

## AGENDA

### LICENSING SUB-COMMITTEE MEETING

Date: Tuesday, 1 May 2018

Time: 11.30 am

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

Membership:

Councillors Roger Clark, Paul Fleming and Prescott.

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

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To consider an application for a new Premises Licence for the Hot Tin Café, St. Saviours Church, Whitstable Road, Faversham.

#### Issued on Monday, 23 April 2018

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## Swale Borough Council

**Report to:** Licensing Sub – Committee (Under the Licensing Act 2003)  
**Date:** 1<sup>st</sup> May 2018 at 11:30am  
**Report Author:** Tom Dunn - Licensing Officer  
**Subject:** The Hot Tin Café, St Saviours Church, Whitstable Road, Faversham, Kent, ME13 8BD

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

To consider an application, to which representations have been made, for a new Premises Licence application under the Licensing Act 2003 – application reference number FAV/SWALE/189/0692.

### **Recommendations:**

The Committee is asked to determine the application and decide whether to grant a licence. Members are 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 [licensing@swale.gov.uk](mailto:licensing@swale.gov.uk) or 01795 417286

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 Hot Tin Café, St Saviours Church, Whitstable Road, Faversham, Kent, ME13 8BD**

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 The Hot Tin Café Limited, in respect of the premises The Hot Tin Café, St Saviours Church, ME13 8BD (Appendix A & B). During the consultation period the licensing authority received 23 representations (Appendix C & D) from other people of which 16 are against and 7 are for the grant of the application.

Responsible authorities haven't made representations, however they have agreed amendments to the applicants operating schedule which will form conditions on their licence (Appendix E & F).

**1. Issues to be decided**

Members are asked to determine whether to (a) 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, (b) grant excluding any of the licensable activities applied for, (c) grant refusing to specify a premises supervisor, or (d) 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:

- a. the prevention of crime and disorder;
- b. the protection of public safety;
- c. the prevention of public nuisance: and
- d. the protection of children from harm

**3. The Application**

- a. On 27<sup>th</sup> February 2018 an application was received from The Hot Tin Café Limited for the grant of a premises licence under section 17 of the Licensing Act 2003 in respect of premises The Hot Tin Café at St Saviours Church, Whitstable Road, Faversham, Kent, ME13 8BD. The application was for provision of Sale of Alcohol, Films, Live & Recorded Music, Performance of Dance and anything of a similar nature. The proposed hours of operation are:

**Opening Hours**

Monday to Sunday – 08:00 to 23:00

**Sale of Alcohol**

Monday to Sunday – 08:00 to 23:00

**Films**

Monday to Sunday – 08:00 to 23:00

### **Plays, Live & Recorded Music and Performance of Dance**

The applicant has withdrawn Plays, Live & Recorded Music and Performance of Dance from their application. As per legislation (Live Music Act 2012 & Deregulation Act 2015) these activities have been deregulated for audiences up to 500 people during the hours 08:00 to 23:00. The applicant has confirmed they will not exceed these times or number of people and therefore these activities are not licensable.

- 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 on 8<sup>th</sup> March 2018. The consultation period was restarted until 5<sup>th</sup> April 2018 due to the public notice not being on display. The notice has now been displayed for the whole of the consultation period (28 days).
- d. The proposed Designated Premises Supervisor is Romana Bellinger.

## **4. Representations**

### a. 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 Health – Swale Borough Council – No representations however they seek the attachment of the following conditions to clarify those proposed in the operating schedule, and assist in the promotion of the licensing objectives. Conditions proposed by the Environmental:
  - 1. A noise management plan shall be in place and agreed with the local authority (Environmental Health). The noise management plan shall be periodically reviewed and/or when significant changes occur in the operation, building or following a complaint. A draft example of the noise management plan is attached at Appendix E.
- Kent County Council Public Health – No representations.
- Kent Police - No representations however they seek the attachment of the following conditions to clarify those proposed in the operating schedule, and assist in the promotion of the licensing objectives. Conditions proposed by Kent Police (Appendix F):
  - 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 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](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. The Designated Premise Supervisor will undertake a risk assessment in respect of the provision of door supervisors for any unusual events and where deemed appropriate a minimum of 2 door supervisors will be employed.
  4. The License Holder will maintain auditable refusal/incident records. These records will detail the day, date, time of refusal/incident, nature of refusal/incident including reason and details of or description of the individual. These records will be made available for inspection to any Police Officer, Police Licensing Officer, and Officer of the Local Authority immediately upon demand.
  5. The Licence holder shall erect and maintain clear and prominent notices displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- b. There have been 23 valid representations received from other people, of which 16 are against (Appendix C) and 7 are for the grant of the application (Appendix D).

Other person	Licensing Objective	Associated Documents	Appendix
(1) Denise Toomer	Public Nuisance	Letter	
(2) Christine Matthews	Public Nuisance Crime and Disorder	Letter	

(3) Eldon Hinchliffe	Public Nuisance	Letter	
(4) Emma Lathwell	Public Nuisance	Letter	
(5) Helen Buckingham	Public Nuisance Public Safety	Representation Form	
(6) Lola Rinvoulin	Public Nuisance	Letter	
(7) Martin Collins	Public Nuisance	Letter	
(8) David & Susan Greetham	Public Nuisance	Letter	
(9) Sophie Taylor & Philip Gowing	Public Nuisance Crime and Disorder	Letter	
(10) J Tovell	Public Nuisance Public Safety	Letter	
(11) M Galpin	Public Nuisance	Letter	
(12) R Potter	Public Nuisance Crime and Disorder	Letter	
(13) R Tovell	Public Nuisance	Letter	
(14) S Francis	Public Nuisance	Letter	
(15) Shelia Wyver	Public Nuisance Public Safety	Email	
(16) Martin Long	Public Nuisance Public Safety	Representation Form	
(17) Henry Dagg	In support of the application	Email	
(18) Marian August	In support of the application	Letter	
(19) Matt Dobson	In support of the application	Email	
(20) Peter & Emma Flack	In support of the application	Email	
(21) Mr Perou & Lucy Perou	In support of the application	Email	
(22) Nick Kenny	In support of the application	Email	
(23) Ruby Parker-Barcy	In support of the application	Email	

## 5. Policy Considerations

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

- a. Chapter 2 – The licensing objectives
- b. Chapter 8 – Applications for premises licences
- c. Chapter 9 – Determining applications
- d. Chapter 10 – Conditions attached to Premises Licences

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

- a. Section 3 General Policy Considerations. This section sets out the Council's approach with regard to licensing and details other mechanisms to deal with potential problems.
- b. Section 4 Responsible Authorities and Other Persons. This section sets out the Council's approach to accepting relevant representations.
- c. Section 17 Licence Conditions. This section sets out the four licensing objectives and identifies matters that may be relevant to the promotion of each licensing objective.

