

14 September 2020 at 10.30 am

This meeting will be held virtually via Zoom and will be livestreamed here:

[https://www.youtube.com/channel/UCIT1f\\_F5OfvTzxjZk6Zqn6g](https://www.youtube.com/channel/UCIT1f_F5OfvTzxjZk6Zqn6g)

Despatched: 27.08.20



# Licensing Hearing

## Membership: (Sub Group C)

Cllrs. Abraham, Dr. Canet and Esler

(Each Licensing Sub-Committee will contain three Members of the Licensing Committee. Any member of the Licensing Committee may act as a substitute on any of the licensing Sub-Committees)

## IMPORTANT INFORMATION

If an interested party (e.g. a parish or town council) has not made a "relevant representation" (section 18(6) and (7) of the Licensing Act 2003), it will not receive a notice of the hearing (Reg. 6(1) Hearings Regulations). The interested party will not, therefore be "a party to the hearing" (Reg. 2 Hearings Regulations). There will therefore be no right to address the hearing (Reg. 16 Hearings Regulations).

The above also applies to a Member i.e. if s/he does not make a "relevant representation" s/he will not be a "party to the hearing" and has no right to address the hearing unless appointed by "a party to the hearing" to assist or represent that party.

## Agenda

	Pages	Contact
Apologies for Absence		
1. Appointment of Chairman		
2. Declarations of interest		
3. Report to Licensing Sub-Committee - For a New Premises Licence in respect of Blackwoods Cheese Company, Bore Place Road, Chiddingstone, Kent, TN8 7AR (Leigh and Chiddingstone Causeway)	(Pages 1 - 36)	Jessica Foley Tel: 01732227480

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).

## Procedures at Sub-Committees of the Licensing Committee

1. Licensing Act 2003
  - 1.1 Hearings shall be conducted in accordance with this Procedure Note which the Sub-Committee may vary at their discretion if considered in the public interest subject to The Licensing Act 2003 (Hearings) Regulations 2005.
  - 1.2 The quorum for a Sub-Committee shall be two members.
  - 1.3 At the commencement of each hearing the Sub-Committee shall elect one of its members as Chairman.
  - 1.4 The order of business at hearings shall be:
    - (a) Election of Chairman.
    - (b) Declarations of interests.
    - (c) Chairman explains the procedure to be followed at the hearing, including the setting of equal time limits for all parties and the granting of adjournments.
    - (d) Chairman ascertains who is assisting or representing the parties.
    - (e) Officer presentation of report
    - (f) Applicant (or his/her representative) addresses the Sub-Committee.
    - (g) Applicant questioned by members. At the discretion of the Sub-Committee, other parties may be permitted to question the applicant.
    - (h) Any representatives of Public or Statutory Bodies who have made representations in respect of the application (or their representative) address the Sub-Committee. No issues other than those relevant to their representations may be raised.
    - (i) Members question each party at the conclusion of their address. At the discretion of the Sub-Committee, the applicant may be permitted to question other parties.
    - (j) Other persons who have made representations in respect of the application (or their representative) address the Sub-Committee. No issues other than those relevant to their representations may be raised.
    - (k) Members question each party at the conclusion of their address. At the discretion of the Sub-Committee, the applicant may be permitted to question other parties.

- (l) Sub-Committee may offer the parties a short adjournment to discuss in the absence of the Sub-Committee whether a solution acceptable to all the parties can be put to the Sub-Committee.
- (m) Applicant (or his/her representative) makes closing address.
- (n) Sub-Committee may grant a short adjournment. The parties may not speak to members regarding the application during adjournments.
- (o) The Sub-Committee considers the application and motions put to accept or reject the application in the terms requested or to grant the application subject to specified conditions. Reasons are to be given for motions.

The parties will usually be informed of the decision at the Hearing with a decision notice issued thereafter in accordance with Regulation 26 of the 2005 Regulation, along with details of any applicable appeals process.

