

AGENDA

LICENSING SUB-COMMITTEE MEETING

Date: Tuesday, 20 October 2015
Time: 10.00 am
Venue: Council Chamber - Swale House

Membership:

Councillors Roger Clark, Lesley Ingham and Ted Wilcox.

Quorum = 3

	Pages
1. Apologies for Absence and Confirmation of Substitutes	
2. Notification of Chairman and Outline of Procedure	
3. Declarations of Interest	
<p>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.</p> <p>The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:</p> <p>(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.</p> <p>(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.</p> <p>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 Director of Corporate Services as Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.</p>	
4. Application for a variation of premises licence under the Licensing Act 2003	1 - 40

To consider an application for a variation of premises licence at Park N

Shop, 15 – 21 Key Street, Sittingbourne, Kent, ME10 1XX.

Issued on Monday, 12 October 2015

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Democratic Services, 01795 417330, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Swale Borough Council

Report to: Licensing Sub – Committee (Under the Licensing Act 2003)

Date: Tuesday 20th October 2015 at 10am

Report Author: Mohammad Bauluck - Licensing Officer

Subject: Park N Shop – 15 Key Street Sittingbourne Kent ME10 1YX

Purpose and summary of report:

To consider an application, to which 4 (four) representations have been made, for a variation of an existing Premises Licence application under the Licensing Act 2003 – application reference number SIT/SWALE/189/0046

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: Mohammad Bauluck at mohammadbauluck@swale.gov.uk
Telephone: 01795 417 364

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 Licensing 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: Park N Shop – 15 - 21 Key Street Sittingbourne Kent ME10 1YX

Application for: Variation of a premises licence to be granted under the Licensing Act 2003.

Purpose of the report

The report advises Members of an application for a Variation of a Premises Licence under the Licensing Act 2003, made by Licensing Matters Ltd, in respect of the premises Park N Shop(Appendix A and B) in respect of which four (4) representations (Appendix D) have been received from other persons.

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, or (iii) 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 2nd September 2015, an application was received from Licensing Matters Ltd for the variation of a premises licence under section 34 of the Licensing Act 2003 in respect of premises Park N Shop at 15 – 21 Key Street Sittingbourne Kent ME10 1YX

The application is for:

- (1) An extension of their opening hours and sale of alcohol to 24 hours.

The current opening hours are:

Monday – Saturday 08.00 – 22.00
Sunday 10.00 – 22.00

The current hours for licensable activities are:

Sale of alcohol (Off Sales)

Monday – Saturday 08.00 – 22.00
Sunday 10.00 – 22.00

- b. 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**

- c. The application has been correctly advertised in the local press and a notice has been displayed for the whole of the consultation period.
- d. The Designated Premises Supervisor is Suzanne Mona C Quirk.

Representations

1. 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
- Planning Department – Swale Borough Council – No representations
- Environmental Pollution – Swale Borough Council – No representations
- Kent County Council Public Health – No representations.
- Kent Police – Applicant has agreed to amend his operating schedule to include conditions requested by the Police – Appendix C
- **Conditions agreed:**
 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.
 - a. Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.
 - b. Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 28/31 days and handed to Police upon reasonable request.
 - c. 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 upon reasonable request.
 - d. 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 within 24 hours unless the CCTV will be repaired before that time (licensing.north.division@kent.pnn.police.uk)
 2. All persons that sell or supply alcohol to customers must have licensing training.
 - a. Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place.

- b. Refresher training should be repeated a minimum of every six months or earlier if required due to changes of legislation.
 - c. Training records must be kept on the premises and shall contain the nature, content and frequency of all training.
 - d. 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. The premises licence holder or designated premises supervisor must keep an incident/refusals register. Staff are to be trained to complete an incident book/records immediately after the incident but no later than the end of their shift.

The register must be kept on the premises and will detail

- Day, date and time of incident
- Nature of incident
- Resolution
- Each entry is to be checked by the DPS/Duty Manager no later than 1 week after the entry has been made.

The register must be made available to Police, Police Licensing Officers and authorised officers from the Local Authority either electronically or hard copy.

4. The premises licence holder or designated premises supervisor must ensure that an age verification policy is adopted in respect of the premises in relation to the supply of alcohol.
 - The policy must require individuals who appear to the responsible person to be under the age of 25 years of age 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.

