of premises licences processed within 2 calendar months (from date	100%	95%	✓		100%	✓	100%	✓	100%	✓	100%	✓

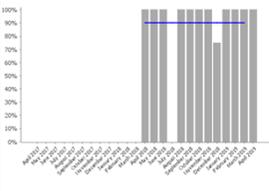
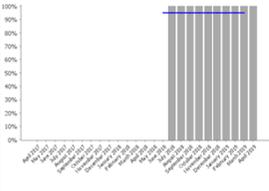
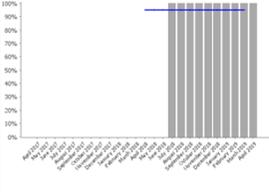
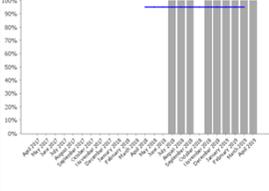
Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
of validation to issue date)												
The percentage of valid personal licences processed within 2 weeks (Hub Team)	98%	95%			100.00%		100.00%		92.31%		100.00%	
Action after suspension - Licensing officers resolve by 31 March	100%	95%			100%		100%		100%		100%	

# Licensing Performance Report - Tunbridge Wells - Portfolio

Generated on: 04 June 2019

Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
The percentage of renewal invitations sent out by deadline - Tunbridge Wells	100%	95%	✓		100%	✓	100%	✓	100%	✓	100%	✓
The percentage of valid personal licences processed within 2 weeks (Club Team) - Tunbridge Wells	98%	95%	✓		100%	✓	100%	✓	90.91%	⚠	100%	✓
Percentage of unopposed applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date) - Tunbridge Wells	100%	95%	✓		100%	✓	100%	✓	100%	✓	100%	✓

Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
The percentage of valid temporary event notices processed within one working day of receipt - Tunbridge Wells	98%	95%	✓		100%	✓	98.68%	✓	98.97%	✓	95.83%	✓
The percentage of driver and operator licenses issued within 10 days of validation (Hub Team) - Tunbridge Wells	100%	90%	✓		100%	✓	100%	✓	100%	✓	100%	✓
Premises compliance - Tunbridge Wells	Average 66	45 per quarter	✓		40	✗	57	✓	84	✓	82	✓
Taxi Compliance - Tunbridge Wells	Average 89	45 per quarter	✓		58	✓	87	✓	145	✓	65	✓
Percentage of Dual driver licenses issued within 10 days of validation - Tunbridge Wells	100%	90%	✓		100%	✓	100%	✓	100%	✓	100%	✓

Short Name	Current Value	Current Target	Status	Performance Data Trend Chart	Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19	
					Value	Status	Value	Status	Value	Status	Value	Status
Percentage of Private Hire Operator licenses issued within 10 days of validations - Tunbridge Wells	98%	90%	✓		100%	✓	100%	✓	92.86%	✓	100%	✓
Percentage of continuation fees invoices issued 1 month in advance of fee being due - Tunbridge Wells	100%	90%	✓		100%	✓	100%	✓	100%	✓	100%	✓
Where continuation fees not received and action taken within a month of overdue date - Tunbridge Wells	100%	95%	✓		100%	✓	100%	✓	100%	✓	100%	✓
Action after suspension - Licensing officers resolve by 31 March - Tunbridge Wells	100%	95%	✓		98%	✓	100%	✓	100%	✓	100%	✓

2018/19

# APPENDIX B

## Licensing Service Plan 2019/20

Licensing  
Partnership



# Contents

Section		Page Number
1	Who we are	3
2	What we do	5
3	2019/20 Service Objectives	6 - 15
4	Performance indicators and targets	16 - 18

# 1. Who we are

<b>Team</b>	Licensing Partnership comprising London Borough of Bexley, Maidstone Borough Council, Sevenoaks District Council and Tunbridge Wells Borough Council
<b>Head of Service</b>	Sharon Bamborough
<b>Chief Officers</b>	Gary Stevenson (Tunbridge Wells), John Littlemore (Maidstone), Richard Wilson (Sevenoaks) and David Bryce-Smith (LB of Bexley)

Our Structure Chart

Head of Licensing Partnership  
1 FTE

Sevenoaks District Council

Tunbridge Wells

Maidstone Borough Council

London Borough of Bexley

Admin Team Manager  
1FTE  
Licensing Administration Officer  
- 5 FTE + 1 PTE (20 hours)

Senior Licensing Officer  
1FTE

Licensing Officer  
1FTE

Senior Licensing Officer - 1FTE

Licensing Officer  
1FTE

Part time Licensing Admin Officer.  
20 hours

Senior Licensing Officer  
1FTE

Licensing Officer 1 FTE

Part time Licensing Admin Officer  
(15 hours)

