

## AGENDA

### LICENSING SUB-COMMITTEE MEETING

Date: Thursday, 30 November 2017

Time: 2.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Cameron Beart, Paul Fleming and Lesley Ingham.

Quorum = 3

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Pages

1. Fire Evacuation Procedure

The Chairman will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chairman has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence and Confirmation of Substitutes

3. Notification of Chairman and Outline of Procedure

#### 4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the room while that item is considered.

**Advice to Members:** If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

#### 5. New Premises Licence under the Licensing Act 2003

1 - 52

To consider an application for a new Premises Licence for the Corn Exchange, Standard Quay, Faversham, Kent, ME13 7BS.

#### Issued on Wednesday, 22 November 2017

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## Swale Borough Council

**Report to:** Licensing Sub – Committee (Under the Licensing Act 2003)  
**Date:** Tuesday 30<sup>th</sup> November 2017 at 14:00  
**Report Author:** Tom Dunn - Licensing Officer  
**Subject:** The Corn Exchange, Standard Quay, Faversham, Kent, ME13 7BS

### **Purpose and summary of report:**

To consider an application, to which a representation has been made, for a new Premises Licence application under the Licensing Act 2003 – application reference number FAV/SWALE/189/0686

### **Recommendations:**

The Committee is asked to determine the application and decide whether to grant a licence. Members asked to consider the application on its merits.

Background papers: The Licensing Act 2003  
DCMS Guidance Documents issued under Section 182 of the Licensing Act 2003 as amended.  
Swale Borough Council Statement of Licensing Policy.

Contacts: Tom Dunn at [tomdunn@swale.gov.uk](mailto:tomdunn@swale.gov.uk)  
Telephone: 01795 417177

The Licensing Act 2003 Act requires the Council to publish a 'Statement of Licensing Policy' that sets out the policies the Council will general apply to promote the licensing objectives when making decision on applications made under the Act. The Policy will be available at the meeting for reference purposes.

Under the 2003 Act, it is the duty of all licensing authorities that, in carrying out their functions, they must have regard to guidance issued by the Secretary of State under section 182. The Guidance cannot anticipate every possible scenario or set of circumstances that may arise. Provided that the licensing authority has properly understood and considered the Guidance, it may depart from it when it has reason to do so. However, as the licensing authority is under a duty to have regard to the Guidance, it will need to give full reasons for its departure from it. This would be a key consideration for the courts should departure from the Guidance result in a determination which gives rise to an appeal or judicial review. Should the need arise the Guidance will be available at the meeting for reference purposes.

The Licensing Authority must, under the Act refer any application for hearing to the Licensing Panel, if relevant representations are made by a responsible authority or other person. A copy of the Council's approved procedure for hearings of the Panel in relation to an application, along with a copy of the Hearings Regulations has been circulated to all parties prior to the meeting.

## **Report Title: The Corn Exchange, Standard Quay, Faversham, Kent, ME13 7BS**

Application for: A premises licence to be granted under the Licensing Act 2003.

### **Purpose of the report**

The report advises Members of an application for a Premises Licence to be granted under the Licensing Act 2003, made by Mrs Nicola White in respect of the premises The Corn Exchange (Appendix A and B) in respect of which nine (9) representations (Appendix C) have been received from members of the public.

Mrs White and Kent Police agreed on 6<sup>th</sup> November 2017 additional conditions to be adopted on the Operating Schedule (Appendix D).

### **Issues to be decided**

1. Members are asked to determine whether to (i) grant subject to conditions consistent with the Operating Schedule modified to such an extent as considered appropriate for the promotion of the licensing objectives and any mandatory condition, (ii) grant excluding any of the licensable activities applied for, (iii) grant refusing to specify a premises supervisor, or (iv) reject the application.

### **2. Background**

The Licensing Act requires the Council as licensing authority to carry out its various licensing functions so as to promote the following four licensing objectives:

- i) the prevention of crime and disorder;
- ii) the protection of public safety;
- iii) the prevention of public nuisance: and
- iv) the protection of children from harm

### **3. The Application**

- a. On 9<sup>th</sup> October 2017 an application was received from Mrs Nicola White for the grant of a premises licence under section 17 of the Licensing Act 2003 in respect of premises The Corn Exchange at Standard Quay, Faversham, Kent, ME13 7BS. The application is for provision of Supply of Alcohol, Live Music and Recorded Music. The proposed hours of operation are:

Supply of Alcohol: Monday – Sunday 10:00 – 22:00

Live and Recorded Music (as per premises opening hours):

Sunday – Thursday 10:00 – 22:00

Friday – Saturday 10:00 – 23:00

#### **Opening Hours**

Sunday – Thursday 10:00 – 22:00

Friday – Saturday 10:00 – 23:00

- b. Live and recorded music is deregulated for a Licensed Premises during the hours of 08:00 – 23:00. Therefore although advertised on the Public Notice, the timings fall within these deregulations as per the Deregulation Act 2015 and Live Music Act 2012.
- c. A copy of the application, which includes the operating schedule that details the steps the applicant intends to take to address the licensing objectives, is shown as Appendix A.
- d. The application has been correctly advertised in the local press and a notice has been displayed for the whole of the consultation period. There were minor errors on the blue poster which therefore were reciprocated in the newspaper advert. In particular the application form showed the Opening hours to be Sun – Thur 10:00 – 22:00 but the blue poster showed the proposed Regulated Entertainment hours as 10:00 – 23:00 which will be after the premises have closed. It is for Members of the Sub-Committee to determine if there has been substantial compliance with the requirements of the legislation.
- e. The proposed Designated Premises Supervisor is Mrs Nicola White.

