

10 May 2024 at 10.30 am

Council Chamber, Argyle Road, Sevenoaks

Published: 24.04.24



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

# Licensing Hearing

## Membership:

Chairman: TBD

Cllrs. Barnes, Edwards-Winsor and 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. <b>Appointment of Chairman</b>		
2. <b>Declarations of interest</b>		
3. <b>APPLICATION TO VARY A PREMISES LICENCE - (Pages 1 - 40) Ephesus, 57-59 High Street, Sevenoaks. TN13 1JF</b>		Jessica Foley Tel: 01732 227480

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

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

## Licensing 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 applicable appeals process.

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**APPLICATION TO VARY A PREMISES LICENCE – Ephesus, 57-59 High Street, Sevenoaks. TN13 1JF**

**Licensing Committee – Friday 10<sup>th</sup> May 2024 at 10.30am**

**Report of:** Chief Officer Planning & Regulatory Services

**Status:** For Decision

**Key Decision:** No

**Portfolio Holder:** Cllr. Margot McArthur

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

**Recommendation to Licensing Sub Committee:**

The Licensing Sub Committee is asked to determine the application in accordance with the Licensing Act 2003 (as amended), 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 variation application has been received for a Premises Licence pursuant to Section 34 Licensing Act 2003. 2 representations against the application have been made by local residents that have not been withdrawn.

**1.1 Background**

1.2 An application to vary a Premises Licence, submitted by Mrs Cilem Dogan via her agent (Mrs Aysen Ipek Kilic of NARTS), was received 20<sup>th</sup> March 2024. A copy of this variation application can be found at (**Appendix A**) with the proposed new Plan at (**Appendix B**)

1.3 The nature of the proposed variation which is the subject of the variation application is to:

Add Late Night Refreshment – Friday and Saturday from 23:00 to 00:00 hours.

Include the garden space to the licensable area.

## Agenda Item 3

- 1.4 No changes are requested to be made to the Operating Schedule or Conditions of the Licence.
- 1.5 A copy of the current Premises Licence (ref 20/01376/LAPRE) with associated plans are at (**Appendix C.1 (and C.2 redacted)**) and (**Appendix D**)

### 2.1 Representation received from Responsible Authorities:

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

Kent Police	No objection
Environmental Health	No objection with comments ( <b>Appendix E</b> )
Kent Fire	No comment made
Child Protection	No comment made
Trading Standards	No comment made
Health & Safety	No objection
Planning	No comment made
Public Health	No comment made
Home Office Immigration	No comment made

### 3.1 Representations received from others

- 3.2 Representations objecting to this application have been received from 1 local resident. Copies of the representations are at (**Appendix F.2**) along with the response sent from the Senior Licensing Officers.

### 4.1 Licensing Sub Committee Considerations

- 4.2 In determining the application 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.

- 4.3 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 grant of the licence on the promotion of the licensing objectives. The objector must establish that such a consequence is a *likely* effect of the grant (i.e. more probable than not).

4.4 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.

4.5 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.

4.6 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.

4.7 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.

## 5.1 Options

5.2 When considering this variation for a premises licence, the following options are available to the Sub Committee:

- Grant the variation in the same terms as it was applied for
- Grant the variation, but modify the conditions as appropriate for the promotion of the licensing objectives.
- Grant the variation, but modify the hours of licensable activity as appropriate for the promotion of the licensing objectives.
- Reject the variation application.

## Agenda Item 3

### 6.1 Right of Appeal

6.2 Under Section 181 and Schedule 5 of the Licensing Act 2003, there is a right of appeal to the Magistrates Court in respect of variation applications to Premises 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

A decision made by the Sub Committee may 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.