Licensing Enforcement Officer  
1FTE

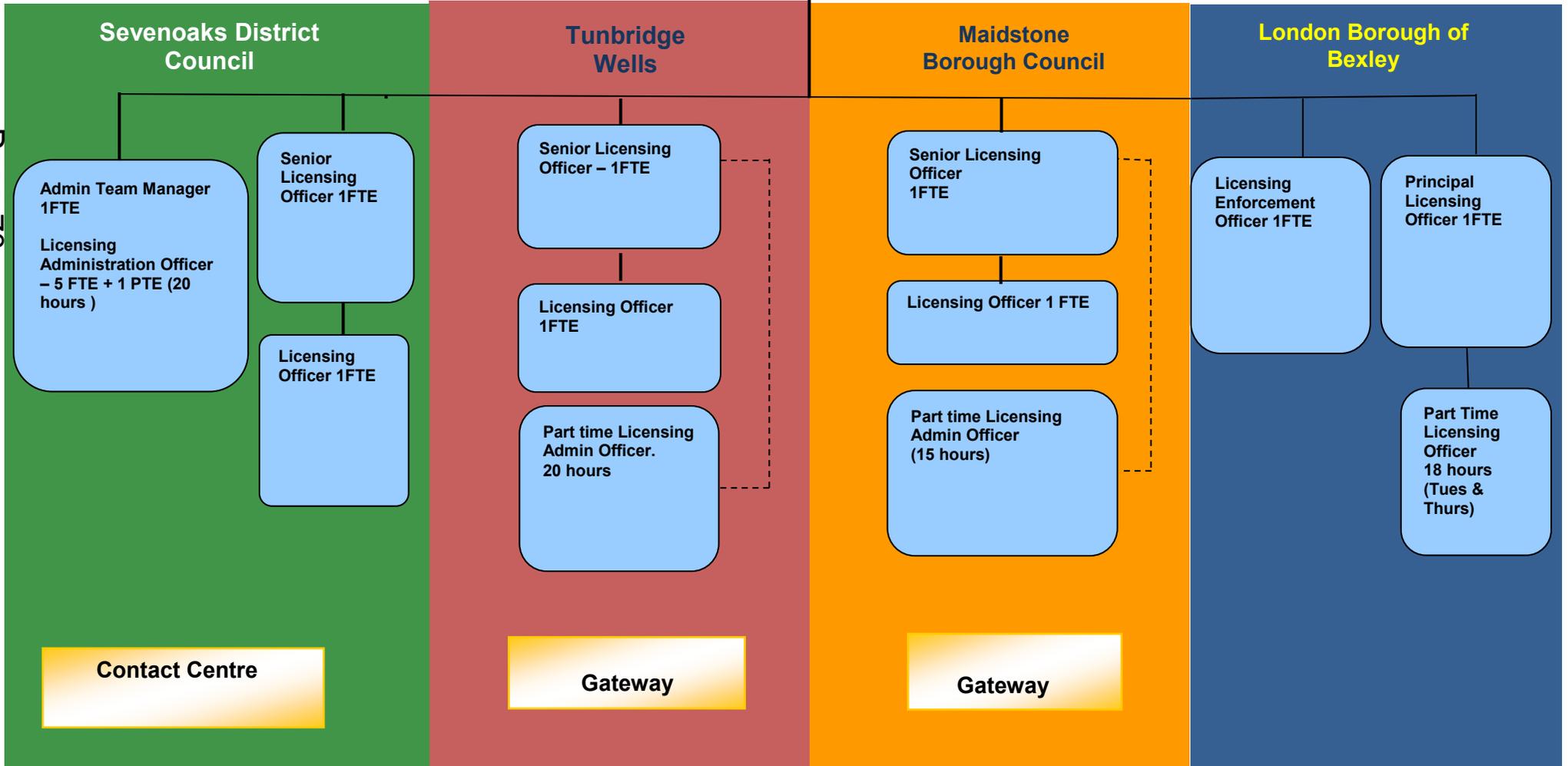
Principal Licensing Officer  
1FTE

Part Time Licensing Officer  
18 hours (Tues & Thurs)

Contact Centre

Gateway

Gateway



## 2. What we do

<b>Key Tasks</b>	<ul style="list-style-type: none"><li>■ Manage and oversee the Licensing Partnership.</li><li>■ Seek to promote the licensing objectives of the relevant legislation.</li><li>■ Our aim is to protect the public but also allow legitimate businesses within the area to prosper.</li><li>■ To ensure that the legitimate taxis and private hire trade are able to provide a safe mode of transport to the residents and users within the Partnership's area.</li><li>■ Compliance – ensure compliance of licensed premises, activities and events following grant of respective licences, permits and / or notices.</li><li>■ To ensure that unlicensed premises, taxis/private hire and activities are investigated and appropriate action is taken.</li><li>■ To enhance customer service while ensuring compliance with legislation.</li><li>■ Fulfilling statutory duty whilst optimising cost savings and maintaining individual client's Council sovereignty.</li><li>■ Take advantage of economies of scale to buy services and optimise the collaborative working between partners</li></ul>
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### 3. 2019/20 Service Objectives

<b>Objective 1</b>	To oversee and lead the Licensing Partnership to deliver efficiency savings and achieve performance targets	<b>Responsible Officer</b>	Sharon Bamborough
<b>Performance Measure</b>	<b>Description</b>	<b>2019/20 Target or Outcome (to be achieved by 31.03.2020)</b>	
LPI LIC 001	Send out renewal invitations for all licences/permits etc. 2 months before the expiry date of the licence and if a valid renewal application is not received before the expiry of a licence send a failure to renew letter out within 1 week of the licence expiring and advise the appropriate Authorities accordingly. (Hub Team)	95%	
LPI LIC 002	The percentage of valid personal licences processed within 2 weeks (Hub Team)	95%	
LPI LIC 003	Percentage of <i>unopposed</i> applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date) [All]	95%	
LPI LIC 004	The percentage of valid temporary event notices served on Responsible Authorities within one working day of receipt (Hub Team)	95%	
LPI LIC 005	The percentage of driver and operator licences issued within 10 days of validation (Hub team)	90%	
MPI LIC 05a	Percentage of Hackney Carriage driver licences issued within 10 days of validation (Hub team)	90%	
MPI LIC 05b	Percentage of Private Hire driver licences issued within 10 days of validations	90%	
MPI LIC 05c	Percentage of Private Hire Operator licences issued within 10 days of validations	90%	