2. Other Persons

There have been four valid representations received from other persons. Their comments are shown as **Appendix D**

The representations put forward by Mr & Mrs Knott and Mr & Mrs Judges did not contain much evidence about the impact of the variation of the licence in connection with to the 4 licensing objectives.

As a result of this, a representation form was sent to give them an opportunity to elaborate on the reasons as to how this variation would impact on them. The original representations sent by Mr & Mrs Judges and Mr & Mrs Knott are shown at **Appendix D0**

Responsible Authority / Other person	Licensing Objective	Associated Documents	Appendix
Mr & Mrs Knott and Mr & Mrs Judges	Public Safety Public Nuisance	Original representations – Letter	D0
Mr & Mrs Massey	Crime and Disorder Public Nuisance	Letter	D1
Mr & Mrs Judges	Public Safety Public Nuisance	Representation from	D2
Mr & Mrs Knott	Public Safety Public Nuisance	Representation form	D3
Mr & Mrs Westley	Crime and Disorder Public Nuisance	Letter	D4

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 3.4 – 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. 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 – Agreed Conditions with Police
Appendix D – Representations (Other Persons) (4)
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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* required information

Section 1 of 17

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

System reference

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

MILES

* Family name

HARVEY

* E-mail

Main telephone number

01282 500322

Include country code.

Other telephone number

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

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

Applicant Business

* Is the applicant's business registered in the UK with Companies House?

- Yes No

* Registration number

03497029

* Business name

PARK GARAGE GROUP PLC

If the applicant's business is registered, use its registered name.

* VAT number

- -

Put "none" if the applicant is not registered for VAT.

* Legal status

Public Limited Company

Continued from previous page...

* Your position in the business OFFICE & FINANCE MANAGER

Home country United Kingdom

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

* Building number or name TIME TECHNOLOGY PARK

* Street BLACKBURN ROAD

District

* City or town SIMONSTONE

County or administrative area

* Postcode BB12 7TW

* Country United Kingdom

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APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number SIT/ SWALE/189/0046

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name PARK N SHOP

Street 15-21 KEY ST

District

City or town SITTINGBOURNE

County or administrative area

Postcode ME10 1XX

Country United Kingdom

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

41,500

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VARIATION

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

Yes

No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

Yes

No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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.

THE PREMISES IS AN EXISTING CONVENIENCE SITUATED AT A 24 HOUR FILLING STATION, WHICH HAS BEEN OWNED BY PARK GARAGE GROUP FOR APPROX 12 YEARS.

PRE-CONSULTATION HAS TAKEN PLACE WITH THE POLICE, PRIOR TO SUBMISSION OF THIS APPLICATION.

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PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to
vary is successful?

Yes

No

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PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to
vary is successful?

Yes

No

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PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if
this application to vary is successful?

Continued from previous page...

Yes

No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes

No

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PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes

No

Section 9 of 17

PROVISION OF RECORDED MUSIC

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes

No

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PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes

No

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

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes

No

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PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

State any seasonal variations.

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

Continued from previous page...

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

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

State any seasonal variations.

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

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

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

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ADULT ENTERTAINMENT

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

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

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations.

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

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

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

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

'CONDITIONS APPLIED UNDER THE 1964 LICENSING ACT' (EMBEDDED RESTRICTIONS & NON STANDARD TIMINGS.)

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

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

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LICENSING OBJECTIVES

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

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

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

THE PREMISES WILL CONTINUE TO BE MANAGED IN LINE WITH THE FOUR LICENSING OBJECTIVES & GOVERNMENT LEGISLATION.

b) The prevention of crime and disorder

1) CCTV WILL BE PROVIDED IN THE FORM OF A RECORDABLE SYSTEM, CAPABLE OF PROVIDING PICTURES OF EVIDENTIAL QUALITY AND PARTICULAR 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 ON THE HARD DRIVE AND KEPT FOR A PERIOD OF 31 DAYS AND HANDED TO POLICE UPON REASONABLE REQUEST.
- 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 UPON REASONABLE REQUEST.
- 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 WITHIN 24 HOURS UNLESS THE CCTV WILL BE REPAIRED BEFORE THAT TIME (LICENSING.NORTH.DIVISION@KENT.PNN.POLICE.UK)

2) PANIC BUTTONS WILL BE IN USE.