## Representations

Responsible authorities:

- Kent and Medway Fire & Rescue Service – No representations
  - Kent County Council Trading Standards – No representations
  - Kent County Council Social services Children & Families – No representations
  - Home Office Immigration – No representations
  - Planning Department – Swale Borough Council – No representations
  - Environmental Health – Swale Borough Council – No representations
  - Kent County Council Public Health – No representations.
  - Kent Police seek the attachment of conditions to clarify those proposed in the operating schedule, and assist in the promotion of the licensing objectives. This includes an agreed amendment for the Sale of Alcohol to be Sunday – Thursday 12:00 – 22:00 and Friday – Saturday 12:00 – 23:00 – Representation form is shown as Appendix D.
- f. There have been nine (9) valid representation received from members of the public. Their comments are shown as Appendix C.

Responsible Authority / Other person	Licensing Objective	Associated Documents	Appendix
Members of the public	Public Nuisance Public Safety	One (1) message through the website and eight (8) emails	C

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#### 4. Policy Considerations

The following provisions of the Secretary of State's Guidance apply to this application:

Chapter 2 – The licensing objectives

Chapter 8 – Applications for premises licences

Chapter 9 – Determining applications

Chapter 10 – Conditions attached to Premises Licences

The following paragraphs of the Council's Statement of Licensing Policy apply to this application:

Sections 2.1 to 2.4 – These sections set out the Council's approach with regard to licensing and details other mechanisms to deal with potential problems.

Section 1.1 to 1.4 – These sections set out the four licensing objectives and identifies matters that may be relevant to the promotion of each licensing objective.

#### 5. Determining the application – Options of the Panel

The Panel must, when reaching a decision on the outcome of the application, take into account the licensing objectives. Having had proper regard to the matters above the Panel may:

1. Grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application; modified to such an extent as the Licensing sub-committee considers appropriate for the promotion of the licensing objectives and any relevant mandatory condition.
2. Exclude from the licence any of the licensable activities applied for.
3. Refuse to specify a person in the licence as premises supervisor.
4. Reject the application.

Members of the Licensing Act 2003 – Licensing Sub – Committee are reminded of their duty under the Section 17 of the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the Licensing Authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

**Section 17 of the Crime and Disorder Act 1998** states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that is reasonably can to prevent crime and disorder in its area".

## **6. Implications Assessment**

The decision should be made with regard to the Secretary of the State's guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal / challenge is increased.

## **7. Human Rights**

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

## **8. Recommendations**

Members must ensure that the application is considered on its merits, as well as against the relevant guidance, policy and statutory framework.

## **9. List of Appendices**

Appendix A – Application form  
Appendix B – Plan of premises  
Appendix C – Representation (Other Persons)  
Appendix D – Representation from the Police.  
Appendix E – Plan of area  
Appendix F – Order of proceedings

## **10. Appeals**

The applicant or any other person (objector) may appeal the Licensing Act 2003 Sub Committee's decision within 21 days beginning with the day on which the Appellant is notified. All/any appeals must be lodged with the Magistrates' Court. Parties should be aware that they MAY incur an Adverse Cost Order should they bring an appeal.

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**Application for a premises licence to be granted  
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. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

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

I/We MRS NICOLA FRANCES WHITE  
*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <u>THE CORN EXCHANGE</u> <u>STANDARD QUAY</u> <u>FAVERSHAM</u>			
Post town	<u>FAVERSHAM</u>	Postcode	<u>ME13 7BS</u>
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ <u>20,000-00</u>	

**Part 2 - Applicant details**

- Please state whether you are applying for a premises licence as Please tick as appropriate
- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i as a limited company/limited liability partnership  please complete section (B)
- ii as a partnership (other than limited liability)  please complete section (B)
- iii as an unincorporated association or  please complete section (B)
- iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>WHITE</b>			First names <b>NICOLA FRANCES</b>		
Date of birth	<b>[REDACTED]</b>	I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality <b>BRITISH</b>					
Current residential address if different from premises address		<b>MINDORA HEIGHTS MILLIANE HARBLE DOWN SA</b>			
Post town	<b>CANTERBURY</b>	Postcode	<b>CT2 8NG.</b>		
Daytime contact telephone number		<b>0776 779 1056</b>			
E-mail address (optional)	<b>[REDACTED]</b>				

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>WHITE</b>			First names <b>JOSHUA FREDERICK</b>		

Date of birth		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes	
Nationality <b>BRITISH</b>			
Current residential address if different from premises address		<b>MINDORA HEIGHTS MILL LANE HARBLEDOWN CANTERBURY</b>	
Post town	<b>CANTERBURY</b>	Postcode	<b>CT2 8NA</b>
Daytime contact telephone number		<b>07880 882 889</b>	
E-mail address (optional)			

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The Restaurant is situated on Standard Quay. It is a two story building, with dining over both floors. It is a detached building on the outskirts of Freshwater. It is surrounded by commercial use buildings & horse boats. The Restaurant will be selling food as well as wine & beer mainly.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- 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)

**Supply of alcohol** (if ticking yes, fill in box J)



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

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Wed					
Thur			<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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<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</u> (please read guidance note 6)
Fri			
Sat			
Sun			



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur			<i>will not be regular - only for parties &amp; special events</i>		
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon			Will be played throughout the dining area as background music for ambience. Occasionally for parties		
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for the 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</b> (please read guidance note 6)		
Sun					