MPI LIC 017	<p>Taxi Compliance (licensing officers at Sevenoaks, Tunbridge Wells and Maidstone):-</p> <ul style="list-style-type: none"> <li>• start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc)</li> <li>• reactive/proactive enforcement investigations ongoing/completed</li> <li>• warnings / penalty points issued</li> <li>• vehicle compliance checks</li> </ul>	Non London partners only: 15 actions per month per authority	
MPI LIC 018	<p>Premises compliance (all licensing officers throughout partnership) :-</p> <ul style="list-style-type: none"> <li>• notice checks to be carried out within one week of initial display</li> <li>• start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc)</li> <li>• carry out proactive visits in accordance with risk rating system</li> <li>• attend enforcement meetings/briefings/collaborate with partners on multi-agency approach</li> </ul>	<p>Non London partners – 15 actions per month per authority</p> <p>Bexley – 30 actions per month</p>	
MPI LIC 019	<p>(for partners where Hub team arrange annual fee collection -does not apply to Bexley)</p> <p>(i) Send out invoices for continuation fees for licences/permits issued under the Licensing Act 2003 and Gambling Act 2005 at least 1 month in advance of the fee being due</p> <p>(ii) Where those fees are not received by the due date, take action to suspend/revoke licence/permit within 1 month of the fee being due.</p> <p>(Hub Team)</p>	95%	
MPI LIC 020	<p>Action after suspension - Licensing officers to visit /establish status and resolve by 31 March each year</p> <p>(all licensing officers throughout partnership)</p>	95%	
<a href="#">Link to Sevenoaks Corporate Plan</a>	Providing value for money	<a href="#">Link to Sevenoaks Community Plan</a>	Safe Communities

<p><b>Link to Maidstone Strategic Plan</b></p>	<p>Keeping Maidstone an attractive place for all - Ensuring there are good leisure and cultural attractions</p>		
<p><b>Link to Tunbridge Wells Key Objectives in the Vision</b></p>	<p>Providing Value</p>	<p><b>Link to Strategic Compass</b></p>	<p>To ensure we operate in a business-like way</p>
<p><b>Link to Bexley Corporate Plan (Shaping our Future Together)</b></p>	<p>Innovation and self sufficiency</p>		

<b>Objective 2</b>	Investigate further undertaking of licensing functions for other local authorities.	<b>Responsible Officer</b>	Licensing Partnership Board
<b>Performance Measure</b>	<b>Description</b>	<b>2019/20 Target or Outcome</b>	
<b>Action</b>	Make enquiries with potential partners to undertake licensing functions for a 5 <sup>th</sup> partner.	Further functions carried out for other partners. To be achieved by 31/03/2020	
<b>Action</b>	Implement the required processes/changes to ensure an additional partner is integrated within the Licensing Partnership	A smooth integration of any additional partners	
<b>Link to Sevenoaks Corporate Plan</b>	Providing value for money	<b>Link to Sevenoaks Community Plan</b>	Safe Communities
<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough		
<b>Link to Bexley corporate plan</b>	Innovation and self sufficiency – a commercial approach		
<b>Link to Tunbridge Wells Corporate Priorities</b>	To support a prosperous borough	<b>Link to Strategic Compass</b>	Providing value

<b>Objective 3</b>	Seek further efficiency savings in processes and use of online facilities		<b>Responsible Officer</b>	Sharon Bamborough
<b>Performance Measure</b>	<b>Description</b>		<b>2019/20 Target or Outcome</b>	
<b>Action</b>	Review (ongoing) processes and procedures of Hub team officers and streamline / change to save time on unnecessary record keeping		A reduction in time spent by Hub Team staff completing basic processing which should allow for better target achievement To be achieved by 31/03/2020	
<b>Action</b>	Consider current practices re face to face meetings (taxis) and pick up of plates – move over to sending by post where appropriate.		A reduction in the time spent by Hub Team staff attending reception and by admin staff at partner sites seeing applicants in person To be achieved by 31/03/2020.	
<b>Action</b>	Explore feasibility of online solutions for document checks for taxi applications to reduce face to face visits		If achievable, will lead to a reduction in time spent for Licensing Partnership staff in reception, Town Hall & Gateway. To be achieved by 31/03/2020	
<b>Link to Sevenoaks Corporate Plan</b>	Supporting and developing the local economy	<b>Link to Sevenoaks Community Plan</b>	Safe Communities	
<b>Link to Bexley corporate plan</b>	Innovation and self sufficiency – a commercial approach	<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough	
<b>Link to Tunbridge Wells Corporate Priorities</b>	To support a prosperous borough	<b>Link to Strategic Compass</b>	Providing value	