#### 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 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.

#### Net Zero Implications

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 A – Application to vary a Premises Licence

Appendix B – Proposed Plan

Appendix C.1 – Current Premises Licence

Appendix C.2 – Extra conditions private from public view

Appendix D - Current Plan

Appendix E – EH No objection with comments

Appendix F.2 - Representations from resident and responses

**Background Papers**

[Licensing Act 2003](#)

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

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

**Richard Morris**  
**Chief Officer Planning & Regulatory Services**

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## The Licensing Partnership

### Application to vary a Premises Licence

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](mailto:licensing@sevenoaks.gov.uk)

**For Official Use Only**

Title	Customer Name	Form Filename	
<input type="text"/>	<input type="text" value="Mrs Cilem Dogan"/>	Form Reference	<input type="text" value="Mrs Cilem Dogan/"/>
DOB	NINO	Caps Reference	<input type="text"/>
<input type="text"/>	<input type="text"/>	Notes	<div style="border: 1px solid black; height: 200px; width: 100%;"></div>
TEL	<input type="text"/>		
Email	<input style="background-color: black; color: black;" type="text"/>		
Customer Address	<input type="text" value="57-59 High Street&lt;br/&gt;Sevenoaks&lt;br/&gt;Kent TN13 1JF"/>		
Date Form Started	<input type="text" value="20/03/2024 13:16:13"/>		
Date of E-signing	<input type="text"/>		
Date Submitted	<input type="text"/>		
Validation Ref	<input type="text"/>		
Occupancy type	<input type="text"/>		
Advisor Name (who started form)	<input type="text"/>		
Advisor Department	<input type="text"/>		
Self-Service	<input type="text"/>		

Licensing Authority:

Ref:

### Application to vary a Premises Licence under the Licensing Act 2003

Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form.

Use the blank page at the end of the form to provide further details if necessary.

When it is complete you can submit the form directly to us - click on the Submit Form button.

You may wish to print and keep a copy of the completed form for your records.

For help information about filling in this type of electronic form, click on the help information button.

I/We Mrs Cilem Dogan being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Sevenoaks District Council

[Click here for licence lookup](#)

Premises licence number

24/00570/LAPDPS

#### Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

57-59 High Street  
Sevenoaks  
Kent TN13 1JF

Post code

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 28000.00

#### Part 2 - Applicant Details

Title

Mrs

Surname

Dogan

Firstnames

Cilem

Daytime contact telephone number

Email address  
(optional)

Current postal  
address  
if different from  
premises address

Post Town

Postcode

TN10 3LS

**Part 3 - Variation**

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

To  
Add Late night refreshment for  
Friday to Saturday from 23:00 to 00:00  
and  
include the garden space to the licensable area.  
No other changes proposed.

**Part 4 - Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Sale by retail of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**To complete this part, choose this option on Page 4**

## A

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Sat					
Sun					

## B

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Sat					
Sun					

To complete this part, choose this option on Page 4

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			<p><u>Please give further details</u> (please read guidance note 3)</p> <p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)</u></p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

**D**

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<p><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u></p>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<p><u>Please give further details here</u> (please read guidance note 3)</p>	Both	
Tue					
Wed					
Thur			<p><u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u></p>		
Fri					
Sat					
Sun					



**To complete this part, choose this option on Page 4**

## E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors</u> or both - please make selection with an "x" (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

## F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors</u> or both - please make selection with an "x" (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

**To complete this part, choose this option on Page 4**

**G**

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**H**

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	Will the entertainment take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).	Indoors	
Mon					Outdoors
Tue			Both		
Wed			<u>Please give further details here</u> (please read guidance note 3)		
Thur					
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment be indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u>	Indoors	
Day	Start	Finish		Outdoors	
				Both	X
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri	23:00	00:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat	23:00	00:00			
Sun					

## J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption please make selection with an "x" (please read guidance note 7).	On the premises	
Day	Start	Finish		Off the premises	
				Both	
Mon					
Tue			<u>State any proposed seasonal variations for the</u> supply of alcohol (please read guidance note 4)		
Wed					
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat					
Sun					