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Tue					
			<b><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</u></b> (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>	
Day	Start	Finish		Off the premises	<input type="checkbox"/>	
Mon	<del>10:00</del>	22:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)	Both	<input type="checkbox"/>	
	10:00	22:00				
Tue	<del>10:00</del>	22:00				
	10:00	22:00				
Wed	<del>10:00</del>	22:00				
	10:00	22:00				
Thur	<del>10:00</del>	22:00		<b>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</b> (please read guidance note 6)		
	10:00	22:00				
Fri	<del>10:00</del>	22:00				
	10:00	22:00				
Sat	<del>10:00</del>	22:00				
	10:00	22:00				
Sun	<del>10:00</del>	22:00				
	10:00	22:00				

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	NICOLA FRANCES WHITE		
Date of birth	[REDACTED]		
Address	MINDORA HEIGHTS MILL LANE, HARBLEDOWN CANTERBURY		
Postcode	CT2 8NG		
Personal licence number (if known)	KE - PE01012		
Issuing licensing authority (if known)	CANTERBURY CITY COUNCIL		



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 9).**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)  <i>possibly on bank holidays</i>
Day	Start	Finish	
Mon	10	22	
Tue	10	22	
Wed	10	22	
Thur	10	22	
Fri	10	23	
Sat	10	23	
Sun	10	22	

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 6)



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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

no selling of alcohol to underage people  
no violent or anti-social behaviour  
no drunk & disorderly behaviour on the premises area

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

CCTV system to monitor entrances to assist in the prevention of crime  
A clear notice on the outside of the premises indicating the normal hours.  
Not selling alcohol to drunk or intoxicated customers

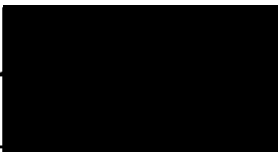
**c) Public safety**

Internal & external lighting fitted to promote the public safety objective  
Training & implementation of underage ID checks  
Well trained staff adherence to environmental health requirements

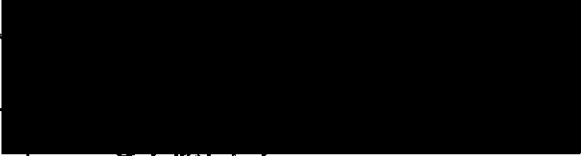
**d) The prevention of public nuisance**

Noise reduction measures to address the public nuisance objective  
Customers will be asked not to stand around loudly talking in the street  
Adequate waste receptacles for use by customers will be provided in the local vicinity.  
Movement of bins kept to a minimum after 11pm

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	
Date	4/10/17
Capacity	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	7/10/17
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)		
Post town	Postcode	
Telephone number (if any)		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)		

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

"Challenge 25" Sign will be displayed & enforced  
 Well trained Staff about requirement for persons' identification,  
 age establishment  
 Log book will be kept on premises at all times

**Checklist:**

Please tick to indicate agreement

- I have made or enclosed payment of the fee. £100
- 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 designated 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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

**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 AMOUNT.**

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

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the 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.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. 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.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. 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 or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a

licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

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

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity -- such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

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

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

- (i) any page containing the holder's personal details including nationality;

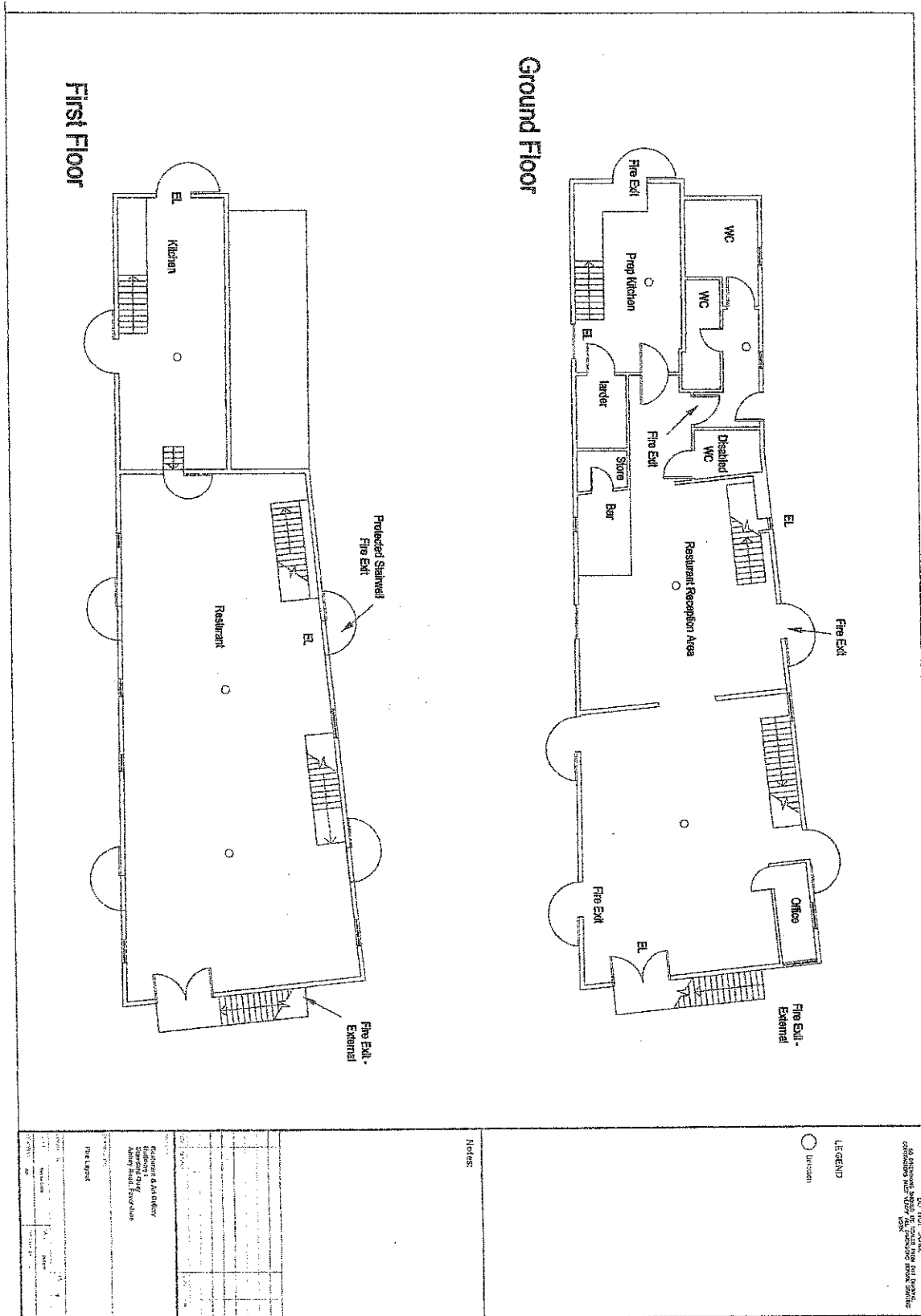
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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