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**REPORT TO LICENSING SUB-COMMITTEE FOLLOWING RECEIPT OF REPRESENTATIONS IN RELATION TO AN APPLICATION FOR A NEW PREMISES LICENCE MADE UNDER THE LICENSING ACT 2003 FOR BLACKWOODS CHEESE COMPANY, BORE PLACE ROAD, CHIDDINGSTONE, KENT TN8 7AR**

**LICENSING SUB-COMMITTEE - 14 SEPTEMBER 2020**

Report of Chief Officer, Planning & Regulatory Services

Status For Decision

Key Decision No

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**Executive Summary:** This report provides information to advise Members of a new premises licence application under the Licensing Act 2003 in respect of Blackwoods Cheese Company, Bore Place Road, Chiddingstone, Kent TN8 7AR

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**Portfolio Holder** Cllr. Margot McArthur

**Contact Officer** Jessica Foley, Ext. 7480

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**Recommendation to Licensing Sub-Committee**

Options available to Members are:

- a) To grant the application in full on the terms and conditions contained in the operating schedule along with relevant mandatory conditions
  - b) To grant the application, modified to such an extent as considered appropriate in order to satisfy any relevant representations so as to adequately promote the licensing objectives.
  - c) To exclude from the scope of the licence any of the licensable activities
  - d) To refuse to specify a person on the licence as the premises supervisor
  - e) To refuse the application in its entirety
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**Reason for recommendation:** Each application must be considered on its individual merits and in relation to the licensing objectives under the Licensing Act 2003. Members are asked to consider the options above in light of the individual circumstances of this application and representations and testimony received at Hearing.

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# Agenda Item 3

## Introduction

- 1 An application has been made to Sevenoaks District Council for a Premises Licence at Blackwoods Cheese Company, Bore Place Road, Chiddingstone, Kent TN8 7AR. The applicant is Blackwoods Cheese Company Limited. A copy of the application is included at **Appendix A**. Additional steps to promote the licensing objectives (Operating Schedule) at **Appendix B**. A copy of the plans is included at **Appendix C**.

Please note; the application was initially submitted on 7<sup>th</sup> April 2020, but amendments were made and the application finally validated on 20<sup>th</sup> July 2020.

For Members attention, I have attached an aerial view of the area surrounding Blackwoods Cheese Company for reference at **Appendix D**

- 2 The licensable activities applied for are:

Sale of alcohol for consumption off the premises from 9am to 6pm Sunday through to Thursday, and 8am to 8pm on Friday and Saturday.

- 3 When submitting an application for a new premises licence, the applicant is required to describe any steps they intend to take to promote the four licensing objectives, as defined by the Licensing Act 2003, and those steps submitted by the applicant are set out below:

(Note: The 'General' steps below form part of the application at Appendix 1, the remaining steps were submitted as an attachment to the application at Appendix 2)

### General

All stock of alcohol will be kept inside the premises, when no staff are present the premises will be locked.

Proof of age will be required for purchase

No alcohol will be sold to minors or those who appear intoxicated

### Prevention of crime and disorder

Effective and responsible management of premises

Training and supervision of staff

Adaption of best practice guidance

Acceptance of accredited proof of age card and/or 'new type' driver license

### Public safety

Effective and responsible management of premises

Provisions of a sufficient number of people employed or engaged to secure the safety of the premises and patrons

Appropriate instruction, training, and supervision of those employed

Adoption of best practice guidance

### The prevention of public nuisance

Responsible management of premises

Appropriate instruction, training and supervision to prevent incidents of public nuisance  
Control of operating houses  
Adoption of best practice guidance  
Management of people

The prevention of children from harm

Effective and responsible management of premises  
Provision of a sufficient number of people to secure the protection of children from harm  
Appropriate instruction, training and supervision of those employed  
Adaption of best practice guidance  
Limitations or exclusions by age when certain activities are taking place  
Acceptance of accredited proof of age cards

**Background**

- 4 Blackwoods Cheese Company Limited are providers of real and raw cheese and dairy products.
- 5 The applicant was required to advertise both on the premises and in a local newspaper in order to inform the public of the application. Application details were also advertised on the Council's website.
- 6 A consultation period took place between 20<sup>th</sup> July 2020 and the 17<sup>th</sup> August 2020. Responsible Authorities (listed below at point 8) were consulted as part of this process.
- 7 The applicant conformed to all requirements in accordance with The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.

**Representation received from Responsible Authorities**

- 8 The following Statutory Bodies (described as Responsible Authorities by the Licensing Act 2003) were consulted about this application:

Kent Police	Response received (no objection)
Kent Fire & Rescue	Response received (no objection)
Trading Standards	No response received
Home Office	No response received
Social Services	No response received
Environmental Health & Safety	Response received (no objection)
Public Health Department	No response received
Environmental Protection	Response received (no objection)
SDC Planning	Response received (no objection)

**Representations received from others**

- 9 Two representations (from Roger and Lindsey Perkin, and Michael and Elizabeth North) objecting to this application have been received from

## Agenda Item 3

neighbouring properties. The grounds of the objections relate to the licensing objectives 'crime and disorder', 'public safety' and 'the protection of children from harm'. Copies of the representations are at **Appendix E** and **Appendix F**.

