

04 July 2023 at 10.30 am

Council Chamber, Argyle Road, Sevenoaks

Published: 29.06.23



This meeting will be livestreamed to YouTube [here](#):

https://www.youtube.com/channel/UCIT1f_F5OfvTzxjZk6Zqn6g

Licensing Hearing

Membership:

Chairman: TBD

Cllrs. Barnes, Clack, Lindop

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. Appointment of Chairman		
2. Declarations of interest		
3. LICENSING ACT 2003 TEMPORARY EVENT NOTICE - Eureka, Manor Lane, Fawkham, Kent DA3 8ND	(Pages 1 - 26)	Sue Lindsey Tel: 01732 227491

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.

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.

(a) Sub-Committee may grant a short adjournment. The parties may not speak to members regarding the application during adjournments.

(b) 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.

(c) 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 app

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LICENSING ACT 2003 TEMPORARY EVENT NOTICE – Eureka, Manor Lane, Fawkham,
Kent DA3 8ND

Licensing Sub Committee – Tuesday 4th July at 10.30am

Report of: Chief Officer Planning & Regulatory Services

Status: For Decision

Key Decision: No

Portfolio Holder: Cllr. McArthur

Contact Officer: Susan Lindsey Ext. 7491

Recommendation to Licensing Sub-Committee:

The Sub Committee is asked to determine the Temporary Event Notice in accordance with the Licensing Act 2003, Sevenoaks District Council Statement of Licensing Policy, and the Home Office Guidance issued per Section 182 of the Licensing Act 2003, whilst having due regard to the applicant’s submissions and relevant representations.

Reason for recommendation:

A Temporary Event Notice has been received for an event commencing on 15th July 2023 at 12 noon and ending on 16th July 2023 at 3am. A representation against the notice has been made by Kent Police.

1. Introduction and Background

1.1 A Temporary Event Notice has been made to Sevenoaks District Council for Eureka, Manor Lane, Fawkham, Kent DA3 8ND. The applicant is Mr Stuart Moore – **Appendix 1**

1.2 The nature of this Temporary Event Notice is to allow for a ‘Festival Launch Party’ to include the sale of alcohol, late night refreshment and regulated entertainment from 15th July 2023 at 12 noon until 16th July 2023 at 3am.

1.3 A copy of the current Premises Licence (ref 20/01492/LAPRE) with associated plans are at **Appendix 2** and **Appendix 3**.

1.4 For the attention of Members, a further, more detailed, site plan of the area surrounding the licensed premises is at **Appendix 4**.

1.5 **Temporary Event Notices**

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- 1.6 The Temporary Event Notice process is a procedure provided whereby small-scale one-off events involving licensable activities can take place without any further authorisation.
- 1.7 This means that, providing specific criteria are met, there is no need for a premises licence or club premises certificate or for the presence of a personal licence holder.
- 1.8 No permission is required for such events; the procedure is merely one of 'notification' from the premises user that the event will take place. In the absence of any objection from the Police or Environmental Health, and provided all the criteria are met, the event can go ahead.
- 1.9 Applicants must apply for a Temporary Event Notice at least 10 clear working days before the event. The council cannot refuse a notice unless the Police and/or Environmental Health object to it (or maximum limits set for the duration, scale, and use of the premises under such notifications have been reached). The Police and/or Environmental Health must object within 3 working days of receiving the Notification. They can only object if they think the event could undermine any one of the four licensing objectives:
- The prevention of crime and disorder
 - Public nuisance
 - Public safety
 - The protection of children from harm
- 1.10 If the Police or Environmental Health do object, the Licensing Authority must hold a hearing to consider the objection notice unless the premises user, the Police and/or Environmental Health and the Licensing Authority all agree that a hearing is not necessary.
- 1.11 Where the Police or Environmental Health make an objection, the Licensing Authority may impose one or more conditions on the notice if it considers it appropriate for the promotion of any of the licensing objectives. The conditions can be imposed if they are:
- Imposed on a premises licence that has effect in respect of the same premises or any part of the same premises as the temporary event notice.
 - Consistent with the carrying out of the licensable activities which forms part of the temporary event notice.
- 1.12 If the Licensing Authority decides to uphold the objection by the Police and/or Environmental Health, they must issue a counter notice to the premises user with a notice giving reasons for the decision, with copies of these notices given to the Police and/or Environmental Health.
- 1.13 If the Licensing Authority decides the Notice is in order and there is no need to issue a counter notice, then the event can go ahead.