3) THE PREMISES WILL MAINTAIN A REFUSALS REGISTER, WHICH WILL BE CHECKED BY THE DPS/ DUTY MANAGER ON A REGULAR BASIS. THE REGISTER WILL BE MADE AVAILABLE TO THE POLICE & AUTHORISED OFFICERS OF THE COUNCIL UPON REASONABLE REQUEST.

c) Public safety

4) BETWEEN THE HOURS OF 11PM & 5AM, THE PREMISES WILL BE CLOSED TO THE PUBLIC & ALL SALES WILL TAKE PLACE VIA THE SERVING HATCH.

d) The prevention of public nuisance

CCTV AS ABOVE

Continued from previous page...

e) The protection of children from harm

5) STAFF MEMBERS WILL BE TRAINED BEFORE MAKING SALES OF ALCOHOL, WITHIN THEIR RESPONSIBILITIES UNDER THE LA2003. TRAINING WILL BE DOCUMENTED & WILL BE MADE AVAILABLE TO THE POLICE & AUTHORISED OFFICERS OF THE COUNCIL UPON REASONABLE REQUEST.

6) THE PREMISES WILL MAINTAIN A CHALLENGE 25 POLICY. WHENEVER A PERSON APPEARS TO BE UNDER THE AGE OF 25, THEY WILL BE ASKED FOR ID TO PROVE THAT THEY ARE 18 YEARS OR OLDER.

7) THE ONLY TYPES OF ID THAT WILL BE ACCEPTED AS PROOF OF AGE ARE PASSPORTS, PHOTO CARD DRIVING LICENCES & PASS CARDS.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

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

Continued from previous page...

* Full name

GEMMA GOODWIN

* Capacity

AUTHORISED AGENT

* Date

02 / 09 / 2015
dd mm yyyy

Add another signatory

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

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/swale/change-1> to upload this file and continue with your application.

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 Next >

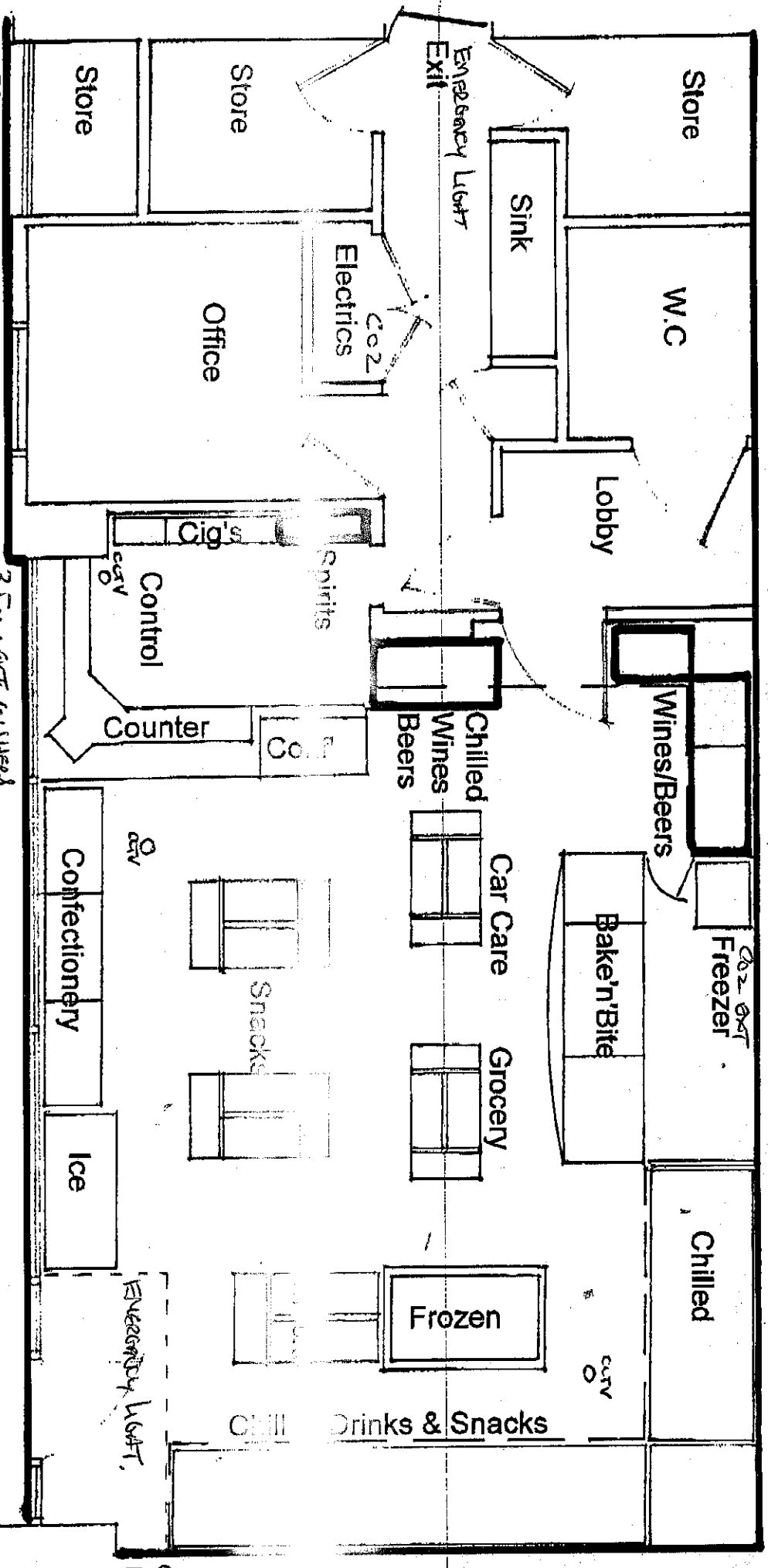
Aslyn Contracts & Services (Shopfitting & Design)