### Licensing Sub Committee Considerations

- 10 The 2003 Act requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:

The prevention of crime and disorder

Public safety

The prevention of public nuisance

The protection of children from harm

- 11 Sevenoaks District Council has produced a Statement of Licensing Policy in order to comply with its duties and powers under the Licensing Act 2003. It covers the licensable activities for retail sale of alcohol which is the subject of this application.

The aims of this Statement of Licensing Policy, in line with the four licensing objectives are:

- To minimise nuisance and disturbance to the public through the licensing process.
- To help build a fair and prosperous society that properly balances the rights of people and their communities
- To integrate its aims and objectives with other initiatives, policies plus strategies that will:
  - reduce crime and disorder
  - encourage tourism
  - encourage an early evening and night time economy which is viable, sustainable and socially responsible
  - reduce alcohol misuse
  - encourage employment
  - encourage the self-sufficiency of local communities
  - reduce the burden of unnecessary regulation on business
  - encourage and promote live music, dancing and theatre for the wider cultural benefit of communities generally.

- 12 The Licensing Authority is aware that in making decisions about applications for licences, it will have regard to:

The Licensing Act 2003

Its Statement of Licensing Policy made under section 5 of the Licensing Act 2003.

Statutory Guidance issued under section 182 of the Licensing Act 2003, and that decisions made are reasonably consistent with the four licensing objectives.

That any decision made that depart from guidance or policy only do so for reasons set out in the decision.



- 13 The Licensing Sub Committee should be mindful of requirements and responsibilities placed on them by other legislation, in addition to those contained within the Licensing Act 2003. These include, but are not limited to, having due regard to the Equality Act 2010 and the Human Rights Act 1998.
- 14 The Sub-Committee is asked to note the procedures relating to this hearing which are contained with The Licensing Act 2003 (Hearing Regulations) 2005 (as amended).

### **Right of Appeal**

- 16 Under Section 181 and Schedule 5 of the Act, there is a right of appeal to the Magistrates' Court in respect of applications for new licences. This right of appeal is open to both the applicant and to any person who has made relevant representation. The appeal application must be made within 21 days of the written notification of the Sub-Committee's decision.

### **Key Implications**

#### Financial

None directly arising from this report

#### Legal Implications and Risk Assessment Statement.

This Hearing is regulated by The Licensing Act 2003 (Hearings) Regulations 2005

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

#### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

### **Appendices**

Appendix A - Application form

Appendix B - Operating Schedule

Appendix C - Plans

Appendix D - Aerial view

Appendix E - Representation : Perkin

Appendix F - Representation : North

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### Background Papers

[SDC Statement of Licensing Policy](#)

[The Licensing Act 2003 \(Hearings\) Regs 2005](#)

[Licensing Act 2003 Section 182 Guidance](#)

[Licensing Act 2003](#)

**Richard Morris**

**Chief Officer for Planning & Regulatory Services**



Sevenoaks  
Application for a premises licence  
Licensing Act 2003

For help contact  
[licensing@sevenoaks.gov.uk](mailto:licensing@sevenoaks.gov.uk)  
Telephone: 01732 227004

\* required information

**Section 1 of 21**

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

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

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

Are you an agent acting on behalf of the applicant?

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

Yes  No

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Are you:

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

Applying as an individual

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

**Applicant Business**

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

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

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Your position in the business	<input type="text" value="Managing Director"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.
<b>Registered Address</b>		Address registered with Companies House.
Building number or name	<input type="text" value="Blackwoods Cheese Company"/>	
Street	<input type="text" value="Bore Place Rd"/>	
District	<input type="text"/>	
City or town	<input type="text" value="Chiddingstone"/>	
County or administrative area	<input type="text" value="Kent/Sevenoaks"/>	
Postcode	<input type="text" value="Tn87ar"/>	
Country	<input type="text" value="United Kingdom"/>	

### Section 2 of 21

#### PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

#### Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

#### Postal Address Of Premises

Building number or name	<input type="text" value="Blackwoods Cheese Company"/>
Street	<input type="text" value="Bore Place rd"/>
District	<input type="text"/>
City or town	<input type="text" value="Chiddingstone"/>
County or administrative area	<input type="text" value="Kent"/>
Postcode	<input type="text" value="tn87ar"/>
Country	<input type="text" value="United Kingdom"/>