## **6. 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:

- a. 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.
- b. Exclude from the licence any of the licensable activities applied for.
- c. Refuse to specify a person in the licence as premises supervisor.
- d. 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 1989 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".

## **7. 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.

## **8. Human Rights**

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



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

## **9. Recommendations**

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

## **10. List of Appendices**

Appendix A – Application form  
Appendix B – Plan of premises  
Appendix C – Representation (Other Persons) against the application  
Appendix D – Representation (Other Persons) for the application  
Appendix E – Conditions attached to the Operating Schedule from Environmental including a draft noise management plan  
Appendix F – Conditions attached to the Operating Schedule from the Police  
Appendix G – Plan of area  
Appendix H – Order of proceedings

## **11. 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 21**

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  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

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name  If your business is registered, use its registered name.

VAT number   Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

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

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

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

**Section 4 of 21****NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Limited company by shares

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth

\* Nationality  Documents that demonstrate entitlement to work in the UK

[Add another applicant](#)

**Section 5 of 21**

**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

Provide a general description of 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.

Former church hall situated on Whitstable Road, Faversham and opposite Faversham Recreation Ground. To re-instate it's previous early historical use for the local community and as a centre for the local and wider cultural arts and provide food and drink to that community. We have setup a Community Interest Company to facilitate this activity.

Continued from previous page...

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

**Section 6 of 21**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

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 performance of a play take place indoors or outdoors or both?

- Indoors                       Outdoors                       Both

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

**Continued from previous page...**

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.

Theatrical plays with unamplified and amplified dialogue and music

State any seasonal variations for performing plays

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 performance of a play at different times from those listed in the column on the left, list below

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

**Section 7 of 21**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End



Continued from previous page...

THURSDAY

Start 08:00

End 23:00

Start

End

FRIDAY

Start 08:00

End 23:00

Start

End

SATURDAY

Start 08:00

End 23:00

Start

End

SUNDAY

Start 08:00

End 23:00

Start

End

Will the exhibition of films take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick 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.

Film screenings with amplified sound.

State any seasonal variations for the exhibition of film

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 exhibition of film at different times from those listed in the column on the left, list below

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

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Continued from previous page...

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

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

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick 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.

Music unamplified and amplified

State any seasonal variations for the performance of live music

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 performance of live music at different times from those listed in the column on the left, list below

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

## Section 11 of 21

### PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes       No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start 08:00

End 23:00

Start

End

THURSDAY

Start 08:00

End 23:00

Start

End

FRIDAY

Start 08:00

End 23:00

Start

End

SATURDAY

Start 08:00

End 23:00

Start

End

SUNDAY

Start 08:00

End 23:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick 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.

Low level background amplified music in cafe

State any seasonal variations for playing recorded music

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 playing of recorded music at different times from those listed in the column on the left, list below

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

Continued from previous page...

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

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Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

- Indoors                       Outdoors                       Both

Where taking place in a building or other  
structure tick 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.

Dance within the hall to live and recorded music that is unamplified and amplified.

Continued from previous page...

State any seasonal variations for the performance of dance

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 performance of dance at different times from those listed in the column on the left, list below

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

**Section 13 of 21**

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

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start 08:00

End 23:00

Start

End

SATURDAY

Start 08:00

End 23:00

Start

End

SUNDAY

Start 08:00

End 23:00

Start

End

Give a description of the type of entertainment that will be provided

Gallery arts exhibition with audio visual live or recorded sounds

Will this entertainment take place indoors or outdoors or both?

Indoors       Outdoors       Both

Where taking place in a building or other structure tick 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.

Exhibitions will be with amplified and unamplified sound.

State any seasonal variations for entertainment

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 entertainment at different times from those listed in the column on the left, list below

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

Section 14 of 21

LATE NIGHT REFRESHMENT

Continued from previous page...

Will you be providing late night refreshment?

- Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

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 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



**Continued from previous page...**

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 in the column on the left, list below

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

Electronically, by the proposed designated premises supervisor

Continued from previous page...

As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**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

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 etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

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

Continued from previous page...

SUNDAY

Start 08:00

End 23:00

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 in the column on the left, list below

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

**Section 18 of 21**

**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.

**TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:**

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a/ no selling of alcohol to underage people
- b/ no drunk and disorderly behavior on the premises area
- c/ vigilance in preventing the use and sale of illegal drugs at the premises
- d/ no violent and anti-social behaviour
- e/ no harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.
- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record)
- Clear "Challenge 21" information to prevent the supply of alcohol to under-age drinkers.
- CCTV system installed with recording option available

As a licensed premises we know that it is necessary to operate our businesses with a purpose of promoting these objectives. We promise to support these objectives through our operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

CCTV system installed with recording option available  
Not selling of alcohol to drunk or intoxicated customers.  
Prevention and vigilance in illegal drug use at the premises.  
Staff will be well trained in asking customers to use premises in an orderly and respectful manner.  
Any potential dangerous threats to the public will be reported to police as soon as possible.

*Continued from previous page...*

c) Public safety

Internal and external lighting fixed to promote the public safety objective.

Well trained staff adherence to environmental health requirements.

Safety training for all employees and implementation of underage ID checks.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

Provision of clear emergency exit signs and emergency lighting.

d) The prevention of public nuisance

Public encouraged to respect the needs of nearby residents and to leave the premises and the area quietly.