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



Fire plan



Date effective from:	26-09-17	Page:	13 of 13
Revision number:	001	Original document produced by:	Simon Wakeham CMIOSH
Completed with the assistance of:	HSE	Master document reference:	Fire risk assessment

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**From:** [Licensing Resource \(SBC\)](#)  
**To:** [Mohammad Bauluck](#)  
**Subject:** FW: Contact from the Website  
**Date:** 06 November 2017 09:09:14

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**From:** Customer Service Centre Emails (SBC)  
**Sent:** 05 November 2017 20:55  
**To:** Licensing Resource (SBC)  
**Subject:** Contact from the Website

## Contact from Website - Licensing Team

Case number: 12975185

Name: Mr Michael Roberts

Email address: [REDACTED]  
Phone number: 01795 [REDACTED]

Organisation Name:

If they live in the Swale area they selected the following address:  
Abbey Road Faversham Me13 7BI

If they live outside the Swale area they entered the following address:

Licence type:

Customer submitted this query:

There is an application for a new music licence for a premises at Standard Quay. There does not appear to be sufficient time to register an objection by posted letter to this application. The residents of the north end of Abbey Street and of Abbey Road already suffer loud noise emitting from the Anchor pub when it has live bands playing. I have objection to music as long as electronic amplification is not used; acoustic instruments are just fine and make a beautiful sound. Additionally, any venue sited at Standard Quay which will attract large numbers of customers will add to the intolerable levels of traffic, especially at weekends, along Abbey Street, which to all intents and purposes, is a single track road with just two passing places along its entire length. The mayhem of drivers trying to pass each other between parked cars has to be witnessed to be believed. I and my wife therefore wish to object to the requested music licence for The Corn Exchange, Standard Quay, Faversham, ME13 7BX.

**From:** [Licensing Resource \(SBC\)](#)  
**To:** [Mphammad Baufuck](#)  
**Subject:** FW: Application for new premises at Standard Quay, Faversham: the Corn Exchange  
**Date:** 06 November 2017 11:47:17

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**From:** GRISELDA MUSSETT [mailto: ]  
**Sent:** 06 November 2017 10:28  
**To:** Licensing Resource (SBC)  
**Subject:** Application for new premises at Standard Quay, Faversham: the Corn Exchange

Dear Sirs

We wish to object to the terms of the application for new premises at Standard Quay, Faversham, namely the Corn Exchange.

1. We anticipate a large increase in traffic to and from the premises, especially if music and entertainment are laid on.

2. Other licensed premises in the area (the Anchor and the Phoenix) have caused local residents noise nuisance, not only when observing the time restrictions but spreading outside the named hours, and this is especially so on hot evenings - it might be good for business but are local residents not also entitled to peace and tranquillity at home? The local landscape is of lowish terraced buildings with garden space, and we have learned to our cost that noise is channelled a huge distance, especially when amplified. This is intrusive and deleterious to health and wellbeing. We point out that until this change of use, the building on the quay was effectively silent after normal working hours. Adding music depletes the value and worth of our properties, because one person's 'gig' is another person's nightmare.

3. There will be car doors opening and closing (which would mostly affect residents on the other side of the Creek), engines, social noise, maybe arguments, at closing time... So an 11pm finish is likely to cause disturbance to many people. Even if this noise is at a low level and trouble very infrequent, it will have become a chronic problem.

4. Traffic implications must be considered as part of this license. There is a clear risk to public safety in that vehicular and pedestrian access to the premises is via historic Abbey Street, which is in part very narrow (alternating one way traffic flows managed by drivers facing each other 100+ yards apart, with cars parked on either side). Because the pavements at that part of the street are also very narrow, local people habitually walk in the carriageway after working hours. It is in effect a pedestrian area after dark. Drivers leaving the applicants' premises in the evening and unfamiliar with the road would almost certainly increase the danger for walkers and drivers alike, and even to parked cars, especially as at present the speed limit is still 30mph. We are asking for a lower limit - 5 or 10mph would be suitable at this part of the street, as it is effectively 'shared space'. We understand speed

limits are not part of your remit, but the problems overflow any one category.