#### Further Details

Telephone number	<input type="text" value=""/>
Non-domestic rateable value of premises (£)	<input type="text" value="0"/>

<b>Section 3 of 21</b>	
<b>APPLICATION DETAILS</b>	
<p>In what capacity are you applying for the premises licence?</p> <p><input type="checkbox"/> An individual or individuals</p> <p><input checked="" type="checkbox"/> A limited company / limited liability partnership</p> <p><input type="checkbox"/> A partnership (other than limited liability)</p> <p><input type="checkbox"/> An unincorporated association</p> <p><input type="checkbox"/> Other (for example a statutory corporation)</p> <p><input type="checkbox"/> A recognised club</p> <p><input type="checkbox"/> A charity</p> <p><input type="checkbox"/> The proprietor of an educational establishment</p> <p><input type="checkbox"/> A health service body</p> <p><input type="checkbox"/> A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales</p> <p><input type="checkbox"/> A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England</p> <p><input type="checkbox"/> The chief officer of police of a police force in England and Wales</p>	
<b>Confirm The Following</b>	
<p><input checked="" type="checkbox"/> I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities</p> <p><input type="checkbox"/> I am making the application pursuant to a statutory function</p> <p><input type="checkbox"/> I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative</p>	
<b>Section 4 of 21</b>	
<b>NON INDIVIDUAL APPLICANTS</b>	
<p>Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.</p>	
<b>Non Individual Applicant's Name</b>	
Name	<input style="width: 90%;" type="text" value="David Holton"/>
<b>Details</b>	
Registered number (where applicable)	<input style="width: 90%;" type="text"/>
Description of applicant (for example partnership, company, unincorporated association etc)	

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Continued from previous page...

## Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

## Contact Details

E-mail

Telephone number

07765711214

Other telephone number

\* Date of birth

\* Nationality

Australian

Documents that demonstrate entitlement to work in the UK

Add another applicant

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?

14 / 07 / 2020  
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

/ /  
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

We are a cheese manufacturer looking to be able to sell wine and beer through our online shop. In the future we would also like to open a small farmshop on our premises for take away sales.

*Continued from previous page...*

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

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Continued from previous page...

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### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

## Section 14 of 21

### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes  No

## Section 15 of 21

### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes  No

#### Standard Days And Timings

#### MONDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="18:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

#### TUESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="18:00"/>
Start	<input type="text"/>	End	<input type="text"/>

#### WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="18:00"/>
Start	<input type="text"/>	End	<input type="text"/>

#### THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="18:00"/>
Start	<input type="text"/>	End	<input type="text"/>

#### FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

#### SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>



*Continued from previous page...*

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises    
  Off the premises    
  Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

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Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

## PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor  
 As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

## Section 16 of 21

### ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

## Section 17 of 21

### HOURS PREMISES ARE OPEN TO THE PUBLIC

#### Standard Days And Timings

MONDAY

Start 09:00

End 17:00

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

*Continued from previous page...*

**TUESDAY**

Start	<input type="text" value="09:00"/>	End	<input type="text" value="17:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**WEDNESDAY**

Start	<input type="text" value="09:00"/>	End	<input type="text" value="17:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**THURSDAY**

Start	<input type="text" value="09:00"/>	End	<input type="text" value="17:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**FRIDAY**

Start	<input type="text" value="09:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SATURDAY**

Start	<input type="text" value="08:00"/>	End	<input type="text" value="17:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SUNDAY**

Start	<input type="text" value="09:00"/>	End	<input type="text" value="17:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**State any seasonal variations**

For example (but not exclusively) where the activity will occur on additional days during the summer months.

**Non standard timings.** Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

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*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

All stock of alcohol will be kept inside the premises, when no staff are present the premises will be locked.  
Proof of age will be required for purchase  
No alcohol will be sold to minors or those who appear intoxicated

b) The prevention of crime and disorder

--

c) Public safety

--

d) The prevention of public nuisance

--

e) The protection of children from harm

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**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

## Agenda Item 3

*Continued from previous page...*

- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport.
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

*Continued from previous page...*

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

#### Section 20 of 21

#### NOTES ON REGULATED ENTERTAINMENT

## Agenda Item 3

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises, and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.