Deliveries of goods necessary for the operation of the business will be carried out in such a manner as to prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who arrive early morning or that depart late at night when the business has ceased trading to conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Customers will be asked not to stand around loudly talking in the street outside the premises.

Customers will not be admitted to premises outside the opening hours.

The movement of bins and rubbish outside the premises will be kept to a minimum after 23:00. This will help to reduce the levels of noise produced by the premises.

e) The protection of children from harm

Staff trained about the requirement for a persons' identification, age establishment etc. for any licensable activity.

Any potential dangerous threats to children will be reported to the parent/guardian or police as soon as possible.

To keep an incident book on the premises where staff can record details of everyone who has been refused alcohol.

DBS checks made on any staff working with children.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**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.

*Continued from previous page...*

- 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 EHC 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.

## Section 20 of 21

### NOTES ON REGULATED ENTERTAINMENT

**Continued from previous page...**

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

- 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.

**Continued from previous page...**

- 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:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

**Section 21 of 21**

**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.

Premises Licence 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](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 you are required to pay a higher fee

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

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event 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



Continued from previous page...

Capacity 80000-89999 £56,000.00  
Capacity 90000 and over £64,000.00

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name   
Street   
District   
City or town   
County or administrative area   
Postcode   
Country

**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?"

\* Full name   
\* Capacity   
Date (dd/mm/yyyy)

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

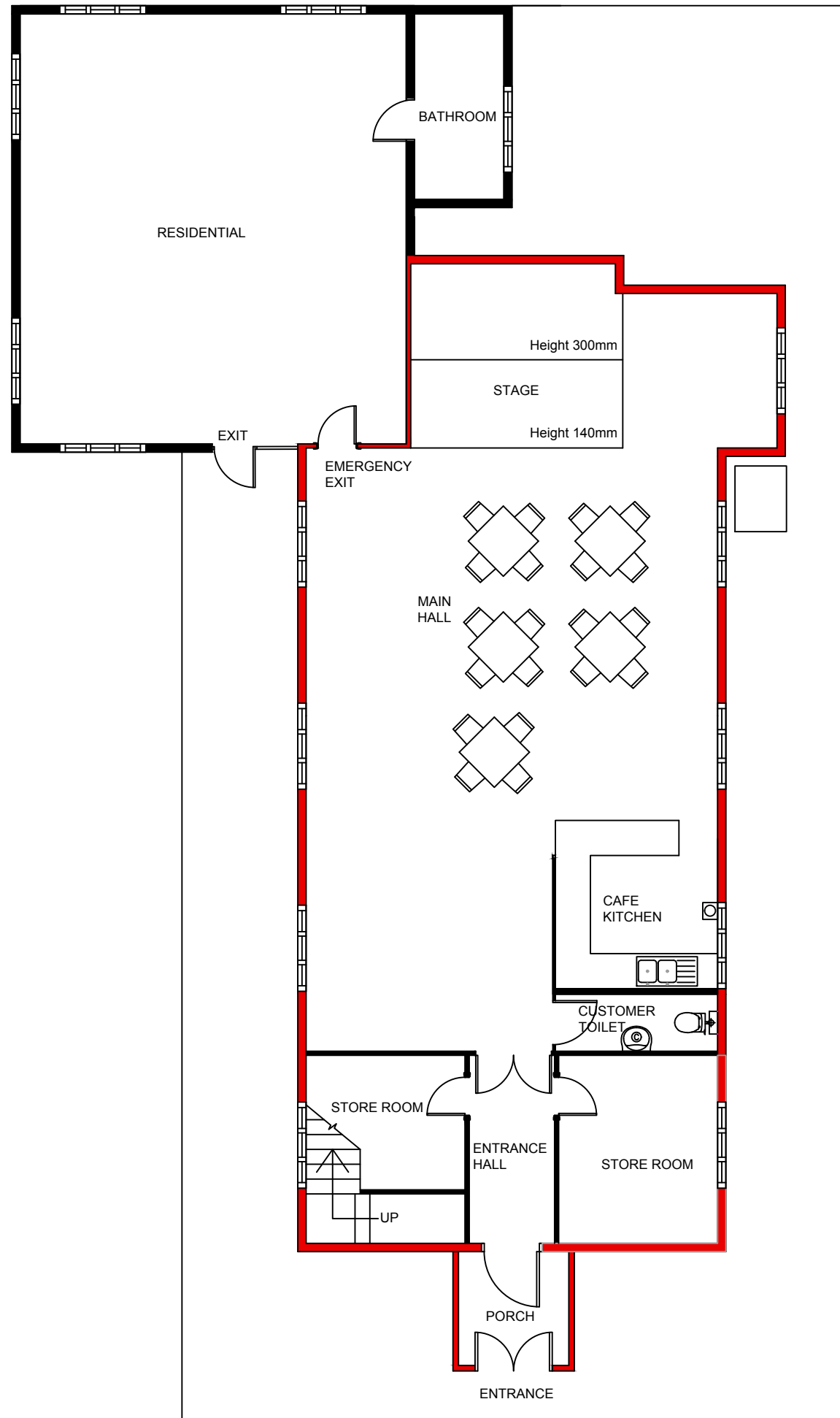
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/swale/apply-1> to upload this file and continue with your application.

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

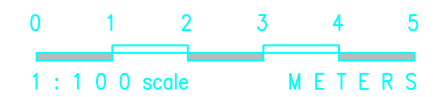
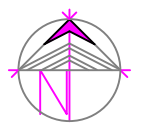
**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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**





LICENCED AREA SHOWN EDGED RED



SITE/DRAWING REF:  
PLAN DRAWING – THE HOT TIN,  
ST. SAVIOUR’S, WHITSTABLE ROAD,  
FAVERSHAM. ME 13 8BD

DRAWING TITLE:  
THT-PLAN01  
Scale – 1:100 at A3



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Denise King Us Toomer

█ Park Row

Whitstable Rd

Faversham ME13 8BD.

21/3/18 █

Objection to the application of a new  
premises licence

The Hot tin Cafe Ltd

St Saviours Church

Whitstable Rd

Faversham ME13 8BD.

To Whom it may concern.

This application is for sale of alcohol MON-SUN 8am-11pm

live & recorded music etc MON-SUN 8am-11pm.