## K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

N/A

## L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:00	
Tue	08:00	23:00	

**L**

Wed	08:00	23:00	<p><u>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p style="text-align: center;">N/A</p>
Thur	08:00	23:00	
Fri	08:00	00:30	
Sat	08:00	00:30	
Sun	08:00	23:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

N/A

*Please make selection with an "x"*

I will enclose the premises licence with the declaration

I will enclose the relevant part of the premises licence with the declaration

Neither of above

If checking this box please fill in reasons for not sending the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

The licence after the review has not been issued yet.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) **General - all four licensing objectives (b,c,d,e)** (please read guidance note 9)

None

b) **The prevention of crime and disorder**

None

c) **Public safety**

None

d) **The prevention of public nuisance**

None

e) **The protection of children from harm**

**ID WILL BE ASKED UPON TIME OF DELIVERY BY DELIVERY DRIVER TO CONFIRM AGE OF PERSON MAKING ORDER**

Please make selection with an "x"

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

**I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMMOUNT**

**Part 5 - Declaration** (please read guidance note 10)

**Confirmation of applicant or applicant's solicitor or other duly authorised agent.** (See guidance note 11) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation

Name  Date

Capacity

**For joint applications confirmation of 2nd applicant or 2nd applicant's solicitor or other authorised agent.** (please read guidance note 12) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation

Name  Date

Capacity

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 13)

Name

Address

Post Town

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

**For Official Use Only**

Form Filename:

Submission Ref:

Applicant Name: **Mrs Cilem Dogan/**

Page 19

Date Submitted:

Use this page if there is any other information that you think we should know about.  
Information entered on this page will be sent to us, along with the data on the rest of the form when you use the "Submit" option.

A large, empty rectangular box with a dark blue border, occupying most of the page. It is intended for users to enter additional information related to the agenda item.



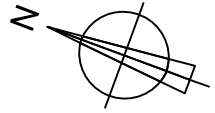
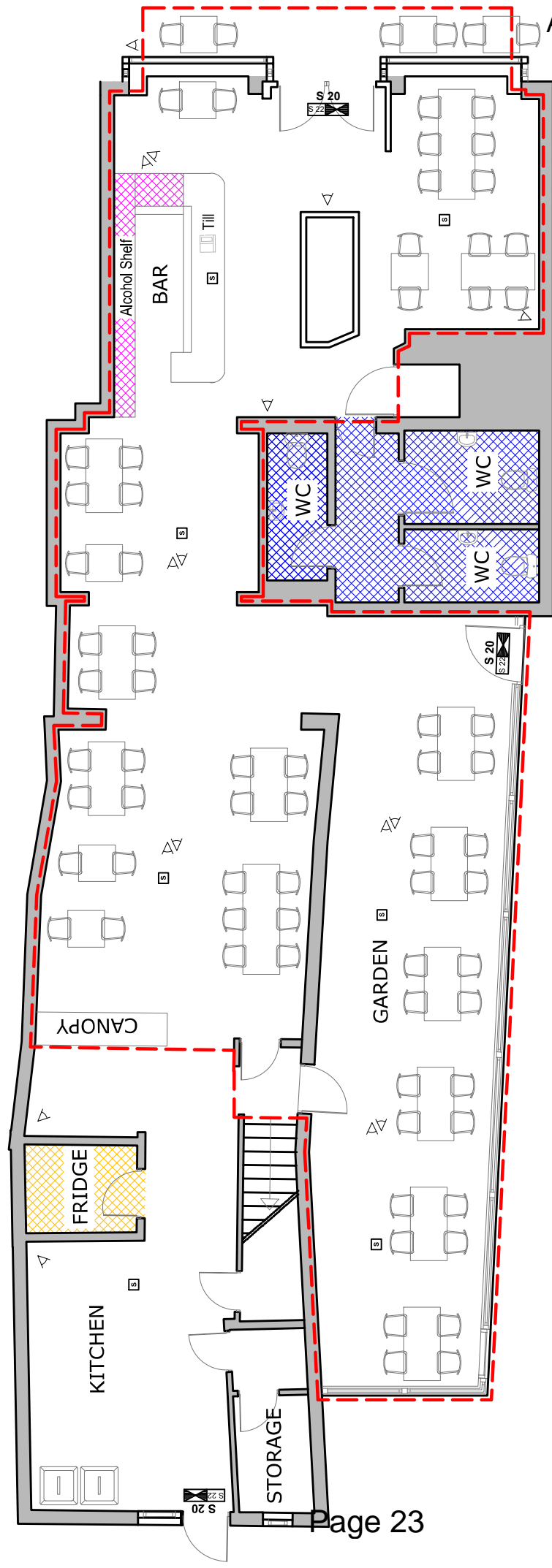
### Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