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- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 21 of 21**

**DECLARATION**

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

**Add another signatory**

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

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

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

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

# Agenda Item 3

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Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
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## **APPENDIX B**

### **The prevention of Crime and disorder**

In order to limit the following factors:

- Underage drinking
- Drunkenness on premises
- Public drunkenness
- Violent Behavior
- Anti social behavior
- Irresponsible drinks promotions

We will be implementing the following measures of control:

- Effective and responsible management of premises
- Training and supervision of staff
- Adaption of best practice guidance
- Acceptance of accredited 'proof of age card and/ or 'new type' driver license

### **Public Safety**

In order to limit the following factors:

- The occupancy capacity of the premises
- The age/design/layout of the premises
- The nature of the licensable activities to be provided
- The hours of operations
- Customer profile (age and disability)
- The use of special effects such as lasers, pyrotechnics, smoke, etc.

We will be implementing the following measures of control:

- Effective and responsible management of premises
- Provisions of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
- Appropriate instruction, training, and supervision of those employed
- Adoption of best practice guidance

### **The prevention of public Nuisance**

In order to limit the following factors:

- The location of the premises
- The hours of operation
- The nature of activities to be provisioned
- The design and layout of the premises
- The emission of noise/music from the premises
- The occupancy capacity
- Local residential property
- History of previous complaints

## Agenda Item 3

We will be implementing the following measures of control:

- Responsible management of premises
- Appropriate instruction, training and supervision to prevent incidents of public nuisance
- Control of operating houses
- Adoption of best practice guidance
- Management of people

### **The prevention of children from harm**

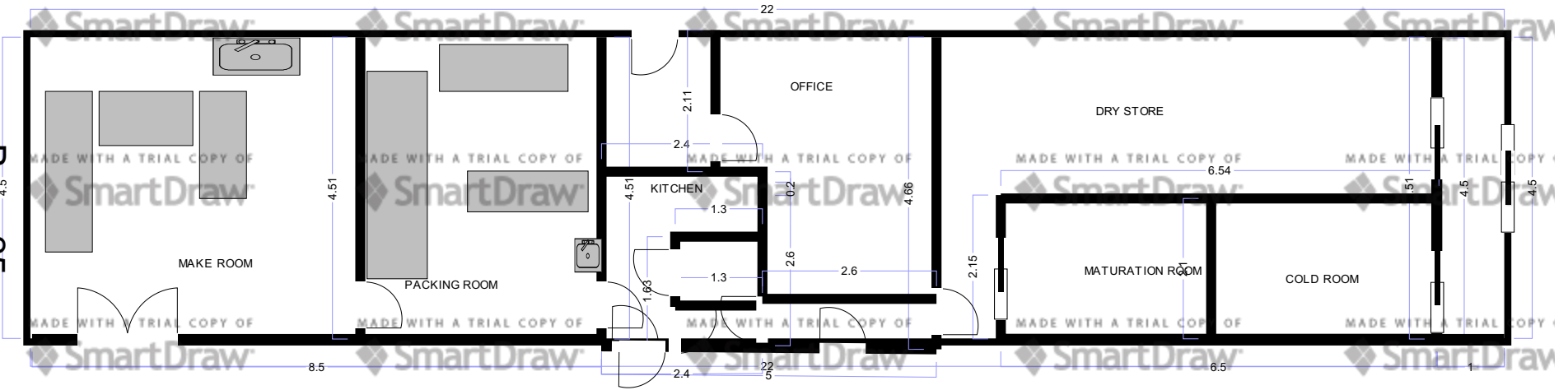
In order to limit the following factors:

- purchase, acquire or consume alcohol
- be exposed to drugs, drug taking or drug dealing
- be exposed to gambling
- be exposed to activities of an adult or sexual nature
- be exposed to incidents of violence or disorder
- be exposed to environmental pollution
- be exposed to special hazards

We will be implementing the following measures of control:

- Effective and responsible management of premises
- Provision of a sufficient number of people to secure the protection of children from harm
- Appropriate instruction, training and supervision of those employed
- Adaption of best practice guidance
- Limitations or exclusions by age when certain activities are taking place
- Acceptance of accredited proof of age cards