<b>Objective 4</b>	Ensure all online forms are implemented and in use by customers and explore other software solutions	<b>Responsible Officer</b>	Sharon Bamborough
<b>Performance Measure</b>	<b>Description</b>	<b>2019/20 Target or Outcome</b>	
<b>Action</b>	The library of on line forms should implemented across the four partners – to include new forms for Bexley (Special Treatments) and any updates needed for existing ones (eg animal licensing)	Complete the introduction/update of all online forms. To be achieved by 31/12/2019	
<b>Action</b>	Arrange for purchase and installation of electronic record management system, Enterprise (from Idox)	Increased efficiency and monitoring tools, with enhanced reporting options To be achieved by 31/12/2019	
<b>Action</b>	Arrange for purchase and installation of electronic enforcement software for use out and about, called Mobile App (from Idox)	Increased efficiency and monitoring tools, with enhanced reporting options To be achieved by 31/12/2019	
<b>Link to Sevenoaks Corporate Plan</b>	Supporting and developing the local economy	<b>Link to Sevenoaks Community Plan</b>	Safe Communities
<b>Link to Bexley corporate plan</b>	Innovation and self sufficiency – a commercial approach	<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough
<b>Link to Tunbridge Wells Corporate Priorities</b>	To support a prosperous borough	<b>Link to Strategic Compass</b>	Providing value

<b>Objective 5</b>	Undertake a programme of training for Members and officers. Ensure all new Members on each Licensing Committee receive appropriate training.		<b>Responsible Officer</b>	Sharon Bamborough
<b>Performance Measure</b>	<b>Description</b>		<b>2019/20 Target or Outcome</b>	
<b>Action</b>	Deliver a programme of training to the Members and officers.		Train any new members to Licensing committee following local elections in May 2019 (Sevenoaks) and ad hoc training to any other new members appointed for all partners  To be achieved by 31/08/2019	
<b>Action</b>	Hold morning/afternoon sessions where new Members can visit the Licensing Partnership's Administration Team.		To be achieved by 30/09/2020	
<b>Link to Sevenoaks Corporate Plan</b>	Keeping the district safe	<b>Link to Sevenoaks Community Plan</b>	Safe Communities	
<b>Link to Bexley corporate plan</b>	Growth that benefits all – the right skills for jobs of today and tomorrow	<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough – range of Employment Skills and opportunities across the Borough	
<b>Link to Tunbridge Wells Corporate Priorities</b>	Our People	<b>Link to Strategic Compass</b>	To have relevant skills	

<b>Objective 6</b>	Revision of Policies & Procedures	<b>Responsible Officer</b>	Sharon Bamborough/Lorraine Neale/Sharon Degiorgio/Samantha Laing/Janet Lockie
<b>Performance Measure</b>	<b>Description</b>	<b>2019/20 Target or Outcome</b>	
<b>Action</b>	Start the review LA03 Policies across the Partnership in readiness for January 2021 when they must come into force	Achieve statutory obligations. To be achieved by 31/03/2020	
<b>Action</b>	Review Street trading policy at Maidstone regarding designation of street trading pitches	To reduce the cost burden of processing each request and/or reduce the number of requests To be achieved by 31/03/2020	
<b>Action</b>	Re-visit (with Legal Services) the approach to street trading in Sevenoaks with a view to assessing what would need to be done to implement such a policy, and report back to Chief Officer (this comes from a discussion at Health Board as to whether anything can be done to stop fast food vans etc parking up near schools, which contributes to childhood obesity)	A up to date view will be taken on feasibility and desire as to whether street trading should be controlled within Sevenoaks and whether it could be used to promote wider health benefits To be achieved by 31/03/2020	
<b>Action</b>	Implement, the charging for pre-application advice to licence applicants where not already introduced	To reduce the cost burden of processing each request and/or reduce the number of requests To be achieved by 31/12/2019	
<b>Action</b>	Review outcome of Street trading farmers market consultation at Tunbridge Wells regarding designation of a farmers market, and take to committee with appropriate recommendations	To deliver the political desire to accommodate this market To be achieved by 31/12/2019	
<b>Action</b>	A review of the Hub Team Admin procedures and update where necessary	To improve efficiency, reduce mistakes and	

			speed up processing To be achieved by 31/03/2020
<b>Action</b>	<p>To review taxi policies in Maidstone, Tunbridge Wells and Sevenoaks as needed.</p> <p>To deliver the implementation of the ULEV taxi charging points in conjunction with Kent CC following successful bid for funding</p>		<p>To improve efficiency, reduce mistakes and speed up processing</p> <p>To link into and support proactive action regarding air quality</p> <p>To be achieved by 31/03/2020</p>
<b>Link to Sevenoaks Corporate Plan</b>	Supporting and developing the local economy	<b>Link to Sevenoaks Community Plan</b>	Safe Communities
<b>Link to Bexley corporate plan</b>	Innovation and self sufficiency – a commercial approach	<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough
<b>Link to Tunbridge Wells Corporate Priorities</b>	To support a prosperous borough	<b>Link to Strategic Compass</b>	Providing value

<b>Objective 7</b>	Health, Safety and Well Being of Staff		<b>Responsible Officer</b>	Sharon Bamborough
<b>Performance Measure</b>	<b>Description</b>		<b>2019/20 Target or Outcome</b>	
<b>Action</b>	Ensure risk assessments are carried out and reviewed as appropriate and at least once a year.		Risk assessments are in place and are reviewed. To be achieved by 31/03/2020	
<b>Action</b>	Ensure 1:1 meetings are carried out on a regular basis.		All Senior Licensing Officers and Licensing Partnership Manager to ensure meetings take place and are documented.	
<b>Link to Sevenoaks Corporate Plan</b>	Supporting and developing the local economy	<b>Link to Sevenoaks Community Plan</b>	Safe Communities	
<b>Link to Bexley corporate plan</b>	Innovation and self sufficiency – a commercial approach	<b>Link to Maidstone Corporate Priorities</b>	Securing a successful economy for Maidstone Borough	
<b>Link to Tunbridge Wells Corporate Priorities</b>	To support a prosperous borough	<b>Link to Strategic Compass</b>	Providing value	