I object for the following reasons.

The music licence is in a building of tin construction with no insulation, no sound proofing and no fire proofing.

There is no parking facilities and the church is situated on the end of a one way street (Cypress Rd) that due to parking is a single carriageway and already wheelchair users & prams have to use the road rather than pavements, especially on bin days.

It is a potential risk to public safety. It is a residential building not a commercial licensed music establishment. Due to tin construction it was sold as unmortgageable, with up to 500 in there it will risk the lives of these people in the event of a fire or terrorist attack.

It will be a public nuisance due to the noise & overspill of people potentially outside smoking.

For music to be played & alcohol to be served from 8am - 11pm or at all will blight the lives of local residents especially those with small children or working shifts.


Faversham has enough establishments that sell alcohol and are equipped to play loud music that are not in a built up residential area. This will inevitably cause disorderly behaviour.

[REDACTED] I can hear the occupants talking inside the Church when I put my bins out, so playing loud music will be horrendous Mon-Sun 8am-11pm.

When I first met the owners they assured us that they wanted to have an art gallery cafe & make local films in there. This application is completely contrary to that. For that reason I feel duped & cannot understand the application. They have not knocked & discussed this with any of their neighbours.

I think the capacity & timing, and in fact the change of use is a complete risk to safety, will be a public nuisance & will cause disorderly behaviour, even if it's just smoking & leaving cigarette butts outside. Parking is a big concern in Faversham & this will just add to it.

Yours sincerely  
[REDACTED]

  
Cyprus Road  
Faversham  
ME13 8HB.

Dear Sir / madam .

I am writing to object to the licence for live / recorded music and the Sale of Alcohol, at the Tin church Cyprus Road / Whubtable Rd . We are a quiet residential road with Elderly & young children. We already have parking problems, and feel that more cars trying to park, would be a hazard to fire & emergency services. The Tin Church is not insulated & the noise from it would be unacceptable to the Elderly who like to enjoy the peace & quiet in their gardens, & young children trying to get to sleep. We are worried about drunken behaviour & the effect it would have on our properties should we wish to sell or stay .

Yours Sincerely  
Mrs Christine Matthews .

The Licensing Department  
Swale Borough Council  
Swale House  
East Street  
Sittingbourne  
Kent MR10 3HT

Eldon Hinchliffa  
Whitstable Road  
Faversham  
Kent ME13 8BD

23<sup>rd</sup> March 2018

Dear Licensing Dept,

St SAVIOR'S CHURCH

This is a ridiculous proposal. Firstly, I suspect that it is a residential property and if so a planning application for change-of-use should have been made. Has this been done?

They want to run it as a cafe, music centre and bar and think they can cater for 500 people. The building is not remotely suitable or capable of accommodating that number of people. If it was just a concert hall they may be able to get 100 people in, but as proposed, 50 is about the limit.

Even that number would greatly increase the already considerable parking difficulties for residents in the area.

Then there is the problem of safety and comfort. The building is insufficiently insulated, both acoustically and thermally and fire safety needs to be thoroughly investigated. The regulations for a public building accommodating 100+ are onerous. And, as this is a listed building, Listed Building approval should have been sought. Has it?

The proposed hours of business are excessive. Sale of alcohol seven days a week from 8am till 11pm. The early morning alcohol sale will make it a destination for alcoholics. And live and recorded music over the same period with music that is extremely unlikely to be classical string quartets; highly amplified heavy metal is more likely.

This application must be rejected because if granted this business will become a major public nuisance.

Yours,



Emma Lathwell

Whitstable road

Faversham

Kent

ME13 8BD

The licensing department

Swale Borough Council

Swale Council

Swale House

East Street

Sittingbourne kent

ME10 3HT

Dear Sir/Madam

I am writing to you about the Application for new premises licence for the applicant The Hot Tin café LTD. Address St Saviours Church Faversham Kent ME13 8BD.

I would like to express my concerns towards the proposed change of use. My first concern is that this building is single skinned and has no sound proofing. If this was to fill with people with music playing I fear that it would be very loud for the residents in the area surrounding the church. There is a retirement flats near, also 3 new family homes built next door. To the rear of this building is a house which is a Sanctuary supported living. I fear the people that live there would not cope with all the loud noises.

I would also like to draw attention to that there is no parking that comes with this building only the spaces up to 5 cars. The parking in this area is a nightmare and the people that live in this area are lucky if they get a parking space near the surrounding areas to our homes.

Also my concerns that this building is not fireproof or treated. Being an old wooden building I would say it was an accident waiting to happen.

I was very surprised that this information has not been shared with the residents near by eg letters posted through doors to explain this is happening. All there is just a piece of paper which is stuck to the door of the building which the owner parks his car in front of and people can not get near the letter to read.

Thank you for taking time in reading this letter and I hope before anything is excepted that this is looked into and the neighbours are informed to have this discussed.

Yours sincerely  
Emma Lathwell

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:

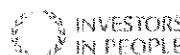
Your name	Helen Buckingham
Organisation name OR Name of body you represent	n/a – local resident
Postal Address	[REDACTED] Cyprus Road Faversham Kent ME13 8HB
Email address	[REDACTED]
Daytime contact number	[REDACTED]

Name of premises you are making a representation about	The 'Hot Tin Café'
Address of premises you are making a representation about	St Saviour's Church Faversham Kent ME13 8BD



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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	No	
Public Safety	Yes	<p>My concerns relate principally to the application for a licence for films, plays, live music, recorded music and dance, both in regard of themselves and also and the sale/consumption of alcohol in relation to such events. I have no concerns about the sale &amp; consumption of alcohol alongside that of food in the context of a café. However, in conjunction with the entertainment aspects I am concerned.</p> <p>I have not been able to read the licence application in full as I am not able to visit the council premises within working hours to do so and it does not appear to be available on line. I therefore am basing my representation on the details contained on the notice displayed outside the premises.</p> <p>I note from the Licensing Policy that "a licence is not required to stage a performance of live music, or the playing of recorded music if:          • it takes place between 8AM and 11PM;          and it takes place at an alcohol on-licensed premises; and the audience is no more than 500 people."</p> <p>I also note that a licence is not required "to put on unamplified live music at any place between the same hours; or to put on amplified live music at a workplace between the same hours and provided the audience is no more than 500 people."</p>