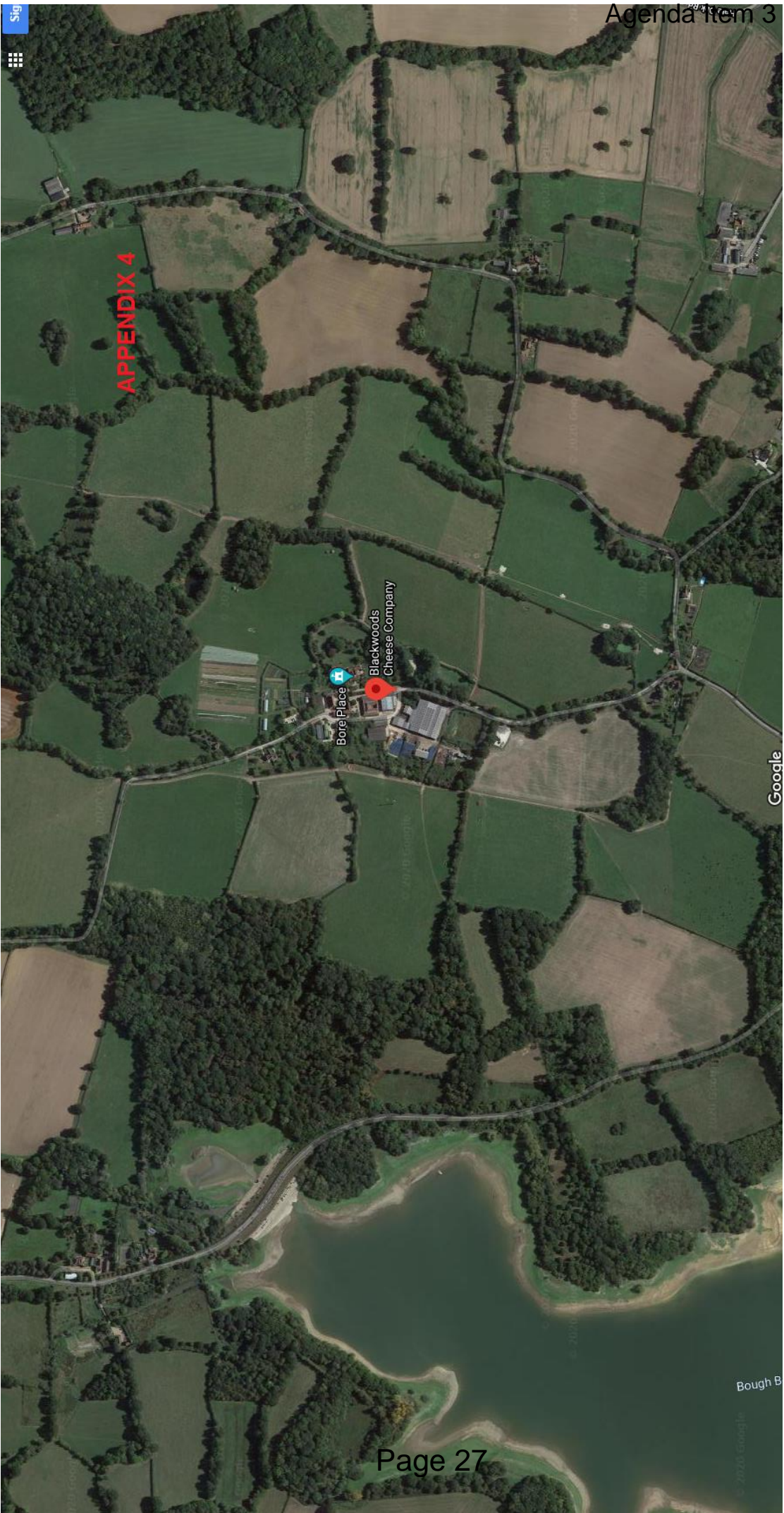
# APPENDIX C