### Notes for Guidance

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

This page is intentionally left blank



GROUND FLOOR PLAN

LEGEND

	AMBIT OF LICENSED PREMISES		FRIDGES		CCTV		SMOKE DETECTOR		FIRE ESCAPE KEEP CLEAR		INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
	ALCOHOL		WC								

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ADDRESS	57-59 HIGH STREET, SEVENOAKS TN13 1JF	DRAWING DATE	15/03/2024	TOTAL AREA	ADD
DRAWING NAME:	Ground Floor Plan	SCALE:	1:100 @A4	SHEET:	1
		DRAWN BY:	OZ	CONTROL BY:	MHR

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# PREMISES LICENCE



The Licensing Act 2003  
Schedule 12, Part A

<b>Premises Licence Number</b>	24/00552/REVIEW
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**Part 1 – Premises Details**

<b>Postal address of premises , or if none, ordnance survey map reference or description, including Post Town &amp; Post Code</b>	
Ephesus 57-59 High Street Sevenoaks Kent. TN13 1JF	
<b>Telephone number</b>	Not provided

<b>Where the licence is time limited the dates</b>
Not Applicable

<b>Licensable activities authorised by the licence</b>
Sale or Supply of Alcohol

<b>Times the licence authorises the carrying out of licensable activities</b>	
Sale or Supply of Alcohol	
Sunday to Thursday	10:00 - 22:30
Friday and Saturday	10:00 - 00:00

<b>The opening hours of the premises</b>	
Sunday to Thursday	08:00 - 23:00
Friday and Saturday	08:00 - 00:30

<b>The non-standard opening hours of the premises</b>
Not applicable

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

# Agenda Item 3

## Part 2

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

Mrs Cilem Dogan

Email address

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

Registered Business Number Not applicable

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

Mrs Cilem Dogan

**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: TM/PER/22/001892

Licence Authority: Tonbridge And Malling Borough Council



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

Licence Number: 24/00552/REVIEW  
Issue Date: 28/03/2024

Page 2 of 7

**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.

## Agenda Item 3

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—



## Agenda Item 3

(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."

### Annex 2 – Embedded conditions

#### Regulated Entertainment - (from original Justices Licence)

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

#### Credit Sales (from original Justices Licence)

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

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

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

ID will be requested at the time of delivery, by the delivery driver or associated employee or third party, to confirm the age of the person accepting the alcohol and/or making the order.

1. The premises will have a working CCTV system installed. All public areas of the licensed premises, including all public entry and exit points and the area immediately in front of the premises will be covered.

The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with accurate date and time stamping.

A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the Police or a Licensing Authority Officer recordings immediately when requested.

CCTV data will be downloaded and provided upon request by either the Police and/or a Local Authority Officer and this will be provided within 3 working days of receipt of the request. Should the CCTV system break, Local Authority Licensing will be notified within 48 hours.

2. A staff member who is conversant with the operation of daily bar sales will be available at all times the premises is open to provide either Kent Police or a Local Authority Officer with a print-out of bar sales for the hours requested at the time of request.