5. In the event of a fire (not unheard of at a restaurant), or tidal flood (a familiar event on the quay), emergency vehicles need access to the area and increased traffic to and from the restaurant adds to the difficulty and risk in these instances because of the very narrow access and the tight turn at the Anchor pub.

6. Until a few years ago, this was a working barge yard with warehousing, engineering and the like. It is now a retail and cafe area, drawing more and more people down Abbey Street. This application if granted extends the time during which people will want to come along - effectively all day and now all evening. We already experience traffic jams, arguments, noise and difficulty caused by drivers trying to access the Queen Elizabeth Grammar School further south along Abbey Street, twice every day during term-time and during the many evenings when functions are arranged at the school. Attracting even more visitors to the quay means adding to the considerable dangers and difficulties at the entrance to Abbey Street by Quay Lane.

7. Lastly, although this is a rare event, we point out that the Quay is (was) a working dockside with a steep tidal depth to the water - twice a day, day and night. We have frequent flooding, not always very deep but it is not unusual for the quay itself to be covered. At those times it can be literally impossible to see exactly where the quay ends and the deep water begins. That quay is now marked out as the car park for the restaurant, so people wanting to get to their cars if the tide laps over the edge will be at some risk. Giving drink to people unfamiliar with these real dangers is adding to the risk. There is a low sill marking the edge, and some posts, but the sill can be covered by the tide and you can't fence a quayside if vessels are coming alongside. This may be a small risk, but nonetheless it does create a risk to public safety, especially children.

yours

Andrew and Griselda Mussett  
■ Abbey Street  
Faversham ME13 7BH

(Resident for 30 years at this address)

**From:** [Licensing Resource \(SBC\)](#)  
**To:** [Mohammad Bauluck](#)  
**Subject:** FW: Faversham Standard Quay Restaurant - music licence application  
**Date:** 06 November 2017 12:13:37

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**From:** Nigel Morgan [mailto: ]  
**Sent:** 06 November 2017 11:17  
**To:** Licensing Resource (SBC)  
**Subject:** Faversham Standard Quay Restaurant - music licence application

re: Faversham Standard Quay Restaurant - music licence application

Dear Licensing Department.

As a resident in Abbey Street, I am concerned that the increased traffic and pedestrians (generated by allowing music events at the Standard Quay restaurant) likely to be late at night and under the influence of alcohol, will cause a PUBLIC NUISANCE in Abbey Street and is likely to lead to increased CRIME and DISORDER.

The historic environment of Abbey Street should be protected by the council as much as possible. Over the last few years it has been significantly eroded by increased traffic accessing the various new developments beyond the north end of the street. Many drivers seem to pay little attention to driving at the legal speed limit along the street. Minor vandalism at night has increased too. If this application is granted it is very likely the quality of life for Abbey Street residents will be eroded further.

I urge you to reject this application to support the rights of the many who live here over the few that wish to profit from the music license.

Yours faithfully,

Dr. Nigel Morgan

■ Abbey Street

Faversham ME13 7BH

**From:** [Licensing Resource \(SBC\)](#)  
**To:** [Mohammad Bauluck](#)  
**Subject:** FW: New Premises Licence ME13 7BX  
**Date:** 06 November 2017 14:29:55

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**From:** Dr Tony Flower [mailto: ]  
**Sent:** 06 November 2017 14:25  
**To:** Licensing Resource (SBC)  
**Cc:**   
**Subject:** New Premises Licence ME13 7BX

Dear Sir/Madam,

**New Premises Licence**  
**The Corn Exchange, Standard Quay ME13 7BX**

On the grounds of Public Safety and Public Nuisance, I would ask the Licensing Panel to consider the effects which this proposal may have on the traffic in Abbey Street, this being the only approach to the new development. Abbey Street has become increasingly busy in recent years, to the likely detriment of its many listed buildings; to people's safety and to residents' parked cars. My own car has been damaged twice by anonymous passing vehicles, and crossing the road on foot can be hazardous when vehicles exceed the speed limit, which is an extremely common event. A new licensed premises on the Quay is bound to increase the present flow of traffic – as is anticipated by the applicants themselves, having laid out extensive car-parking spaces. More particularly, the late opening hours are bound to increase evening traffic in an otherwise quiet residential area. It is also a Conservation Area, which increased traffic at antisocial hours will not conserve. I would therefore ask the Panel to consider this application in conjunction with measures which could be taken to reduce the likely decrease in public safety and increase in public nuisance, by, for example, insisting on the applicants putting up notices to remind patrons that this is a residential area, and, more particularly, designating Abbey Street as a 20mph zone, with appropriate signage, preferably before issuing a licence to the applicants. Finally, I understand that the KCC Noise Team, to whom residents could complain about undue noise from developments like these, does not operate on Sundays. This service ought to operate seven days a week if the premises it monitors operate seven days a week, and I hope you could make representations to that effect.