2. Representation received from Responsible Authorities:

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

2.2 Kent Police Representation received at **Appendix 5**
Environmental Health Response received : no objection

3. Licensing Sub Committee Considerations

3.1 In determining the notice with a view to promoting the licensing objectives, the Sub Committee must give appropriate weight to:

The steps that are appropriate to promote the licensing objectives

The representations presented by all parties

The Home Office Guidance issued under section 182 Licensing Act 2003

The Sevenoaks District Council Statement of Licensing Policy

Any other relevant legislation

3.2 The Licensing Act 2003 requires representations to address the four Licensing Objectives:

Prevention of crime and disorder

Public safety

Prevention of public nuisance

Protection of children from harm

A representation is a 'relevant representation' if it is about the likely effect of the Notice on the promotion of the licensing objectives. The objector must establish that such a consequence is a *likely* effect of the Notice (i.e. more probable than not).

3.3 Sevenoaks District Council has produced a Statement of Licensing Policy in order to comply with its duties and powers under the Licensing Act 2003. A link to this Policy is in the Background Papers section at the end of this report.

3.4 The aims of the Policy 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, and encourage and promote, live music, dancing and theatre for the wider cultural benefit of communities generally.

3.5 The Licensing Sub Committee should be mindful of requirements and responsibilities placed on them by other legislation, in addition to those contained within the

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Licensing Act 2003. These include, but are not limited to, having due regard to the Equality Act 2010 and the Human rights Act 1998.

- 3.6 The Sub Committee is asked to note the procedures relating to this hearing which are contained within The Licensing Act 2003 (Hearing Regulations) 2005 (as amended). A link to these Regulations are in the Background Papers section at the end of this report.

4. Options

- 4.1 When considering this Temporary Event Notice, the following options are available to the Sub Committee:

- Issue a counter notice to the Temporary Event Notice, which means it cannot go head.

- Refuse to issue a counter notice to the Temporary Event Notice, which means you can add conditions to the notice but only ones that are already on the Premises Licence.

5. Right of Appeal

- 5.1 Where the relevant licensing authority gives a counter notice under section 105(3) of The Licensing Act 2003, the premises user may appeal against that decision to the Magistrates Court. 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. No appeal may be brought later than 5 working days before the first day of the event period specified.

6. Key Implications

6.1 Financial

- 6.2 A decision made by the Sub Committee may in many cases be appealed by any party to the proceedings of a Magistrates Court. Costs associated with this matter and incurred by any party, may in certain circumstances be awarded against the Council.

6.3 Legal Implications and Risk Assessment Statement.

- 6.4 This Hearing is regulated by the Licensing Act 2003 (Hearings) Regulations 2005.

- 6.5 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 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.

6.6 Equality Assessment

6.7 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

6.8 Net Zero Implications

6.9 The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Appendices

Appendix 1 – Temporary Event Notice application form

Appendix 2 – Current Premises Licence (20/01492/LAPRE)

Appendix 3 – Plans association with current Premises Licence

Appendix 4 – Site plan showing surrounding area

Appendix 5 – Kent Police Representation

Background Papers

[Licensing Act 2003](#)

[Revised Guidance issued under Section 182 Licensing Act 2003](#)

[Sevenoaks District Council Statement of Licensing Policy](#)

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

Richard Morris
Chief Officer Planning & Regulatory Services

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The Licensing Partnership Temporary Event Notice

Sevenoaks District Council, Tunbridge Wells Borough Council, Maidstone Borough Council and London Borough of Bexley have a Licensing Partnership to process and issue licensing applications.

Licensing Officers are located at each local licensing authority, together with admin support to deal with people visiting the Gateways and Tunbridge Wells Town Hall.

Thank you for using the Licensing Partnership self service. Before completing the form, please be aware of the following information:

Form Submission:-

When you have completed the application form please submit it. When you submit the application, you will receive an electronic response which will be sent directly to the email address provided in the application.

Payment:-

If you are submitting an application which requires a payment, please have your credit or debit card to hand as payment can be made upon submitting your application form. Applications requiring a payment will only be validated once payment is confirmed.