## 4. Measuring our Performance

### Performance Indicators and Target Setting

Code	Description	Collection period	2019/20 target
LPI LIC 001	Send out renewal invitations for all licences/permits etc. 2 months before the expiry date of the licence and if a valid renewal application is not received before the expiry of a licence send a failure to renew letter out within 1 week of the licence expiring and advise the appropriate Authorities accordingly. <b>(Hub Team)</b>	Monthly	95%
LPI LIC 002	The percentage of valid personal licences processed within 2 weeks <b>(Hub Team)</b>	Monthly	95%
LPI LIC 003	Percentage of <i>unopposed</i> applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date) <b>[All]</b>	Monthly	95%
LPI LIC 004	The percentage of valid temporary event notices served on Responsible Authorities within one working day of receipt <b>(Hub Team)</b>	Monthly	95%
LPI LIC 005	The percentage of driver and operator licences issued within 10 days of validation <b>(Hub team)</b>	Monthly	90%
MPI LIC 05a	Percentage of Hackney Carriage driver licences issued within 10 days of validation <b>(Hub team)</b>	Monthly	90%
MPI LIC 05b	Percentage of Private Hire driver licences issued within 10 days of validation <b>(Hub team)</b>	Monthly	90%

Code	Description	Collection period	2019/20 target
MPI LIC 05c	Percentage of Private Hire Operator licences issued within 10 days of validation ( <b>Hub team</b> )	Monthly	90%
MPI LIC 012	Length of time from validation to issue of HC vehicle licence (MPI) - target 10 working days ( <b>Hub team</b> )	Monthly	average number of days
MPI LIC 013	Length of time from validation to issue of PH vehicle licence (MPI) - target 10 working days ( <b>Hub team</b> )	Monthly	average number of days
MPI LIC 017	<p>Taxi Compliance (<b>licensing officers at Sevenoaks, Tunbridge Wells and Maidstone</b>):-</p> <ul style="list-style-type: none"> <li>start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc)</li> <li>reactive/proactive enforcement investigations ongoing/completed</li> <li>warnings / penalty points issued</li> <li>vehicle compliance checks</li> </ul>	Monthly	Non London partners only: 180 each (equates to 15 actions per month per authority)
MPI LIC 018	<p>Premises compliance (<b>all licensing officers throughout partnership</b>)</p> <ul style="list-style-type: none"> <li>notice checks to be carried out within one week of initial display</li> <li>start action/investigation on receipt of complaints/intelligence within 5 working days (includes visits/letters/interviews etc)</li> <li>carry out proactive visits in accordance with risk rating system</li> <li>attend enforcement meetings/briefings/collaborate with</li> </ul>	Monthly	<p>Non London partners – 180 each (equates to 15 actions per month per authority)</p> <p>Bexley – 360 (equates to 30 actions per month)</p>

partners on multi-agency approach			
Code	Description	Collection period	2019/20 target
MPI LIC 019	(for partners where Hub team arrange annual fee collection) Send out invoices for continuation fees for licences/permits issued under the Licensing Act 2003 and Gambling Act 2005 at least 1 month in advance of the fee being due and where those fees are not received by the due date to take action to suspend/revoke licence/permit within 1 month of the fee being due. <b>(Hub Team)</b>	Monthly	95%
MPI LIC 020	Action after suspension - Licensing officers to visit /establish status and resolve by 31 March each year <b>(all licensing officers throughout partnership)</b>	Annual	95%

## LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY

### Licensing Committee - 20 June 2019

Report of Chief Officer Environmental and Operational

Status For decision

Also considered by Council - 23 July 2019

Key Decision: No

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**Executive Summary:** This report seeks a decision from the Committee on the options for reviewing the Council's Statement of Licensing Policy for the five-year period 1 April 2015 to 31 March 2020 so as to include a policy for outdoor events.

Following a consultation held between 12 April 2019 and 26 May 2019 (six weeks), the Committee is asked to assess the feedback received and decide upon the proposed amendments as set out in section 8 below, before recommendation to Council.

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**This report supports the Key Aim of sustainable economy.**

Portfolio Holder Cllr Margot McArthur

Contact Officer Sharon Bamborough Ext. 7325 / 07970 731616

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**Recommendation to Licensing Committee:** That, subject to the Committee's views on those comments received, it is recommended to Council that the revised Statement of Licensing Policy be adopted as from 24 July 2019

**Recommendation to Council:** That, subject to any Licensing Committee's comments, the revised Statement of Licensing Policy be adopted as from 24 July 2019.

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**Reason for recommendation:**

The Licensing Authority's current policy does not have any specific or additional considerations for outdoor events. This reports sets out the proposed changes which will set out the Council's expectations.

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### Introduction and background

- 1 The Licensing Act 2003 (the Act) requires the Council, in its role as a licensing authority, to prepare and publish a statement of licensing

## Agenda Item 5

policy with respect to the exercise of its functions under the Act.