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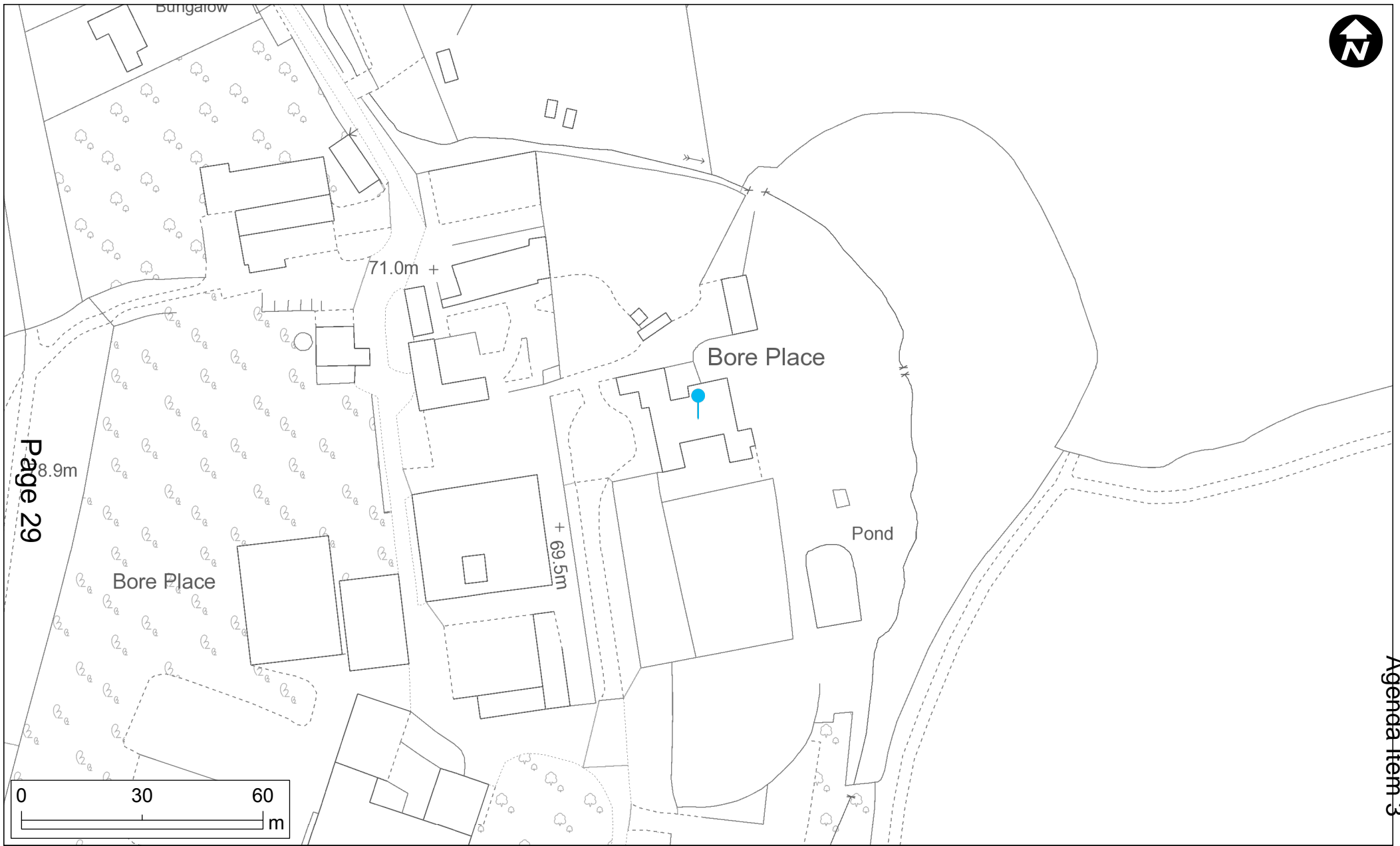