General Information:-

If you have any problems with completing the form please contact licensing@sevenoaks.gov.uk

For official use only

<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Title</td> <td style="width: 15%;">Customer Name</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> <tr> <td>Mr</td> <td>Stuart, Moore</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>DOB</td> <td></td> <td>NINO</td> <td></td> <td></td> <td></td> </tr> <tr> <td>TEL</td> <td colspan="5"></td> </tr> <tr> <td>Email</td> <td colspan="5">events@eurekanaturistclub.co.uk</td> </tr> <tr> <td>Customer Address</td> <td colspan="5">27 Hobart Close Chelmsford Essex CM12ES</td> </tr> <tr> <td>Date Form Started</td> <td colspan="5">21/06/2023 14:55:49</td> </tr> <tr> <td>Date of E-signing</td> <td colspan="5"></td> </tr> <tr> <td>Date Submitted</td> <td colspan="5"></td> </tr> <tr> <td>Data Validation Ref</td> <td colspan="5"></td> </tr> <tr> <td>Occupancy type</td> <td colspan="5"></td> </tr> <tr> <td>Advisor Name (who started form)</td> <td colspan="5"></td> </tr> <tr> <td>Advisor Department</td> <td colspan="5"></td> </tr> </table>	Title	Customer Name					Mr	Stuart, Moore					DOB		NINO				TEL						Email	events@eurekanaturistclub.co.uk					Customer Address	27 Hobart Close Chelmsford Essex CM12ES					Date Form Started	21/06/2023 14:55:49					Date of E-signing						Date Submitted						Data Validation Ref						Occupancy type						Advisor Name (who started form)						Advisor Department						<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Form Filename</td> <td style="width: 70%;"></td> </tr> <tr> <td>Form Reference</td> <td>Stuart, Moore</td> </tr> <tr> <td>Caps Reference</td> <td></td> </tr> <tr> <td>Notes</td> <td style="height: 200px;"></td> </tr> </table>	Form Filename		Form Reference	Stuart, Moore	Caps Reference		Notes	
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Licensing Authority: *The Licensing Partnership*

*Licensing Partnership
P.O. Box 182
Sevenoaks
Kent TN13 1GP*

Temporary Event Notice

Please Note: You will need to make a payment of £21.00 before the form submission can be accepted. You will be directed to pay when you submit the form.

Information on the Licensing Act 2003 is available at www.sevenoaks.gov.uk/licensing

Before completing this form **please read the guidance notes at the end of the form.**
You may wish to keep a copy of the completed form for your records.

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

Please select the Council where the premises is situated:

Sevenoaks District Council

1. Personal Details of Premises User <i>(Please read note 1)</i>		
1. Your name		
Title	Forenames	Surname
Mr	Stuart	Moore
2. Previous names <i>(if relevant)</i>		
3. Your date of birth	03/03/1972	
4. Your place of birth	Harold Wood	
5. National Insurance Number	NX733580C	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)		
27 Hobart Close Chelmsford Essex CM12ES		
7. Other contact details		
Telephone numbers		
Daytime		
Evening (optional)		
Mobile (optional)		
Fax number (optional)		
Email address	events@eurekanaturistclub.co.uk	

Licensing Authority: *The Licensing Partnership*

8. Alternative address for correspondence (Address for correspondence associated with this application, if different to the previous address)

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9. Alternative contact details (if applicable)

Telephone numbers

Daytime		
Evening (optional)		
Mobile (optional)		
Fax number (optional)		
E-Mail address (optional)		

2. The Premises

Please select the address of the premises where you intend to carry out the licensable activities. If there is no address please select the street record in the address lookup and supply further details of the location (including Ordnance Survey references) (Please read note 2).

