

## Notice of determination for application premises licence

**To:** NATIONAL TRUST (ENTERPRISES) LTD  
**Of:** HEELIS, KEMBLE DRIVE, SWINDON, WILTSHIRE  
**Ref:** 13/01075/LAPRE

Sevenoaks District Council being the licensing authority, on 15 April 2013 received an application for a premises licence in respect of premises known as Emmetts Gardens, Emmetts Lane, Ide Hill, Kent TN14 6BA.

On 1 July 2013 there being valid representations which were received but had not been withdrawn, a hearing was held to consider these representations and having considered them the Licensing Sub-Committee determined as follows:

### To grant the Premises Licence:

- |           |  |
|-----------|--|
| Section A | To allow exhibition of plays both indoors and outdoors every day from 09:00 until 21:00 hours                |
| Section B | To allow the exhibition of films both indoors and outdoors every day from 09:00 until 21:00 hours            |
| Section E | To allow live music both indoors and outdoors every day from 09:00 until 21:00 hours                         |
| Section F | To allow recorded music both indoors and outdoors every day from 09:00 until 21:00 hours                     |
| Section G | To allow performances of dance both indoors and outdoors every day from 09:00 until 21:00 hours              |
| Section M | To allow sale of alcohol for consumption both on and off the premises every day from 09:00 until 21:00 hours |
| Section O | Hours premises are open to the public from 00:00 until 00:00 hours   |

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

#### 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 6 April 2010**

1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

Irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
  - (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
  - (ii) Drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
  - (i) the outcome of a race, competition or other event or process, or
  - (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request,

before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that -
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.

### **Exhibition of films**

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

Where -

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

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

In this section -

"children" means person aged under 18; and

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

### **To add an additional condition on the Licence as follows:**

1. That the number of events held which fall within sections A to G of the operating schedule be limited to 12 per year.
2. Such events will be subject to:
  - (a) notifying such events to Sevenoaks District Council and to the local community; and
  - (b) providing a telephone number to the local community which will provide an immediate means to contact the person with effective control of the event in case of complaint regarding the licensed activities.

In this condition "local community" means such neighbours as have objected to the licence application and all those who complain about the licensed activities in the future.

Reason: For the prevention of public nuisance

This licence granted at the Hearing is effective from 1 July 2013.

Dated:

Signed .....

Chair – Licensing Hearing

Signed .....

Designation – Licensing Officer

Please address any communications to:

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

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