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		<p>I appreciate therefore that the Council's hands may be somewhat tied in this matter. However, in the context of St Saviour's Church, I feel there must be grounds for concern relating to the following criteria in the policy:</p> <ul style="list-style-type: none"> <li>• "Whether patrons can arrive at and depart from the premises safely.</li> <li>• Whether there may be overcrowding in particular parts of the premises."</li> </ul> <p>St Saviour's is a small building, with no appreciable dedicated outside space, situated on a junction and by a road which can be very busy – traffic levels do vary. In relation to a café and art gallery where visitors are likely to be arriving at varying times and in small numbers, these issues are of little or no consequence. This is I think demonstrated well by the Simply Fresh store located nearby, which has not created any safety issues of which I am aware. However in the context of a larger event with a specific start (and likely end) time, there must be a question as to how arrivals and departures can be managed safely for both patrons and local residents – noting also that St Saviour's is located in a largely residential area.</p> <p>In addition to concerns about external safety, given the size of the building it is implausible that 500 people could be accommodated inside the building without a significant risk of overcrowding.</p>
Prevention of public nuisance	Yes	<p>As above, my concerns relate primarily to the entertainment aspects of the license application.</p> <p>The Licensing Policy indicates that licensed premises should "contain adequate measures to prevent noise and vibration, whether air borne or structure borne, generated from within the premises, outside it, or from an open site, that may cause disturbance to people in the vicinity. Regard will be had to disturbance of people whether at home, at work, staying in, or visiting the vicinity. However, stricter conditions will be imposed</p>



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		<p>on premises licences in areas that have denser residential accommodation or have residential accommodation close to them"</p> <p>This criterion clearly applies here. It is hard to see how, given the nature of the construction of St Saviour's, it would be possible to prevent noise from a public entertainment event – in particular live music or 'action-packed' (for want of a better phrase) films – creating a disturbance. It is possible at times to hear live music [REDACTED] halfway along Cyprus Road from as far as the Market Inn, which is a much more substantial building. I am less concerned about noise from plays, but am not sure whether it is possible to distinguish between plays and live music from the point of view of licensing.</p> <p>I am also concerned in relation to the criteria considering eating, drinking and smoking outside premises. As noted above, there is almost no outside space dedicated to St Saviours. It is therefore entirely foreseeable that in the context of an event – as distinct from the day to day operation of a café – it is probable that "people standing or sitting outside premises are likely to cause obstruction or other nuisance", that "queuing is likely" and given the location it would be impossible to "divert queues away from residential properties" or to "manage the queue to prevent disturbance or obstruction." It is also difficult to see how effective measures could be put in place for "the management of people leaving premises to smoke and for their readmission; including managing readmissions in relation to any queuing for admission."</p>
Protection of children from harm	No	

SIGNED: Helen Buckingham (submitted by email)

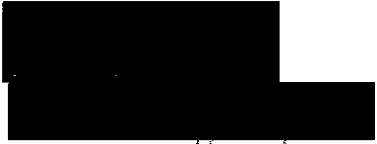
DATED: 21<sup>st</sup> March 2018



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Cypus Road  
FAVERSHAM  
Kent ME13 8HB


28th March 2018

Dear Sir/Madam,

I write to register my objection to the application for a new premises licence at St Saviour's Church, Faversham Kent.

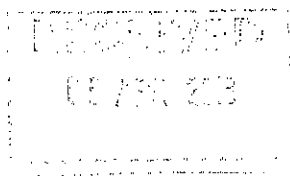
I would be worried that there would be a lot of music and noise late at night and people drinking.

Church House is adjacent to St Saviour's Church

 supported accommodation to recover from an illness and I feel that this would be jeopardised if the application was to be granted.

Yours sincerely,

Lina Rinalucci



Whitstable Road  
Towersham  
ME13 8BD.

Dear Sir or Madam,

I write in reference to the license application for the Hot Tin Cafe (Old St. Saviours Church) on Whitstable Road.

I want to express some concerns about this matter.

The house I write from [redacted] is some 30ft from the building for which the license application is made. This makes us very close to any source of noise coming from the Tin Church. The potential levels of such noise are unknown at present. It would seem difficult to imagine any great noise problem during the day. A daytime cafe seems eminently reasonable. But the unknown quantity is that which comes from running the establishment with a full license into the evening. The only smoking area would be at the front of the building so that potential source of noise exists together with any planned organ within the building.

The present owners are very approachable and responsible. But if they bring in outside users, such as letting out to less responsible parties, maybe even for parties, our physical



proximity to the building and its environs may give us problems.

Another possibility which cause concern is that of precedent. Does a building having a licence set that licence in stone? Could further owners, less responsible, present us with increased noise levels having inherited a licence?


In summary, I have concerns. They may be unfounded and disproportionate. Only time can give us a concrete picture of any level of noise nuisance.

Thank you for your attention.

Yours sincerely,

Martin Collins



 Cyprus Road,  
Faversham  
Kent  
ME13 8HB.  
22.3.18

Re. Tin Church East St./Cyprus Road, Faversham application for New  
Premises License. Live music. Sale of alcohol Mon. - Sun 08.00 - 23.00.  
Premises holding up to 500 people.

Dear Sir or Madam,

Please be advised that myself and husband strongly object to this application.

We have been a resident in Cyprus Road and a home owner for 48 years and this is not the place to have this venue here.

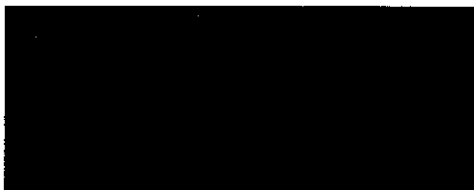
It would be more appropriate out of town and not in a residential area where it will disturb all the residential.

500 people is a lot to have in a property made of tin and the noise would be horrendous.

There will always be an overflow of people outside smoking and talking. Children will have to walk to and from school which is just around the corner Mon. - Fri. and it is not suitable for them to see possible disorderly behaviour.