Eureka
Manor Lane
Fawkham
Kent
DA3 8ND

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	20/01492/LAPRE	
Additional address information		

Do you intend to use the whole of the premises at this address (Please read note 3)
(If no, please give a description and details below)

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please describe the nature of the premises below. (Please read note 4)

A Naturist Club

Please describe the nature of the event below. (Please read note 5)

Festival Launch party

3. The Licensable Activities

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on - either double click with the mouse, or press the space bar in the relevant field). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input checked="" type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	

Please state the date and times on which you intend to use these premises for licensable activities. (Please read note 9) Please give times in 24 hour clock. eg. 19:00. (Please read note 10)

Start Date	15/07/2023	Time	12:00	End Date	16/07/2023	Time	03:00
------------	------------	------	-------	----------	------------	------	-------

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)

450

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 12)	On the premises only	
	Off the premises only	
	Both	<input checked="" type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 13)

N/a

4. Personal Licence Holders (Please read note 14)

Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes	No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If "Yes" please provide the details of your personal licence below.

Issuing licensing authority	Chelmsford City Council	
Licence number	12/00580/LAPER	
Date of issue	01/10/2020	
Date of expiry		
Any further relevant details		

5. Previous Temporary Event Notices you have given (Please read note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Licensing Authority: *The Licensing Partnership*

6. Associates and business colleagues *(Please read note 16)*

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. Condition *(Please read note 17)*

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

Declaration

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8. Declarations *(Please read note 18)*

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and

(ii) to permit an unauthorised licensable activity to be carried on at any place an that a person is liable on conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six (6) months, or to both.

Please tick the box if you agree with the declarations above.

Date	21/06/2023	
Name of Person signing	Mr Stuart Moore	

For completion by the Licensing Authority

9. Acknowledgement *(Please read note 19)*

I acknowledge receipt of this temporary event notice.

SIGNATURE	On behalf of [Redacted] authority	DATE	
Name of Officer Signing			

For Official Use

Ref 2

Ref 1 *Stuart, Moore*

Ref 3

PREMISES LICENCE



The Licensing Act 2003
Schedule 12, Part A

Premises Licence Number	20/01492/LAPRE
-------------------------	----------------

Part 1 – Premises Details

Postal address of premises , or if none, ordnance survey map reference or description, including Post Town & Post Code	
Eureka Manor Lane Fawkham Kent DA3 8ND	
Telephone number	01474 704418

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Live music Recorded music Performances of dance Anything similar to E, F, or G Sale or Supply of Alcohol Late Night Refreshment

Times the licence authorises the carrying out of licensable activities						
Live music (Indoors)						
<table> <tr> <td>Wednesday</td> <td>20:00 - 03:00</td> </tr> <tr> <td>Friday</td> <td>20:00 - 02:00</td> </tr> <tr> <td>Saturday</td> <td>20:00 - 03:00</td> </tr> </table> <p><i>On Christmas Eve, New Year's Eve, Halloween & Valentine's Day from 20:00 hours until 03:00 hours the following day or until 04:00 hours if it falls on a Saturday.</i></p>	Wednesday	20:00 - 03:00	Friday	20:00 - 02:00	Saturday	20:00 - 03:00
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Recorded music (Indoors)						
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Performances of dance (Indoors)						
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Friday	20:00 - 02:00					
Saturday	20:00 - 03:00					

Licence Number: 20/01492/LAPRE
Issue Date: 08/07/2020

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Anything similar to E, F, or G (Indoors)

Wednesday	20:00 - 00:00
Friday	20:00 - 02:00
Saturday	20:00 - 03:00

On Christmas Eve, New Year's Eve, Halloween & Valentine's Day from 20:00 hours until 03:00 hours the following day or until 04:00 hours if it falls on a Saturday.

Sale or Supply of Alcohol

Sunday to Thursday	12:00 - 00:00
Friday	12:00 - 01:00
Saturday	12:00 - 02:00

On New Year's Eve until 02:00 hours on the following day.

Late Night Refreshment (Indoors)

Wednesday	23:00 - 00:00
Friday	23:00 - 02:00
Saturday	23:00 - 03:00

On Christmas Eve, New Year's Eve, Halloween & Valentine's Day from 23:00 hours until 03:00 hours the following day or until 04:00 hours if it falls on a Saturday.

The opening hours of the premises

Monday	10:00 - 22:00
Tuesday	10:00 - 22:00
Wednesday	10:00 - 00:30
Thursday	10:00 - 22:00
Friday	10:00 - 02:00
Saturday	10:00 - 03:00
Sunday	10:00 - 22:00

The non-standard opening hours of the premises

On Christmas Eve, New Year's Eve, Halloween & Valentine's Day from 20:00 hours until 03:00 hours the following day or until 04:00 hours if it falls on a Saturday.