Yours sincerely,  
Dr Tony Flower  
Abbey Street  
ME13 7BH

**From:** [Licensing Resource \(SBC\)](#)  
**To:** [Mohammad Bauluck](#)  
**Subject:** FW: Application for a New Premises Licence, The Corn Exchange, Standard Quay, Faversham ME13 7BX  
**Date:** 06 November 2017 15:30:10

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**From:** Elisabeth Curry [mailto: [REDACTED]]  
**Sent:** 06 November 2017 15:10  
**To:** Licensing Resource (SBC)  
**Subject:** Application for a New Premises Licence, The Corn Exchange, Standard Quay, Faversham ME13 7BX

I wish to object to the application for a new premises licence at The Corn Exchange, Standard Quay, Faversham ME13 7BX

If granted, it would lead to a substantial increase in traffic up and down Abbey Street, which is a narrow road and already frequently congested with vehicles.

Local residents have complained about noise nuisance emanating from a number of existing licensed businesses at, and near, Standard Quay and in Abbey Street. This application would be likely to substantially increase such nuisance, especially as it is for a licence to allow operations all day and evening seven days a week.

Noise would be from pedestrians, increased traffic from patrons and from large service vehicles to the business, cars being parked and doors opened and closed. This noise pollution, and the increase in fumes, would affect people living on the other side of the Creek as well as those of us in Abbey Street.

Until relatively recently Standard Quay was a working barge yard and this building was silent after usual working hours.

The building is in an area subject to flooding from the tidal Creek. Businesses at Standard Quay were flooded out several years ago. It is not unusual to see Standard Quay under water - this is where patrons would be parking and walking. "The Corn Exchange" is very close to the edge of the Quay.

My other main concern is public road safety.

Abbey Street is considered to be one of the finest medieval roads in the country and attracts many visitors. It is also the access to Queen Elizabeth's Grammar School. Consequently traffic has already increased to the point where there can be traffic jams with associated noise and fumes as well as potential danger to pedestrians (visitors, local residents and school children) trying to cross the road. Cyclists, including school children, are also affected.

If there was to be an emergency at Standard Quay requiring fire/ambulance/police vehicles it could well be that they would encounter difficulties accessing Standard Quay, not only because of the frequent congestion in Abbey Street but also because of the very narrow access from the bottom of Abbey Street to Standard Quay. This access is also particularly dangerous for pedestrians because of the narrowing road and the poor sight lines. There is no pedestrian footpath (and no room for one) and it is particularly hazardous for small children, parents with buggies, disabled people and the elderly.

I have lived in Abbey Street for well over 30 years.

Mrs Elisabeth Curry, [REDACTED] Abbey Street, Faversham ME13 7BE



**From:** [Licensing Resource \(SBC\)](#)  
**To:** [Mohammad Bauluck](#)  
**Subject:** FW: Licence application for the old corn exchange standard quay.  
**Date:** 07 November 2017 09:11:23

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**From:** michael bales [REDACTED]  
**Sent:** 06 November 2017 16:50  
**To:** Licensing Resource (SBC)  
**Subject:** Licence application for the old corn exchange standard quay.

Dear/ Sir/Madam

I wish to object to the granting of a licence for this establishment on the following grounds.

My wife and I live on the other side of Faversham creek and we already have enough nuisance noise from existing drinking establishments situated on and around standard quay. Unfortunately, sound is amplified as it travels across the creek.

Our balcony overlooks the creek and Standard Quay and this is where we, and the other residents in our small estate of 21 houses, spend a large amount of our leisure time. We are, in the main, elderly retired people. The loud noises we are currently subjected to has become unacceptable on many occasions each year. We have to tolerate public urinating and defecating, drunken rowdy behaviour, deafening music and the idea of very late night slamming of car doors etc. Fills us with dismay.

When we moved here in 2003 Standard Quay was a vibrant working boatyard and apart from marine type noises was very quiet. Since Mr White purchased the quay and all the listed properties thereon it has become progressively noisier and with establishments such as Binella, loud noise can now carries on until midnight. To have to tolerate what will become a daily source of noise that will probably carry on until midnight or later is just one step too far.

I therefore request that you refuse this application.

Yours sincerely

Michael Bales

■ Waterside Close  
Faversham  
ME137AU

Sent from my iPad

**From:** [Licensing Resource \(SBC\)](#)  
**To:** [Mohammad Bauluck](#)  
**Subject:** FW: Objection to an application for a new premises licence  
**Date:** 07 November 2017 09:11:43

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**From:** Jill [REDACTED]  
**Sent:** 06 November 2017 17:06  
**To:** Licensing Resource (SBC)  
**Subject:** Objection to an application for a new premises licence

Dear Sir, dear Madam,

Re: The licensing application for the Corn Exchange, Standard Quay, Faversham, ME13 7BX

I object to the following parts of this application for these reasons:

1. The proposed playing of music until 23.00 on the grounds of public nuisance to nearby residents at such a late hour.
2. Opening hours until 23.00 every day, also on the grounds of causing a public nuisance to nearby residents and possible ensuing disorder.

Lastly, I object because of both the possible increased risk to public safety and the causing of a possible public nuisance because of the increased amount of traffic coming to Standard Quay via Abbey Street and on the Quay itself. There is only one way in and out from the town and this is already crowded at various times of the week. In the event of an emergency vehicle needing access, the chance of this happening quickly will be greatly reduced. The increased allocation of parking spaces recently marked on the Quay would suggest a large number of vehicles are expected. This could lead to some chaos at times as people try to get in and out, and as pedestrians play a big part in the life of the Quay, there would be increased risks to their safety with more traffic about.