Please decline the application.

Yours faithfully  
Mr. David and Mrs. Susan Greetham



MR P GOWING  
MISS S TAYLOR  
CYPRUS ROAD  
FAVERSHAM.  
KENT  
ME13 8HB.

28/3/2018

THE LICENSING DEPARTMENT  
SWALE BOROUGH COUNCIL  
SWALE HOUSE  
EAST STREET  
SITTINGBOURNE  
KENT  
ME10 3HT.

DEAR SIR/MADAM

THE HOT TIN CAFE LTD. ST SAUVOURS  
CHURCH, FAVERSHAM ME13 8BD.

WE ARE WRITING TO REGISTER OUR  
OBJECTIONS TO THE APPLICATION FOR A  
LICENCE TO SELL ALCOHOL & PUAH LIVE/  
RECORDED MUSIC FOR THE HOT TIN CAFE LTD.  
AT ST SAUVOURS CHURCH FAVERSHAM ME13 8BD.  
AS LOCAL RESIDENCE OUR OBJECTIONS IS  
BASED ON A MULTITUDE OF ISSUES.  
GRANTING THE LICENCE WOULD CAUSE  
& HOW DETRIMENTAL IT WOULD BE TO

THE LOCAL & OUR QUALITY OF LIFE.

CUREUS ROAD WHERE WE LIVE AND OTHER ROADS SURROUNDING THE CHURCH ARE ALREADY INCREDIBLY CONGESTED, WITH PARKING FOR RESIDENCE ALREADY A PROBLEM. THE CHURCH ONLY HAS CAPACITY FOR 4 CARS AT MOST TO PARK ON ITS PROPERTY, AND WITH THE REQUEST FOR A LICENCE CAPACITY FOR UP TO 500 PEOPLE THE ADDITIONAL TRAFFIC WOULD CAUSE MISERY & PARKING CHAOS FOR THE EXISTING RESIDENCE.

THE BUILDING THEY ARE REQUESTING THE LICENCE FOR IS A VERY BASIC TIN CONSTRUCTION WITH NO SOUND INSULATION. ANY LIVE MUSIC PLAYED IN THE VENUE OR LARGE GATHERING OF PEOPLE WILL BE HEARD FOR A SUBSTANTIAL DISTANCE AROUND IT, WE ARE IN THE PROCESS OF STARTING A FAMILY & FEEL THIS WILL MAKE RAISING A CHILD IN THE AREA DIFFICULT. EVEN 'IF' THE SOUND PROOFING ISSUE COULD BE RESOLVED THE NOISE & ANTISOCIAL BEHAVIOUR THAT COMES WITH UP TO 500 PEOPLE LEAVING A VENUE AT THE END OF A NIGHT WILL A BRIGHT ON THE LOCAL AREA & CAUSE CONSIDERABLE DISRUPTION TO US & OTHER LOCAL RESIDENCE.

WE ARE ALSO CONCERNED A BUILDING OF  
THE CONSTRUCTION & AGE WITH LITTLE  
FIRE PRECAUTIONS WAS NOT DESIGNED  
TO LOST SO MANY PEOPLE OR A COPE.  
THE CHURCH IS SITUATED AT THE END OF  
A TERRACED RESIDENTIAL STREET AND  
ANY FIRE WOULD CAUSE SIGNIFICANT  
DAMAGE TO MANY PROPERTIES IN A  
SHORT SPACE OF TIME.

WITH ALL OF THE ABOVE WE URGE YOU TO  
NOT GRANT THE REQUESTED LICENCES AS  
WE FEEL IT ~~WOULD~~ WOULD HAVE A  
HUGE DETRIMENTAL EFFECT TO OURSELVES  
& THE LIVES OF LOCAL RESIDENCE.

YOURS FAITHFULLY

MARK TOULON & PHILIP GOUNG



The Licensing Department  
Swale Borough Council  
Swale House  
East Street  
Sittingbourne  
Kent  
ME10 3HT.

Mrs J. Lovell

[REDACTED]  
Cyprus Road  
Faversham,  
Kent  
ME13 8HB.

Dear Sirs

2<sup>nd</sup> April 2018.

Re The 'Hot Tin Cafe' Licensed  
St Saviour's Church Faversham.

I am writing to object to the sale of Alcohol between 8:00am to 23:00pm and change of use to a Live Music Venue for up to 500 people.

I live on the [REDACTED] Cyprus Road in the [REDACTED] [REDACTED] from the proposed venue.

I am objecting on the following grounds.

- 1) Noise; The tin church is not sound-proofed and as such would cause a noise nuisance to the surrounding area five hundred people, in a tin can!!
- 2) Hours. As a residential area housing families of all ages, young and old the late noise pollution would be unacceptable.
- 3) Alcohol Why on earth would anyone want a drinks licence commencing at 8:00 am.

The longer alcohol is available the more chance of  
us consumption causing noisy behaviour.

4) Safety: I am wondering where the fire  
escape is? Can't see any visible signs of an  
escape route should a fire break out.

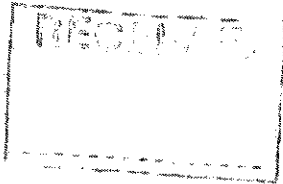
5) Parking, Non existent. Just a very small hard  
surface for a couple of cars at the most.

6) Pedestrian access; No Pavement via  
Cyprus Road.

I would therefore like to strongly object  
to the above proposal.

Yours faithfully,

J. Towell (RES)



Mrs M Galpin  
Westgate Road  
Faversham  
Kent  
ME13 8HE  
World Cancer Research Fund UK  
www.wcrf.org.uk

March 29th 2018

Dear Sir/Madam

10 Tin Church, Whitstable Road  
Faversham

I am writing to object to the proposals for a liquor licence and licence for piped and live music for up to 500 people for the above building.

The premise is at the junction of Cypres Road and Whitstable Road. It is already difficult for residents to park in this area during the day, let alone the evening when commuters return home from work. The premise has very little off road parking space. Not enough for 10 cars, let alone "for up to 500 people".