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

Alcohol is supplied for consumption both on and off the premises.

Part 2

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

Mr Stuart Richard Moore
27 Hobart Close
Chelmsford
Essex CM1 2ES

Email address eureka-sunclub@outlook.com

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

Registered Business Number Not Applicable

Licence Number: 20/01492/LAPRE
Issue Date: 08/07/2020

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

Mr Stuart Richard Moore
27 Hobart Close
Chelmsford
Essex
CM1 2ES

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

Licence Number: EZ12/00580
Licence Authority: Chelmsford Borough Council



Richard Morris
Chief Officer - Planning & Regulatory Services
Sevenoaks District Council

Licence Number: 20/01492/LAPRE
Issue Date: 08/07/2020

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Annex 1 – Mandatory conditions

The supply of alcohol

- Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

(a) at a time where there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory conditions in force from 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.

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—

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(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."

Door supervision

- 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.

Annex 2 – Embedded conditions

Not applicable

Annex 3 – Conditions consistent with the Operating Schedule

1. The premises will have installed a comprehensive CCTV system, that enables frontal ID of every person entering the premises. The System shall continually record for 24 hours a day. Recordings shall be stored and will be made available on request within 31 days.
2. A staff member conversant with the operation of the CCTV system will be available at all time to provide copies to the relevant authorities.
3. CCTV must be on the front entrance gate and internal areas of the Clubhouse (excluding the Spa) to see who is being let in.
4. A list of every club member's details is available for inspection by relevant authorities.
5. Members only. Entry will only be permitted to members who have produced the required identification (including Driving Licence or Passport), plus a valid proof of address, otherwise entry shall be refused.
6. Zero Tolerance to drugs is enforced and any illegal drugs will be confiscated and disposed of in the correct manner.
7. Signs must be displayed to say the premises has a zero tolerance on drugs. If drugs are found, the person/s are to be barred and the Police informed immediately.
8. SIA staff must be on site every day. On party nights, a minimum of 2 SIA staff must be present; all SIA staff are required to sign in and out when they are on duty.
9. If the premises is used by a Third Party, a comprehensive list of staff members, activities, safety measures and contact details of organisers will be taken and stored for a minimum of six months.
10. A designated member of staff, employed by the Licence Holder, will supervise any Third Party events.

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11. Sign must be displayed on the gate to ask members to respect the neighbours and leave quietly.
12. Glasses are to be plastic.
13. No person under 18 years old are to be allowed on site.