Thank you for your kind consideration,

Jill de Warrenne  
■ Chambers Wharf Lane,  
Faversham  
ME13 7BW

**From:** [Licensing Resource \(SBC\)](#)  
**To:** [Mohammad Bauluck](#)  
**Subject:** FW: The Corn Exchange, Standard Quay, Faversham, ME13 7BX  
**Date:** 07 November 2017 09:12:05

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**From:** Patricia Blake [mailto: ]  
**Sent:** 06 November 2017 17:23  
**To:** Licensing Resource (SBC)  
**Subject:** The Corn Exchange, Standard Quay, Faversham, ME13 7BX

I wish to object to the Application for New Premises Licence for The Corn Exchange. This is on the grounds of Public Safety (Increased traffic on Standard Quay and along Abbey Street) and Public Nuisance (live and recorded music closely adjacent to that already happening at The Anchor which is already very audible to neighbours).

Pat Blake

4 The Maltings

Faversham

ME13 7DU

**From:** [Licensing Resource \(SBC\)](#)  
**To:** [Mohammad Bauluck](#)  
**Subject:** FW: The Corn Exchange, Standard Quay, Faversham ME13 7BX  
**Date:** 07 November 2017 09:12:28

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**From:** Pollock [mailto: [REDACTED] ]  
**Sent:** 06 November 2017 19:36  
**To:** Licensing Resource (SBC)  
**Subject:** The Corn Exchange, Standard Quay, Faversham ME13 7BX

Dear Sir/ Madam/ Ms

I wish to object to the application by Mrs Nicola White and Mr Joshua White for a license for live and recorded music between 10AM and 11PM, 7 days a week at the premises referenced above.

Although the notice suggests that the music will be played indoors, there is no indication that the volume will be controlled to an acceptable degree. And previous experience of music played at Standard Quay suggests that this may well be external as well as internal and inadequately attenuated.

The aspect of Standard Quay across the Creek means that sound is often more obtrusive on the other side of the Creek than it is to adjacent properties.

Please would you acknowledge receipt of this note.

Regards

*David Pollock*

David Pollock  
[REDACTED] Faversham Reach, Faversham ME13 7LA  
01795 [REDACTED]  
[REDACTED]

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# Kent Police

**Chief Officer of Police Representation** in relation to an application for grant of a premise licence made under Part 3 **Section 17** Licensing Act 2003 (S18 Licensing Act 2003)

<b>Details of person making representation</b>	
<b>Name of Chief Officer of Police</b>	Chief Superintendent Smith
<b>Postal Address: (Divisional Headquarters)</b>	Medway Police Station Purser Way Gillingham Kent ME7 1NE
<b>E-mail address</b>	licensing.north.divsion@kent.pnn.police.uk
<b>Telephone Numbers:</b>	
<b>Licensing Co-ordinator</b>	Geoff Rowley 01634 792733
<b>Licensing Officers</b>	Chris Hill 01634 792276
	Clare Cossar 01634 792411
	Diane Holroyd 01634 792733
	Dan Hunt 01634 792411
<b>Details of premises representation is about</b>	
<b>Name of Premises:</b>	Corn Exchange
<b>Address of premises:</b>	Standard Quay Faversham Kent
<b>Date application received by police</b>	10 <sup>th</sup> October 2017
<b>Date representation sent to Licensing Authority</b>	6 <sup>th</sup> November 2017
<p>All representations must be made within 28 days of receipt of initial application</p> <p><i>The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. Part 4 Reg. 22.</i></p>	

**The Chief Officer of Police has received an application for the grant of a premises licence made under the provisions of Section 17 Licensing Act 2003, and under Section 18 of that Act, asks the Licensing Authority to consider these representations in respect of: -**

Prevention of crime and disorder	X
Public Safety	X
Prevention of public nuisance	X
Protection of children from harm	X

**Is this a representation regarding the Designation of Premises Supervisor under S18 (9) Licensing Act 2003?** No

**If yes complete the appropriate statement:**

**Please give the reason for the representation and detail the evidence supporting it under the appropriate headings:**

This is an application for a new premises licence which will be used as a restaurant on Standard Quay in Faversham.

As this is a new premise there is little information that Kent Police can offer in respect of this premise.

**Supply of Alcohol**

Sunday - Thursday 12:00-22:00

Friday-Saturday 12:00 - 23:00

**Kent Police are opposed to this application as stated and propose the following:**

**1) Prevention of Crime and Disorder**

The promotion of this objective by the imposition of conditions is a key to the Licensing Act 2003. It is important that conditions are attached to this licence that seeks to effectively promote this objective and minimise the risk of it being undermined.

**2) Public Safety**

Much of the representations that have been made in respect of the impact on the Licensing Objective of Crime & Disorder can be mirrored under this objective. Any incident of Public Order or Assault has a propensity to have an element of collateral impact on Public Safety, through the protagonists and their interaction with Police. The conditions need to be clear and precise, there is no mention of door staff or how many will be provided.

**3) Prevention of Public Nuisance**

Public nuisance under the Licensing Act enables the interpretation of nuisance to retain its wider meaning under common law. It therefore retains the breadth and flexibility to take in all the concerns likely to arise from the operation of any premises conducting licensable activities in terms of the impact of nuisance on people living or doing business nearby.

Any incidents that Kent Police responds to are by definition a nuisance to some section of our community. This is more pronounced during the hours of the Night Time Economy. Those that engage in anti-social behaviour and crime brought about by excessive uncontrolled consumption of alcohol are a public nuisance.