- 2 The Council's current Policy is in force until 31 March 2020. Once in place this Policy must be kept under review at least every five years. The usual full review of this policy is scheduled to take place later in 2019.
- 3 Feedback from the consultation exercise was received from one town council (Westerham Town Council) and two parish councils (Leigh Parish Council and Chiddingstone Parish Council). All in support of the proposed change with no suggested amendments. The feedback can be found at **Appendix A**.
- 5 The proposed Policy has been revised so as to add a new section regarding outdoor events, at section 20, set out in paragraph 8 below.
- 7 Many authorities have seen an increased demand for outdoor events and festivals in recent years. The Licensing Authority's current policy does not have any specific or additional considerations for outdoor events as opposed to the regular licensing activity which takes places mostly within buildings. In light of the evidence of an increased demand for outdoor events and festivals from other authorities, it is anticipated that there may be a national trend for an increase in such events and that Sevenoaks can expect an increase in such demand over the five-year period 1 April 2015 to 31 March 2020.
- 8 The proposed new section is as follows:
  - 20 OUTDOOR EVENTS**
  - 20.1 The general terminal hour for all licensable activities shall be 23:00 at outdoor events;
  - 20.2 Organisers/applicants shall demonstrate that they have the required permissions in place to use the land (whether private land or on Council owned land);
  - 20.3 Organisers/applicants shall demonstrate that they have arrangements in place to ensure the site is properly checked and certified (for example, if water supplies or electrics need to be safety checked); and
  - 20.4 Organisers / applicants using Council owned land will demonstrate that they have notified and where necessary sought authorisation / advice from the relevant Council departments (for example, the Parks and Open Spaces, Highways etc.).

The current full policy can be accessed here:

[https://www.sevenoaks.gov.uk/downloads/file/187/licensing\\_policy\\_statement](https://www.sevenoaks.gov.uk/downloads/file/187/licensing_policy_statement)

**Options for review or change**

- 9 It is suggested that three options are available:
- (i) To amend the current policy so as to include the new section on outdoor events. It will then be referred to full council on 23 July 2019 for adoption to come into effect from 24 July 2019

or

  - (ii) Having considered the feedback, the Committee may, however, wish to make further changes to policy (which may require further public consultation if substantial) and direct the Licensing Service to re-draft the policy in line with any such amendments

or

  - (iii) To decide not to amend the current policy

**Preferred option and reasons for recommendations**

- 10 The Licensing Service recommends the first option in order to keep the wording in line with similar proposals for all the statements of licensing policy across the Licensing Partnership.

**Timetable**

- 11 The timetable in respect of the preparation and consultation for the proposed Policy is as follows:

18 March 2019	Licensing committee (agreed to consult)
12 April - 26 May 2019	Consultation took place
20 June 2019	Licensing Committee (to consider consultation feedback and agree final version)
23 July 2019	Full Council (Adoption)

**Key Implications**

Financial

There are no specific financial implications resulting from the matters considered in this report, as the minimal cost of consultation and publication in respect of the proposed Council’s Statement of Gambling Policy will be met from the running costs of the Licensing Team and

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Licensing Partnership.

### Legal Implications and Risk Assessment Statement.

The Council's Statement of Licensing Policy is an important factor when determining certain applications under the Licensing Act 2003. If the Policy is silent on a matter then the Council will have less opportunity to guide and control applications.

Ensuring that the Policy is up to date and covers relevant areas assist the Council is ensuring a consistency of approach.

### Equality Assessment

Section 149(1) of the Equality Act 2010 requires that, in exercising its functions public sector bodies to have 'due regard' to the need to -

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
- Foster good relations between people who share a relevant 'protected characteristic' and those who do not;
- Advance equality of opportunity between people who share a relevant 'protected characteristic' and those who do not.

Assessing the potential impact on equality of proposed decision, changes to policies, procedures and practices is one of the key ways in which the Council can demonstrate that they have had 'due regard'. Assessing impact on equality should be tailored to, and be proportionate to, the decision(s) being made.

Officers have considered the impact of the proposals contained in this report and consider that there would be no, or very limited adverse or disproportionate impact on those who share a protected characteristic. This will be kept under review as part of the Council's ongoing duty.

Appendices

Appendix A - Feedback from consultation

Background Papers:

[Licensing Policy Statement](#)

**Mr. Richard Wilson**

**Chief Officer Environmental and Operational Services**

**Sharon Bamborough**

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**From:** Licensing  
**Sent:** 26 April 2019 14:06  
**To:** Sharon Bamborough  
**Subject:** FW: change to Licensing Act Policy consultation

One for you

Thanks

Raine Daniels

Licensing Administrative Officer for Sevenoaks District Council, Tunbridge Wells Borough Council, Maidstone Borough Council and London Borough of Bexley

Sevenoaks District Council | Council Offices | Argyle Road | Sevenoaks | Kent | TN13 1HG  
Tel: 01732 227004

Online: [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk)

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**From:** Westerham Town Council [mailto:office@westerhamtowncouncil.gov.uk]  
**Sent:** 26 April 2019 12:04  
**To:** Licensing  
**Subject:** Re: change to Licensing Act Policy consultation

Dear Sir/Madam

Westerham Town Council discussed the consultation at their Planning Committee on 25<sup>th</sup> April and fully supported the amendment to add a new section 20 relating to outdoor events to the current Policy.