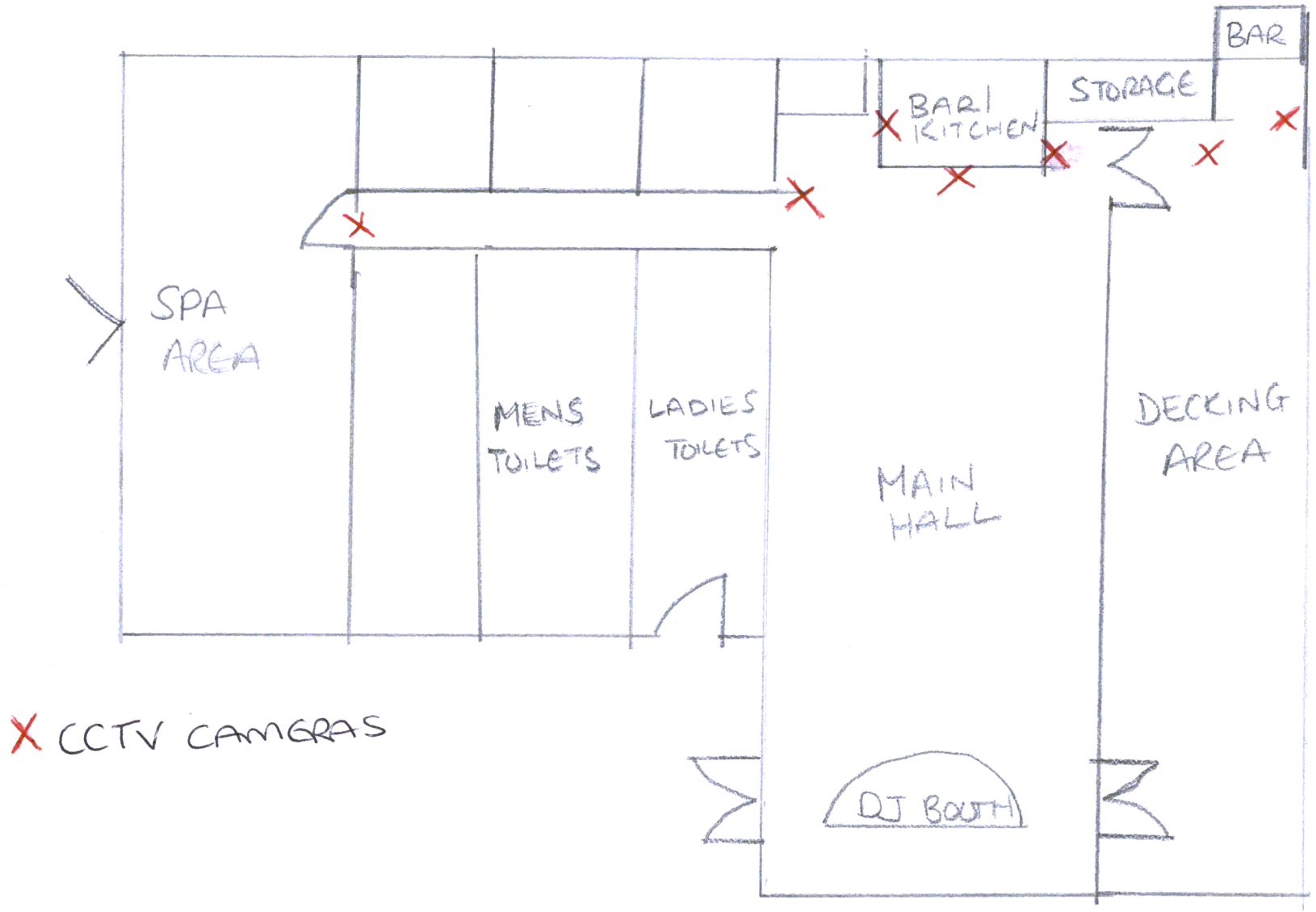
Annex 4 – Conditions attached after a hearing by the licensing authority