The noise level would be abhorrent if 100 people got "Merry". We have a lot of children, shift workers and retired people living in close proximity whose sleep pattern would be disturbed. It is also passed daily by young children being taken to and from the local primary school situated close at hand.

The market inn is just across the road, and Subway



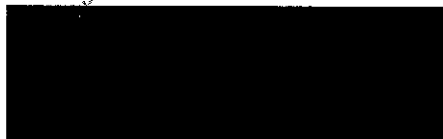
just up the road have liquor licenses, but they cannot sell alcohol as early as 8.00am. The people owning this building say they want to use it as a cafe. Surely permitting a license would mean the premise would be a bar not a cafe?

Do we really need another licensed premise / cafe / bar in a residential area? The town centre has enough already.

I am not aware of change of usage for this building. It was sold as a domicile. I have not seen a public notice requesting change of usage to a commercial property. Thought had it been displayed as the current one it, it would not have been seen as a vehicle is parked across the double doors HIDING THE PUBLIC NOTICE from the general public.

I sincerely hope these licenses will not be granted. It would be a travesty to see this lovely Grade II listed building become a bar.

Yours faithfully



To the Licencing Dept. Staff,

I'm writing to strongly object to the application by the owners of 'The Hot Tin Café Ltd' to sell alcohol until 11pm and to play music. The specific concerns I have are:

- There isn't enough parking currently for residents and their visitors - no way should residents be blocked from parking near their homes by customers.
- The building is not suitable for a venue of this kind - it has no proper insulation to prevent music from carrying and polluting the local area and disturbing people's sleep particularly:
  - Those with small children such as my nextdoor neighbour who has a small baby
  - School age children who need sleep to do well at school
  - The residents of the supposed living facility and care home - both very close by as well as elderly residents in general who are (due to their age) light sleepers - lack of sleep impacts on both physical and mental health.
  - my own health - a disturbed night's sleep causes migraines that last for days
- The noise at 'chucking out time' - as I know since I used to live near the Sun pub - the noise spilling out on to the streets and alcohol related bad behaviour has a negative impact on local people's quality of life.

Please consider local people and refuse their applications.

Sincerely

R Potter

██████████ Westgate Rd

Faversham

ME13 8HE

Re. Licensing application, 'The Hot Tin Café Ltd', St Saviours Church, Faversham, Kent, ME13 8BD

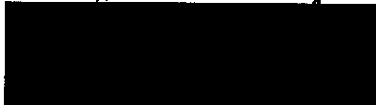
Dear Sir/Madam,

I am writing to object in the strongest terms to the recent application made by the Hot Tin Café Ltd for licenses for the sale of alcohol, films and anything of a similar nature to music and dance and plays, live music, &c. Monday to Sunday 8am-11pm. As a pensioner and resident of Cyprus Road for over twenty years, I both enjoy and contribute to the peace and calm of our quiet residential street. I feel that the ill thought-out plans for allowing events for up to 500 people at the local 'Tin Church', including evening events to 11pm, 7 days a week, will irrevocably change the nature of our neighbourhood.

My objections are as follows:

1. That the Tin Church has no acoustic insulation. The noise from events will not be contained and will not fit within the limits (45dB to 10pm; 35dB to 11pm) outlined in the Environment Protection Act of 1997. The new residents held a private event shortly after moving in, with live music, which kept our household awake until such a time as it had finished. Without an independent measurement of noise levels from the exterior of the building, and without assurance that the limits outlined in the Act will not be breached, I feel this cannot be tolerated.
2. That the Tin Church does not have adequate safety exits for events. The building is, of course, old, but without suitable fire exits, I feel that the risk to those attending planned events and indeed the risk to those living in the area is too great to consider.
3. That the Tin Church does not have adequate parking space for events of the size proposed. There is no parking for the Church, and a tendency for residents of and visitors to the building to park in the road, making it dangerous for pedestrians to walk down the street, especially at night. With increased numbers of visitors, this situation will become worse and I feel will be intolerable.

Yours sincerely,



*R. Tovell*

 Cyprus Road, Faversham, Kent, ME13 8HB

REF

C/O Church House

Cyprus Road

Faversham

Kent

ME13 8HB

ref: New Premises Licence for

Hot Tin Cafe Ltd

St Saviour's Church, Whitstable Road

Faversham, ME13 8BD

1/4/18.

Dear Sir / Madam,

I am writing to lodge an objection to the licence application for 'The Hot Tin Cafe' at St Saviour's Church, Faversham. The notice states that the trustees of St Saviour's Church have applied for a New Premises Licence to serve alcohol from 0900 hrs - 2300 hrs Monday to Sunday, with a view to changing the use of the building to 'The Hot Tin Cafe', providing live music and entertainment for up to 500 people.

I am a project worker at Church House, which is adjacent to St Saviour's Church. Church House is supported accommodation for individuals living with a diagnosed mental health condition. Individuals come into our service through referrals from healthcare professionals, housing departments, support agencies and self referrals. Individuals gain a place in our service as they have a recognised support need, to allow them to learn and build skills, recover from illness and eventually move into independent living. Many individuals referred to our service also have secondary reasons for support such as homelessness or

alcohol and drug addicts.

● Currently Church House provides a safe, secure and peaceful environment for the individuals that live there. We actively strive to ensure privacy and dignity for the individuals that live at Church House and have always attempted to keep our presence low key, to ensure the safety and privacy of the individuals that we support.

● I am very concerned about the application for a licence to serve alcohol and for the 'Hot Tin Cops' live entertainment venue to be situated so close to Church House.

Many of our residents at Church House live with anxiety, that can at times be very debilitating, disabling people from leaving their front door.

● The proposed licence application and subsequent change of use of the Tin Church would see many people visiting the area, possibly hanging around outside of the venue, noise disturbance - the venue is a tin church with no sound proofing, we can currently hear if the radio is on - but also noise disturbance as people leave the venue, will cause to heighten anxiety levels of individuals at Church House.

The selling of alcohol at the proposed hours in such close proximity to Church House would also not be conducive to the support needs of individuals at Church House, some of whom may be living with and recovering from substance addiction and dependency.