Licence Number: 24/00552/REVIEW  
Issue Date: 28/03/2024

Page 5 of 7

## Agenda Item 3

3. All staff will be trained in their roles and responsibilities under the Licensing Act 2003.

This will include

- a) Knowledge of the premises licensable hours
- b) Knowledge of the Designated Premises Supervisor (in particular who they are, how they can be contacted at any time, and what his/her responsibilities are)
- c) Knowledge of any conditions attached to the premises licence
- d) The four licensing objectives
- e) Underage Sales
- f) Proxy Sales
- g) The keeping and maintenance of a refusals log
- h) Recognising signs of drunkenness and vulnerability
- i) Actions to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services.
- j) Documented records of training completed shall be kept for each member of staff.
- k) Training shall be regularly refreshed at regular 6 monthly intervals. Training records shall be made available for inspection upon request by Kent Police or an authorised Local Authority Officer.

4. An incident report book will be kept on site and will be available for inspection by either Kent Police or a Local Authority Officer when requested. This book will contain information on all incidents at the premises and will include the date and time, staff names, a breakdown of each incident, and what remedial action was taken : if any.

5. A refusals register will be kept on site and will be available for inspection by either Kent Police or a Local Authority Officer when requested. This register will contain information on all refusals at the premises and will include the date and time, the product and reason for refusal, the name and signature of the staff member involved and any associated comments.

### Conditions agreed with Environmental Health

1. Details of the noise limiter that will be used at the premises must be submitted to the Environmental Health Team for prior approval. The noise limiter must be set at a level in consultation with the Environmental Health Team and agreed by 30 November 2022 that ensures neighbours are not caused nuisance or significant loss of amenity at any time and is to be used to control noise from amplified music and sound at all times during regulated entertainment. In the event that noise complaints are received and substantiated by the District Council, the premises licence holder must reduce the level set on the noise limiter to the satisfaction of the District Council.

Section 177A of the Licensing Act 2003 does not apply to this condition.

2. All doors and windows must be kept closed, other than for access and egress, during the playing of regulated entertainment.

Section 177A of the Licensing Act 2003 does not apply to this condition.

3. The door that connects the main restaurant the (currently unlicensed) glazed seating area at the side must be closed and locked after 22:00 hours.

Section 177A of the Licensing Act 2003 does not apply to this condition.

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

#### Hearing Date - 8th March 2024

The premises shall only operate as a restaurant with associated "take-away" service.

The supply of alcohol at the premises shall only be by waiter/waitress service to a customer seated at a table taking a substantial meal there, and for consumption by such customer as ancillary to their meal. For the purpose of this condition a "substantial table meal" means - a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal.

There will be no drinks served from the bar area directly to customers.

No customers shall be permitted access to any area within the building where licensable activities are not permitted to take place apart from the rear restaurant area, and other than as an escape route in an emergency situation.

No regulated entertainment shall take place on the premises. (Section 177A of the Licensing Act 2003 shall not apply to this condition)

██████████ shall be prohibited from entering any part of Ephesus Restaurant, 57 to 59 High Street, Sevenoaks, Kent TN13 1JF when members of the public are, or may be, present during licensing hours.

██████████ shall be prohibited from the management of day to day activities at the restaurant.

#### Hearing Date -14th October 2022

##### Dispersal Policy

The Licence Holder shall have a dispersal policy in place which has been agreed with Licensing Officers. This policy shall be put forward for consideration by 21.10.2022.

The dispersal policy shall form part of the conditions of the licence.

The dispersal policy may thereafter be altered in future with the agreement of the licensing officer or other appropriate officer (without a variation application being required.)

##### Last entry

There shall be no new entry to patrons after 23:00 hours.

##### Outside Operation

After 22:00 hours there shall be no more than 5 patrons permitted to congregate outside (for the purposes of smoking or socialising and with a view to re-entry).