Kind regards

Angela Howells

Town Clerk

Westerham Town Council  
Russell House, Market Square  
Westerham. TN16 1RB

[www.westerhamtowncouncil.gov.uk](http://www.westerhamtowncouncil.gov.uk)

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### Sharon Bamborough

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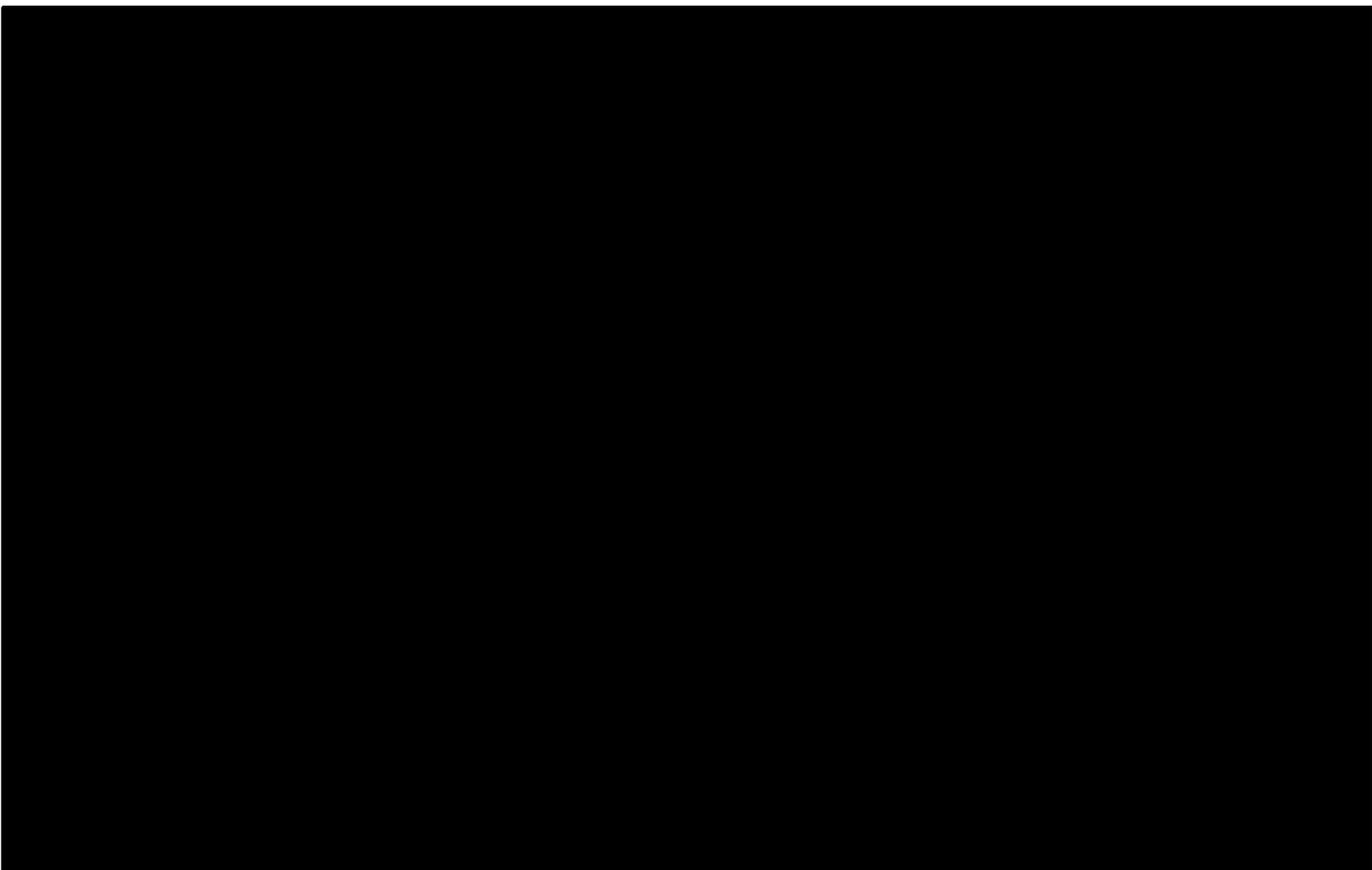
**From:** Licensing  
**Sent:** 23 May 2019 13:58  
**To:** Sharon Bamborough  
**Subject:** FW: Sevenoaks - change to Licensing Act Policy consultation (6 weeks)  
**Attachments:** Sevenoaks LA03 Policy for consultation.doc

**From:** Louise Kleinschmidt <louise.leighclerk@hotmail.com>  
**Sent:** 23 May 2019 12:12  
**To:** Licensing <licencing@sevenoaks.gov.uk>  
**Subject:** FW: Sevenoaks - change to Licensing Act Policy consultation (6 weeks)

Leigh Parish Council supports the proposed changes to the Sevenoaks LA03 policy, which are as follows:

- 20.1 The general terminal hour for all licensable activities shall be 23:00 at outdoor events;
- 20.2 Organisers/applicants shall demonstrate that they have the required permissions in place to use the land (whether private land or on Council owned land);
- 20.3 Organisers/applicants shall demonstrate that they have arrangements in place to ensure the site is properly checked and certified (for example, if water supplies or electrics need to be safety checked); and
- 20.4 Organisers / applicants using Council owned land will demonstrate that they have notified and where necessary sought authorisation / advice from the relevant Council departments (for example, the Parks and Open Spaces, Highways etc.).