Aslyn Limited
"Oceanside"
Spartan Road, Capenhurst
Eccles, Cheshire, M31 4EB

TEL: 01753-450627 FAX: 01753-500627

Do not scale from this drawing
if in doubt please ask.

SCALE - 1:50



3 Foam Exts. used
2 Rouse
Park Garage Group PLC

15-21 KEN STREET
STAINLEASS
LEAST
MEVD 17X

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Agreed Conditions with the Police

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 on the hard drive and kept for a period of 28/31 days and handed to Police upon reasonable request.
 - 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 upon reasonable request.
 - 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 within 24 hours unless the CCTV will be repaired before that time (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. The premises licence holder or designated premises supervisor must keep an incident/refusals register. Staff are to be trained to complete an incident book/records immediately after the incident but no later than the end of their shift. The register must be kept on the premises and will detail
 - Day, date and time of incident
 - Nature of incident
 - Resolution
 - Each entry is to be checked by the DPS/Duty Manager no later than 1 week after the entry has been made.

The register must be made available to Police, Police Licensing Officers and authorised officers from the Local Authority either electronically or hard copy.

4. The premises licence holder or designated premises supervisor must ensure that an age verification policy is adopted in respect of the premises in relation to the supply of alcohol.
 - The policy must require individuals who appear to the responsible person to be under the age of 25 years of age 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.

Mr & Mrs Knott
■ Key Street
Sittingbourne
Kent
ME10 1YU

25 September 2015

SBC Licensing Dept
Swale House
East Street
Sittingbourne
Kent
ME10 3HT

Dear Sirs

Re: Petrol Station at Key Street (Park Garage Group Plc)

I am writing to object to the above garage being able to sell alcohol 24 hours a day. There is already a garage doing this at Bobbing, not even half a mile away so why do you need to allow another garage to do so? I thought that this Government ergo their Councils were trying to dissuade people from drinking and driving and also to limit binge drinking. I don't believe a responsible Council should be giving permission to a garage of all things, to sell alcohol 24 hours a day. I wouldn't say that that is putting the right message across, would you? 'You're driving your car but we are going to make it easy for you to buy and consume alcohol!' Really???

The people who are going to buy alcohol at this time of night will probably be the same people the Government is targeting to limit their drinking, young people who are out at that time of night, driving around. We, the residents, already suffer the noise of screeching cars, loud youngsters parked in garage and leaving it. We also suffer the rubbish being thrown into our drives after they've consumed the food/drinks from the garage.