### Annex 5 – Plans

Please see attached

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The following conditions shall appear on the full premises licence Part A, but should be redacted from any public documentation and website

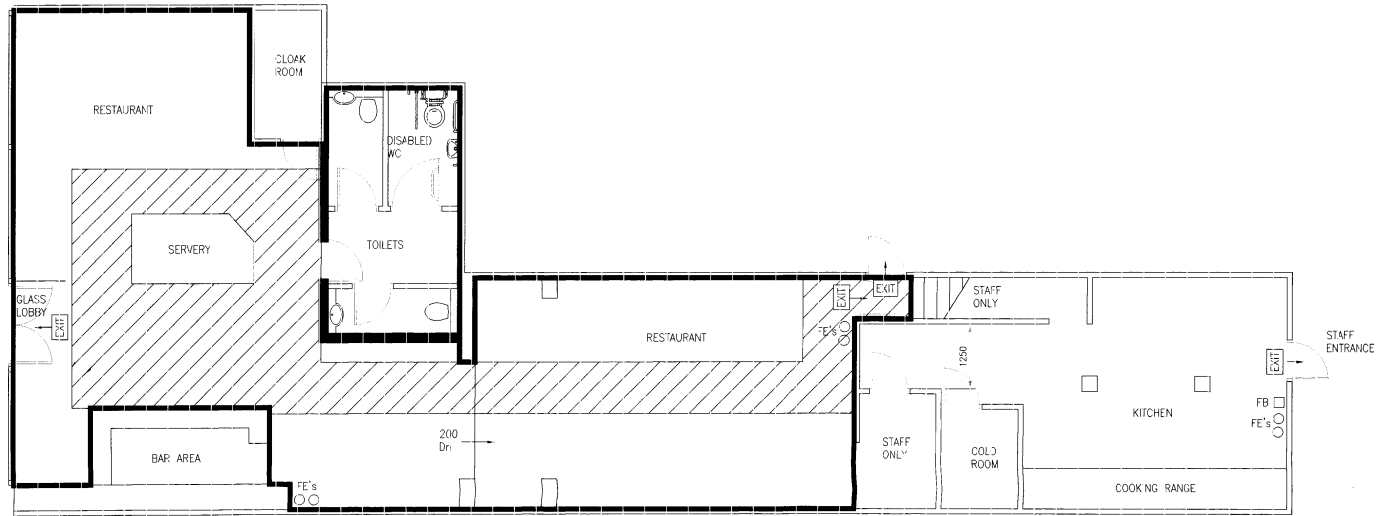
██████████ shall be prohibited from entering any part of Ephesus Restaurant, 57 to 59 High Street, Sevenoaks, Kent TN13 1JF when members of the public are, or may be, present during licensing hours.

██████████ shall be prohibited from the management of day to day activities at the restaurant.

Also note the following condition concerning regulated entertainment

No regulated entertainment shall take place on the premises. (Section 177A of the Licensing Act 2003 shall not apply to this condition).

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NOTES

1. THE ORIGINAL SIZE OF THIS DRAWING IS A1.
2. ALL DIMENSIONS ARE IN MILLIMETRES.
3. ALL LEVELS ARE IN METRES.
4. ALL DIMENSIONS ARE TO BE CONFIRMED AND CHECKED ON SITE PRIOR TO COMMENCEMENT OF FABRICATION, DRAWINGS AND/OR SITE WORKS.
5. ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH ALL RELEVANT BRITISH STANDARDS, CODES OF PRACTICE, BUILDING REGULATIONS, HEALTH AND SAFETY REQUIREMENTS AND MANUFACTURERS RECOMMENDATIONS.
6. EMERGENCY EXIT ROUTES
7. DENOTES ESCAPE ROUTES NOT IMPEDED BY ANY STRUCTURES
8. FE's FIRE EXTINGUISHERS
8. FB FIRE BLANKET
8. AREA OF PUBLIC ADDRESS

A	DISTRICT COUNCIL NOTES ADDED	17.11.05
Rev	Description	Date
Client SUN CATERING		
Project SPICE CLUB SEVEN OAKS KENT		
Drawing Title LICENSE PLAN LAYOUT		
Unit 6B Possingworth Farm Blackboys, Uckfield East Sussex, TN22 5HE Tel No: 01435 868588 Fax No: 01435 860813 Email: info@acenvironmentalservices.com		
Scale	A1@1:50 A3@1:100	Drawn Checked TW
Date	Drawing Number	Rev
26.05.05	C1203-P01	A