APPENDIX D



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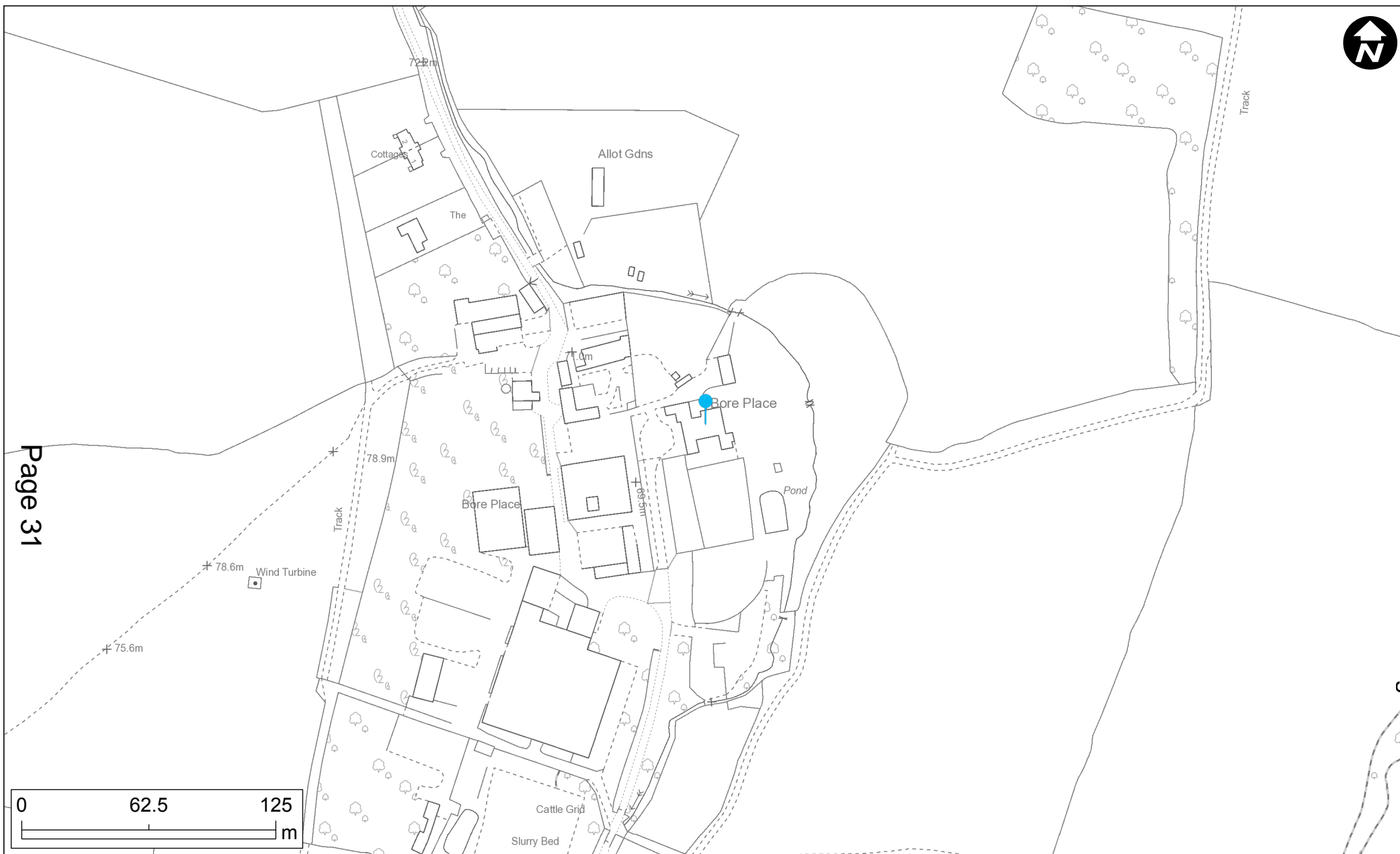




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APPENDIX E

From:

Sent: 17 August 2020 15:14

To: Licensing <licencing@sevenoaks.gov.uk>

Subject: Licensing Application 20/01048

For the attention of Ms. Jessica Foley

We wish to make representation about the above licensing application .

The granting of this licence will undermine the promotion of:

Public safety .

Bore Place Road , the principal access road to the premises , is very narrow , with blind bends . It is used , inter alia, by many cyclists, horse riders and walkers ( many of whom are children ) . If granted , there will be an inevitable increase vehicular traffic which will significantly increase the risk to public safety.

Your sincerely

Roger and Lindsey Perkin  
TN87AP

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## APPENDIX F

From:  
Sent: 17 August 2020 15:41  
To: Licensing <licencing@sevenoaks.gov.uk>  
Subject: Application No. 20/01048/LAPRE

For the attention of Mrs. J. Foley

Dear Mrs. Foley,

We should like to object to the above application and make the following points:

We are the nearest neighbour to the premises, unconnected to Bore Place. The applicant has not communicated with us at all although we have talked to his landlord at Bore Place who knew nothing about the application.

The premises for the application are situated in an active farmyard, up a long driveway, approached from a lane.

1. The granting of this licence will undermine the promotion of the "prevention of crime and disorder" because the sale of alcohol and consumption outside the premises in such an environment will increase the opportunity for crime owing to the close proximity of farm machinery and contents of barns.

2. The granting of this licence will undermine the promotion of "public safety" enabling the consumption of alcohol outside the premises but in an area very close to livestock and dangerous farm machinery.

3. The granting of this licence will undermine the promotion of "protection of children from harm" and is totally incompatible with the published plans for Bore Place. Their focus is towards opportunities for children and young people of all abilities through the provision of more programmes of work to be undertaken by daily visits or by school residential visits enabled by the recent increase in accommodation. A licence to sell alcohol here seems totally inappropriate.

Yours sincerely,

Michael and Elizabeth North  
TN8 7AR.

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