We also suffer the disruption of the noise of the tankers going into the garage in the early hours of the morning. I wonder, do any of you live near this garage? No? What a surprise. I didn't think so, so you won't know what it's like living next or near this type of business or how detrimental the effect is to your living environment. Would you be saying yes if this was in your back yard? This isn't the first time we have objected to changes at Key Street that have a negative impact on our lives. You have ignored our objections completely and I have no doubt that you will do the same this time but I couldn't complain if I didn't try.

The consequences of your decision will be felt by us but as we are a few, I doubt that will matter.

As a post script, in future, to be fair to the any resident that is going to be affected by a proposition such as this, the Council might want to put their notices in more prominent places so that they can be easily seen. The notice on the garage was insignificant and could easily have been missed, but perhaps that was the expectation. If no-one sees, no-one can complain.

Yours faithfully

A rectangular area of the document has been redacted with a black grid pattern, obscuring the signature of the sender.

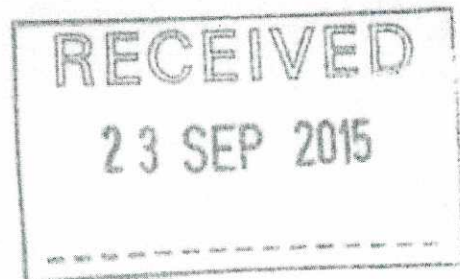
A and P Knott



KEY ST.
BORDEN
SITTINGBOURNE

WE ARE AGAINST THE EXTENDING LICENSING
HOURS. FROM 000-23-59 AT THE PARK/SHOP.
AT 15-21 KEY ST. IT WILL COURSE LATE
NIGHTING - ALSO DRINK AND DRIVE WHICH THE
POLICE ARE AGAINST. ALSO THE LITTER.

P JUDGES
J JUDGES



10 September 2015

Mr and Mrs M Massey
Key Street
Sittingbourne
Kent
ME10
Tel: 01795 or
Email:

Swale Borough Council Licensing Dept
Swale House
East Street
Sittingbourne
Kent
ME10 3HT

**APPLICATION BY PARK GARAGE GROUP PLC FOR A VARIATION OF PREMISES LICENCE
PARK N SHOP 15-21 KEY STREET, ME10 1XX**

Dear Sir

I am writing with regards the above application which is listed under the Public Notices in the Sittingbourne News dated 9 September 2015, requesting a variation in licence "in the supply of alcohol for off the premises and opening hours 0000-2359 hrs Monday to Sunday and late night refreshment 2300-0500 hours Monday to Sunday".

I would like to object to this application for a number of reasons. Namely, this is a garage which is in a residential area albeit on a main road. Already the surrounding residents including myself have to put up with "boy racers" late at night revving their engines in the garage, playing loud music and generally making a nuisance. People urinating outside of the garage on our front gardens, rubbish including bottles etc being thrown in the surrounding gardens. I do not understand how you would promote alcohol being sold all night in a garage (where due to its location is normally arrived at by vehicle). It is a garage selling fuel primarily and I would not class it as a Service Station. What need is there for a garage to be serving alcohol throughout the night. Do we not already have enough supermarkets in the town that have this facility?

Being a foster carer of an extremely special needs disabled child and living directly opposite the garage, I do not find it would be acceptable for this to happen. His bedroom is at the front of the house and already the loud noise from cars revving loudly etc is an issue. We believe this will only be added to if you allow alcohol/snacks to be sold all night and will invite trouble to the surrounding area.

I believe this adds no investment to the local area and indeed serves no purpose other than to make money for the garage owner. The sale of alcohol is extensive around town without another venue, especially a garage, being able to do this 24 hours a day 7 days a week.

I would be grateful if you could register our opposition to this application.

Yours faithfully

MR A AND MRS M T MASSEY



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Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by other persons of the premises to be licenced as detailed below:

Your name	PETER AND JEA JUDGES.
Organisation name OR Name of body you represent	
Postal Address	KEY ST SITTINGBOURNE KENT ME10 1YU.
Email address	
Daytime contact number	

Name of premises you are making a representation about	PARK N SHOP,
Address of premises you are making a representation about	15-21 KEY ST SITTINGBOURNE KENT ME10 1XX



Are you registered to vote?

www.swale.gov.uk/all-about-voting

Your representation must relate to one of the four licensing objectives (see note 4)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary
Prevention of crime & disorder		
Public Safety		<p>DRINK DRIVING. GOVERNMENT TRYING TO STOP BINGE DRINKING, BY ALLOWING EXTENDED HOURS TO BUY THIS IS ENCOURAGING BOTH DRINKING AND DRINKING + DRIVING. NOT A RESPONSIBLE ACT BY A COUNCIL.</p>
Prevention of public nuisance		<p>WE SUFFER A DETRIMENT ALREADY TO OUR LIVING ENVIRONMENT BY THE NOISE THE TANKERS AND BOY RACERS MAKE IN THE EARLY HOURS BECAUSE YOU HAVE ALLOWED THIS TO BE 24 HOURS.</p>
Protection of children from harm		

SIGNED:



DATED:

28 - SEPT 15.