Kind regards  
Louise Kleinschmidt  
Clerk - Leigh Parish Council



**Sharon Bamborough**

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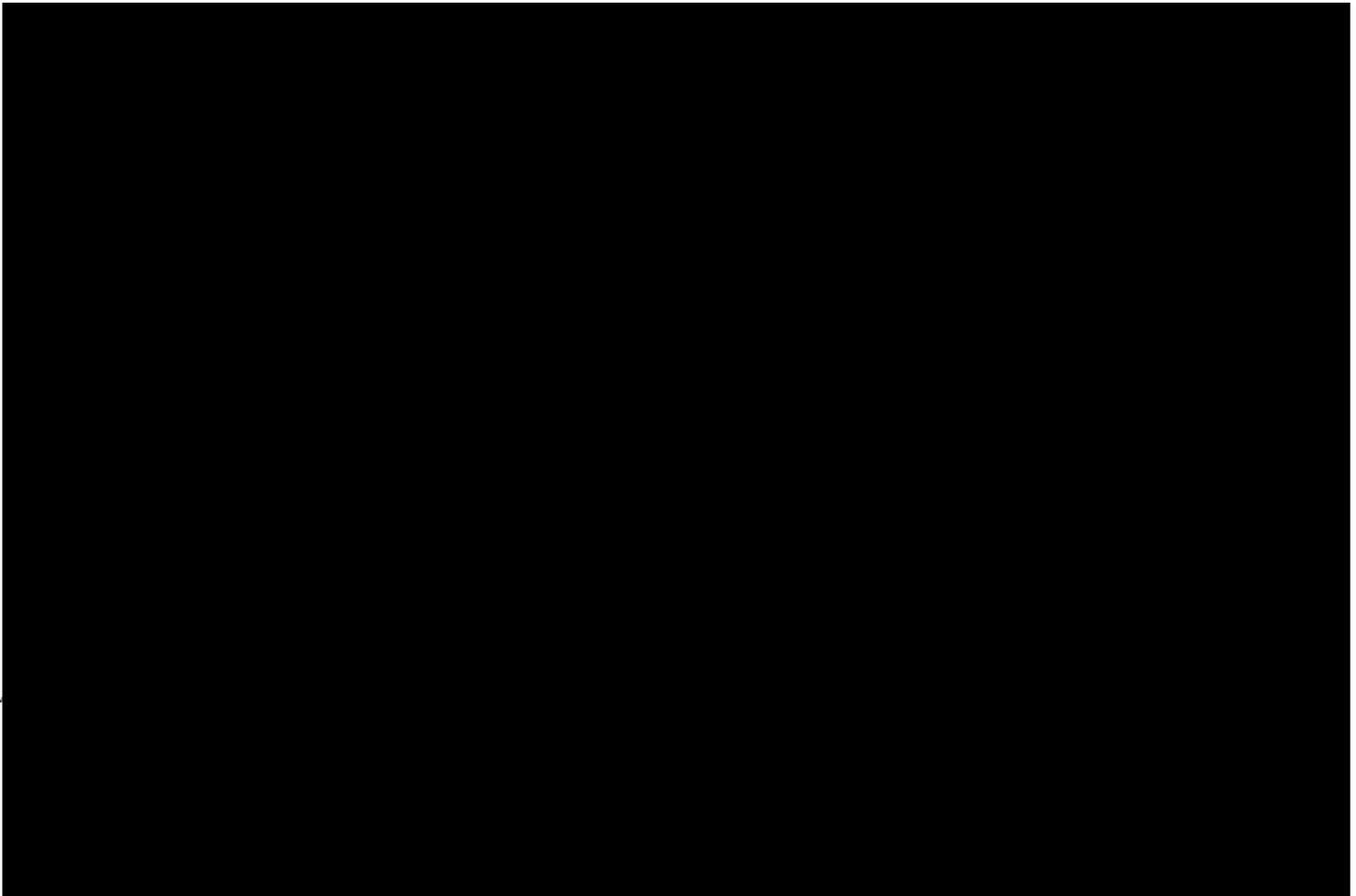
**From:** Licensing  
**Sent:** 25 April 2019 12:26  
**To:** Sharon Bamborough  
**Cc:** Janet Lockie; Jessica Foley; Michael Moss  
**Subject:** FW: Sevenoaks - change to Licensing Act Policy consultation (6 weeks)  
**Attachments:** Sevenoaks LA03 Policy for consultation.doc

**From:** louise.clerk@chiddingstone.org [mailto:louise.clerk@chiddingstone.org]  
**Sent:** 25 April 2019 12:18  
**To:** Licensing  
**Subject:** FW: Sevenoaks - change to Licensing Act Policy consultation (6 weeks)

Chiddingstone Parish Council supports the proposed changes to the Sevenoaks LA03 policy, which are as follows:

- 20.1 The general terminal hour for all licensable activities shall be 23:00 at outdoor events;
- 20.2 Organisers/applicants shall demonstrate that they have the required permissions in place to use the land (whether private land or on Council owned land);
- 20.3 Organisers/applicants shall demonstrate that they have arrangements in place to ensure the site is properly checked and certified (for example, if water supplies or electrics need to be safety checked); and
- 20.4 Organisers / applicants using Council owned land will demonstrate that they have notified and where necessary sought authorisation / advice from the relevant Council departments (for example, the Parks and Open Spaces, Highways etc.).

Kind regards  
Louise Kleinschmidt  
Clerk - Chiddingstone Parish Council



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Licensing Committee Work Plan 2018/19 (as at 23/05/19)

20 June 2019	19 September 2019	7 January 2020	16 March 2020
Annual Update report on the Licensing Partnership  Statement of Licensing Policy	Police Welfare and Vulnerability Engagement (WAVE) Presentation (suggested at LDSAC 19/3/19)		

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