**4) Protection of Children from harm**

The applicant has not identified the requirement for identification for sales of alcohol, When children are allowed upon the premises?, any entertainment offered within the premises will be suitable for young persons, Children will be required to be supervised by an accompanying adult at all times, Soft drinks and non-alcoholic drinks will be available and a recognised Proof

of Age Policy will be enforced. There is also no mention of the training of staff and the frequency of the training or when refresher training will be given.

**Kent Police seek the attachment of the following conditions to clarify those proposed in the operating schedule, and assist in the promotion of the licensing objectives:**

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.
  - Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.
  - Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 28 days and handed to Police on demand.
  - The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority on demand.
  - The recording equipment and any discs/tapes shall be kept in a secure environment under the control of the DPS or other responsible named individual.
  - In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer immediately ([licensing.north.division@kent.pnn.police.uk](mailto:licensing.north.division@kent.pnn.police.uk))
2. All persons that sell or supply alcohol to customers must have licensing training.
  - Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place.
  - Refresher training should be repeated a minimum of every six months or earlier if required due to changes of legislation.
  - Training records must be kept on the premises and shall contain the nature, content and frequency of all training.
  - Records must be made available for inspection by Police, Police Licensing Officer and authorised officers from the Local Authority upon request either electronically or hard copy.
3. When the premises opens for a function/booking, the DPS/duty manager must risk assess if it is deemed necessary to require SIA door supervisors. If SIA staff are required a minimum of two SIA door supervisor to be on the premises.
4. The premises shall have a written drugs policy, this will detail the strategies to minimise the use and supply of illegal drugs within the premises. The drugs policy shall include a structured training policy for all staff covering the issues of misuse of drugs in relation to licensed premises. Records must be kept to show members of staff who have taken the training.
5. Alcohol is only to be served with a substantial table meal by waiter/waitress service.

6. The licensee shall ensure that no customers will take glasses or open bottles from the premises.

pp PC Clare Cossar  
Supt Tim Smith  
**North Division Area Commander**

Date: 6<sup>th</sup> November 2017





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## Making Swale a Better Place

### LICENSING AUTHORITY: SWALE BOROUGH COUNCIL

#### Licensing Act 2003 Sub-committee Hearing Procedure

#### Applications for New Premises Licences/Club Premises Certificates and Variations to existing licences and certificates

#### 1. Introductions

The Chairman will request all those persons participating in the hearing to identify themselves or introduce them.

Members/Officers/Applicant and any representative/Responsible Authorities/any other persons (objectors)

#### 2. Procedural Matters

The Chairman will:

- i) Confirm that all parties are aware of the sub-committee **hearing procedure** and that each party has a copy of the hearing procedure document.
- ii) Confirm that all sub-committee members have **pre-read all the papers** and any other documents contained in the report regarding the hearing.
- iii) Explain that the sub-committee will allow all parties to put their case fully and make full **submissions**, within a reasonable time frame. The procedure will be discussion led by the Sub-Committee and **questions** will usually be permitted.
- iv) Explain that where any person attending the hearing **behaves in a disruptive manner**, the sub-committee may direct that person to leave the hearing (including temporarily). If this happens, the person may give the sub-committee in writing any information which the person would have been entitled to give orally.
- v) Enquire whether any draft **conditions** have been agreed between the applicant and any of the other parties for the sub-committee to consider.
- vi) Enquire whether any parties request to have **any witness** give evidence at the hearing; and if so grant the request unless the request is unreasonable.
- vii) Invite the parties, where appropriate, to appoint a **spokesperson**.

### 3. The Hearing

- A) The Chairman will ask the legal advisor or licensing officer to briefly outline the application and all representations regarding the application.
- B)
  - i) Ask the **Applicant** (or their representative) to put forward their case opening remarks and evidence (including witnesses).
  - ii) **Allow** appropriate **questions** from any Responsible Authority and/or other person/members of the subcommittee
  - iii) Any points of clarification.
- C)
  - i) Ask **Responsible Authorities** (where applicable) to put forward their case. Opening remarks and evidence (including witnesses) by the officer representing the responsible authority (or their representative).
  - ii) Allow appropriate **questions** from :  
the Applicant/other Responsible Authorities/other persons/member of the Sub-Committee.
  - iii) Any points of clarification.
- D)
  - i) Opening remarks and evidence by the **other person/s** (or spokesperson/representative).
  - ii) Allow appropriate **questions** from :  
the Applicant, Responsible Authorities, each further other person and sub-committee members.
  - iii) Any points of clarification.
- E) **Closing Summary**  
  
Responsible Authorities/Other Persons/The Applicant
- F) **End of Hearing**
  - i) The Chairman will ask the members of the sub-committee if they have any final questions for any party to the hearing.
  - ii) The Chairman will ask the legal advisor whether there are any further matters to be raised or resolved before the hearing is closed.
  - iii) The Chairman will bring the hearing to a close and shall declare that the sub-committee will retire, to private session, to consider the application.
  - iv) The Chairman will invite the legal advisor to remain with the sub-committee during its deliberations to provide any advice required.

G) **The Decision**

The Chairman shall declare in public session:

- i) The sub-committee's **determination** and indicate that all parties to the hearing will receive a copy of the written Determination Notice regarding the sub-committee's determination; and
- ii) that all parties may **appeal** against the sub-committee's decision within 21 days beginning with the day on which the appellant is notified of the Licensing Authority's written determination. Appeals must be lodged with the Magistrates' Court. Parties should be aware that the Magistrates Court may make an order with respect to costs on any appeal.
- iii) Formally close the meeting.

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