Are you registered to vote?
www.swale.gov.uk/all-about-voting



Swale House, East Street,
 Sittingbourne, Kent ME10 3HT
 DX59990 Sittingbourne 2
 Phone: 01795 417567
 www.swale.gov.uk



Making Swale a better place

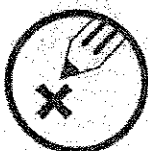
Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by other persons of the premises to be licenced as detailed below:

Your name	PATRICIA KNOTT
Organisation name OR Name of body you represent	
Postal Address	KEY ST SITTINGBOURNE KENT ME10 1YU
Email address	[REDACTED]
Daytime contact number	[REDACTED] [REDACTED]

Name of premises you are making a representation about	PARK N SHOP
Address of premises you are making a representation about	15-21 KEY ST. SITTINGBOURNE ME10 1XX



Are you registered to vote?

www.swale.gov.uk/all-about-voting

Page 31



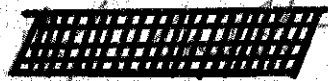
INVESTORS
IN PEOPLE



Your representation must relate to one of the four licensing objectives (see note 4)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary
Prevention of crime & disorder		PROVIDING ALCOHOL 24 HRS IN A GARAGE CAN ONLY PROMOTE NOT DEMOTE THE SALE OF IT. ESPECIALLY WHEN BY ITS VERY NATURE CUSTOMERS ARE DRIVING!
Public Safety		MOST LATE NIGHT USERS OF THE GARAGE ARE YOUNGSTERS. IF THEY ARE BUYING ALCOHOL AND DRIVING, WHICH THIS COULD ENCOURAGE WOULD ENDANGER THEIR OWN AND PUBLIC SAFETY.
Prevention of public nuisance		WE, THE RESIDENTS ARE ALREADY SUFFERING NUISANCE CAUSED BY PEOPLE USING THE GARAGE 24/7. WE ARE THE PUBLIC AND OUR QUALITY OF LIFE IS DETRIMENTALLY AFFECTED ALREADY. THIS WILL ONLY EXACERBATE THE SITUATION.
Protection of children from harm		EG NOISE, + RUBBISH

SIGNED:



DATED:

30/9/15



key street

Sittingbourne

Kent

Me10 1yx

27/09/15

To whom it may concern,

I would like to **object** to the application of selling alcohol 24hrs in the Texaco garage which is part of the park garage group, which is situated in Key Street. I live next door to this garage and I would like to share with you what we as a family have to put up with, I have to clear up my driveway after people use it as a toilet ,which they do during the night when they are visiting the garage as they think that because its 24 hr opening that there is a toilet they can use, when they realise that there are no such amenities they use my driveway, I have had to clear away used sanitary products, condoms and scrub where people urinate ,which im sure is a health and safety issue. I feel selling alcohol during the night will only increase this problem, and people sitting on my wall during the night enjoying their drink as well. As a family (I have 3 children) I feel this will affect us considerably as we already have to put up with tanker deliveries through the night and early morning deliveries to the shop. When we moved in 12 years ago the garage wasn't 24hrs, it went 24hrs about 2-3 weeks after we moved in. It has got increasingly worse over time and sometimes have boy racers meeting and revving their engines. I have people park on my drive to go and get supplies from the garage and when I ask them to move I get a mouthful of abuse which isn't very nice for my young daughter to hear, they think they have a right to park there even though its private property. We as a family have to put up with a lot living next door to the garage and feel this application will make our lives even worse, I do feel this is not needed as there is a 24 hr garage not that far away at bobbing which sells alcohol. I don't understand why there would be a need for them to sell alcohol 24hrs a day, all it will do is encourage drink driving, vandalism and abuse and as a country I thought we were trying to cut down on binge drinking I hope you take my letter very seriously and consider our views as a family.