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# **Consultee Comments for Licensing Application 24/01031/LAPRE**

## **Application Summary**

Application Number: 24/01031/LAPRE

Address: 57-59 High Street Sevenoaks Kent TN13 1JF

Proposal: Premises Licence

Case Officer: Jessica Foley

## **Consultee Details**

Name: Mr Charles Hook

Address: Council Offices, Argyle Road, Sevenoaks, Kent TN13 1HG

Email: Not Available

On Behalf Of: SDC Environmental Protection

## **Comments**

I refer to the above application that has been passed to this team for comment.

The application seeks to add late night refreshment from 23:00 to 00:00 hours and include the garden space to the licensable area. No other changes are proposed.

I recall that the garden space is in fact a light structure comprised of glazed sides and a heavy canvas roof. On the basis that the Premises Licence (24/00552/REVIEW) specifically prohibits regulated entertainment taking place on the premises, I have no objections to this application.

CH

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**From:** Christine Bumstead [REDACTED]  
**Sent:** Thursday, April 11, 2024 12:01 PM  
**To:** Licensing <[licencing@sevenoaks.gov.uk](mailto:licencing@sevenoaks.gov.uk)>  
**Subject:** Ephesus ,57-59 High Street , Sevenoaks TN13 1JF.Attention of Sue Lindsey

This is getting beyond a joke - how many times do we have to trot out the same objections to a restaurant which seems to think it can ride rough shod over planning and licensing regulations? All the same old objections apply but are amplified by the inclusion of garden space which is bound to attract more possibly undesirable customers who hear the socialising outside. We have said in previous objections that they have already caused disorder and nuisance in this conservation area, children have been kept awake with their noise and there is a video of customers dancing in the street - surely a threat to public safety?`Just because the application is in a different name doesn't change anything in their disregard for running a business in line with regulations.

Alan and Christine Bumstead  
[REDACTED]

---

Dear Mrs Bumstead

Many thanks for your email : we were expecting this minor variation application to be submitted following the recent review.

The extended area at the back of the premises has never formed part of the licensed premises and so, therefore, hasn't in the past been subject to the conditions and restrictions placed upon the Premises Licence. They could still use this part of the premises (unlicensed) for dining (prior to 11pm) and serve alcohol to this area (as an off sale) - and as it is a workplace it benefits from the Live Music Act de-regulation in that they can have live music in this area between the hours of 8am and 11pm.

The conditions placed upon the Premises Licence now restrict regulated entertainment (live and recorded music) by way of condition which fall outside of the de-regulation of these activities.

It is, therefore, in everyone's interest that this rear part of the premises falls under the authority of the Licensing Act 2003 and becomes part of the licensed premises so the current conditions placed upon the Premises Licence apply to this area, as well as the rest of the restaurant. This, as stated above, includes a condition that no regulated entertainment shall take place at the premises.

In relation to the late night refreshment : this was overlooked at the hearing by the applicants consultant. The Licensing Committee agreed to alcohol hours up until midnight on a Friday and Saturday night but as there was no late night refreshment discussed. The business would be unable to sell alcohol for the hour between 11pm and 12 midnight unless the sale of hot food was also available (late night refreshment) as the condition on the licence clearly states that alcohol can only be sold if accompanied by a meal.

Should you still wish to make objection to this variation application (as below) then we will arrange a further Hearing.  
If you wish to withdraw your objection (bearing in mind the above information) then please let us know by email.

You can always phone me to discuss further if you wish (my number is below).

Regards

Sue Lindsey MIOL  
**Senior Licensing Officer**  
Email: [susan.lindsey@sevenoaks.gov.uk](mailto:susan.lindsey@sevenoaks.gov.uk)  
[REDACTED]

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