Not applicable

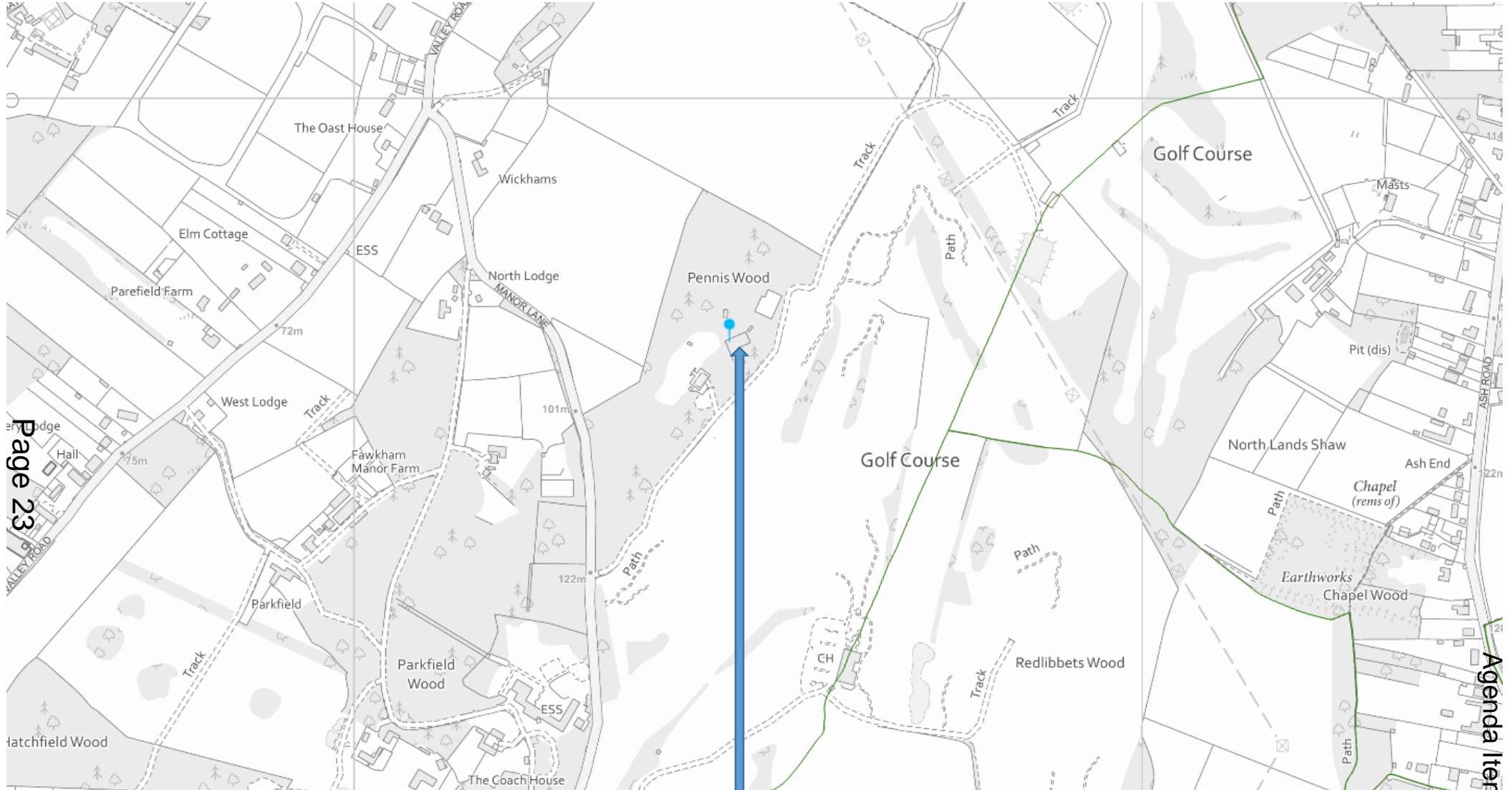
Annex 5 – Plans

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Eureka

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Please find below details of an objections on behalf of Kent Police in relation to 23/02418/LATEN for Eureka, Manor Lane, Fawkham

Kent Police received an online notification from Mr Stuart MOORE of 27 Hobart Close, Chelmsford, Essex for a temporary event notice to hold an event at Eureka, Manor Lane, Fawkham. The notice provides details that the event will be a Festival Launch Party for 450 people on 15th July 2023 1200hrs until 16th July 2023 0300hrs, the licensable activities sought are for Regulated Entertainment, Late Night Refreshment and Sale of Alcohol for consumption both and off the premises with no Relevant Entertainment. The premises description is A Naurist Club.

Kent Police has concerns as to the exact nature of the event and activities that will take place during this event due to the very limited amount of information that has been supplied on the online notice. As stated the venue is a naturist club and has previously been the highest repeat venue for sexual offences, these issues were addressed by the venue with procedures discussed with police and by the operation of a membership format. The use of TEN for this event removes the security given by the membership format and opens up the venue to the general public and increases the vulnerability of people and may lead to a rise in offences. Due to the size and location of the venue there are many natural and man made hazards depending on which part of the site is to be used for this event, this risk cannot appropriately be assessed without some form of comprehensive plan to ensure the safety of the public. There is no mention as the type of audience profile that is anticipated, is this to be a family event? Given the type of venue this would raise concerns for any younger people attending and ensuring that they are not exposed to any content or behaviour that is unsuitable. The description of a "Festival Launch Party" gives no indication of exactly what is being provided in the way of entertainment or facilities and gives the feeling that this may be live/recorded music, ending at 3am, given the remoteness of the location will there be camping for people unable to get home. As this is described as a Festival Launch does this imply there is a Festival which will be taking place at the location, again this is unclear from the notification. Festivals by their nature bring their own risks with intoxication, illicit substances and noise from patrons or music.

There is insufficient information given on this notification for the risk of this event to be properly assessed and therefore there is no option but for an objection to be lodged. Given the time constraints of the notification process it has not been possible to have a discussion with Mr Moore however a member of the police licensing team would be prepared to do so in order to better understand his intentions in relation to this event and would welcome any event and location plans.

Regards
Ellen Shaw
Divisional Licensing Coordinator
West Division
Kent Police

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