I feel as we are only a handful of houses down this end of key street you won't take our views seriously, I just hope the other houses managed to get their letters to you in time, as I know they were objecting to it also.

Thank you

K westley G westley

[Redacted signature box]

And 3 children

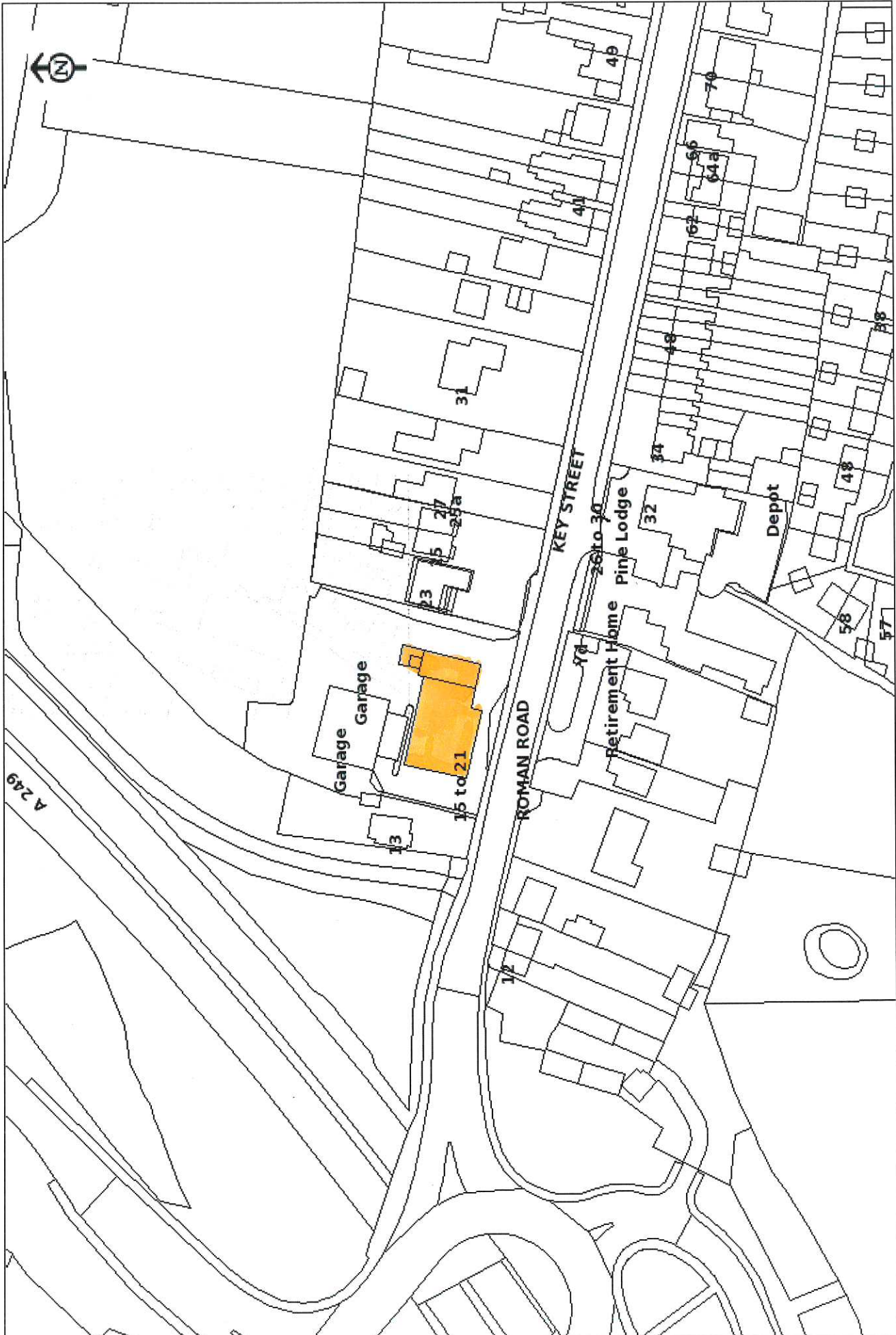


Hand delivered on 28/9/15.

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Park N shop.



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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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