① At times, individuals at Church House <sup>may</sup> experience an crisis and at such times we need the support of emergency services. The proposal will certainly mean more traffic and parking in the area, where parking is already an issue in Cyprus Road, it could mean

that access for emergency vehicles may be limited and also the privacy of our residents will be compromised. Church House does not have 24 hr staff support - support staff are on-site from 7am - 7pm weekdays and 10am - 6pm on Saturdays, there are no staff on-site on Sundays. Therefore outside of these hours residents will not be supported to deal with issues that may arise.

I hope that you are able to consider the impact that a verge will have on our residents at Church House and the effect it may have when making a decision relating to the proposals for the Hot Tin Can.

The verge is so very close to Church House, as it backs onto the car park, it is only a few metres from the front door.

I am grateful to you for taking the time to read my concerns.

Yours Sincerely,

S. Franks.

[REDACTED]

---

**From:** Shella Wyver [REDACTED]  
**Sent:** 23 March 2018 17:38  
**To:** Licensing Resource (SBC)  
**Subject:** Licensing Application, St Saviour's Church, Whitstable Road, Faversham

Re: Licensing Application, St Saviour's Church, Whitstable Road, Faversham, ME13 8BD

I wish to OBJECT to the above application. I live at [REDACTED] Luton Road, ME13 8HQ, a short distance from the Church, and I pass it on average twice a day on foot; the road layout ensures that I must also pass it every time I wish to take my car onto Whitstable Road.

My objections concern the Licensing Objectives of Public Safety and Prevention of Public Nuisance.

**Public Safety.**

1. The former Church, a Grade II Listed Building, was built about 1885, and is of non-standard construction, of corrugated iron sheeting on a softwood frame. I am concerned about fire safety if the building is used for entertainment purposes for numbers of people. The fire exit shown on the plans is through a residential portion of the building, where locked doors will presumably be required, and along a narrow passageway immediately next to the side of the building and beside a high fence. The exit from this passageway is frequently blocked by parked cars.
2. There is no outdoor area for queueing, smoking, drinking, or children's play. Persons using the very small area in front of the main doors may force pedestrians into the busy Whitstable Road, and obstruct the view of motorists and cyclists exiting Cyprus Road. This is the only vehicular egress from Westgate Road, Minster Road, Luton Road, Somerville Close, Gordon Square, Charles Draycot Close, and Cyprus Road, and is at times a busy junction. There is no barrier between the main doors of St Saviour's and Whitstable Road, and although there is a pedestrian crossing close by, I have often seen people crossing to the Recreation Ground and bus stop opposite without using the crossing. There have been at least two accidents here in recent years. My concern in particular is with the safety of poorly supervised children running into the road.
3. The single, very small toilet does not appear adequate for public use, will not be accessible to wheelchair users, and immediately adjoins the kitchen area, with only one dividing door. This raises concerns of hygiene and accessibility.

**Prevention of Public Nuisance.**

1. Noise. The building was not designed for modern levels of amplification and vibration - see point 1. above. It was intended solely as a place of worship. Entertainment in the evenings, and deliveries in the early morning, may well cause noise nuisance to local residents, who include many families with young children, and the residents of the immediately adjoining retirement flats.
2. Parking and obstruction. There is off-road parking at the premises for no more than three vehicles without obstructing exits and the pavement. Street parking in the adjoining roads is already under a lot of pressure, and visitors cruising around the confusing and unfamiliar streets in search of spaces could cause more noise nuisance, and obstruction to residents and public service vehicles. Delivery vehicles will also inevitably hold up traffic at the front or side of the premises.
3. Litter. As there is no garden or outdoor area for customer use, and I see no provision on the plans for an indoor smoking area, I fear the granting of the licence will increase litter (bottles, cigarette ends, and so on) in the surrounding area, and also the incidence of public urination, already a nuisance in the more secluded side passages and parking areas.

I hope the Licensing Sub Committee will take these concerns into consideration.  
Sheila Wyver



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:

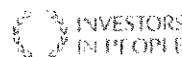
Your name	Mr Martin Long
Organisation name OR Name of body you represent	Neighbour
Postal Address	Whitstable Road, FAVERSHAM Kent ME13 8BD
Email address	[REDACTED]
Daytime contact number	[REDACTED]

Name of premises you are making a representation about	The Hot Tin Café
Address of premises you are making a representation about	St. Saviour's Church Faversham Kent ME13 8BD



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

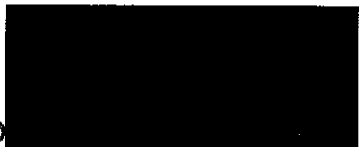
Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary
Prevention of crime & disorder		<p>Parking is generally a problem in this area and, in addition, there is already a serious road safety issue regarding the zebra crossing outside 4, Whitstable Road ME13 8BD with lorries and vans parking on zig-zag lines to deliver to Simply Fresh and couriers stopping to deliver to houses.</p> <p>I believe it is a crime to park on a zebra crossing. It seems to be getting worse and I often look out of my window to see cars stopping on the zig-zag lines in order to drop off and pick up with no regard for the length of time they spend there and is likely to become worse should this licence be granted.</p> <p>This has been a long-standing issue which has not been addressed, despite representations, and is likely to result in yet another fatal accident.</p>
Public Safety		See above. The same applies.



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<p>Prevention of public nuisance</p>		<p>Noise. There should be a restriction on amplified music. Preferably none at all.</p> <p>If it is to be allowed the building should be sound insulated and a sound limiter installed.</p> <p>These premises are too close to neighbours where children are sleeping. People leaving the premises at 23.00 hours are bound to create noise nuisance.</p> <p>The licence should state a limit of no later than 21.00 and only Fridays and Saturdays. Weekday and Sunday evenings are unacceptable.</p>
<p>Protection of children from harm</p>		



SIGNED

DATED: 23<sup>rd</sup> March 2018

NOTES:



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[REDACTED]

---

**From:** Henry Dagg [REDACTED]  
**Sent:** 05 April 2018 17:12  
**To:** Tom Dunn  
**Subject:** Tin Tabernacle, Faversham

Dear Mr. Dunn,

I am a Faversham resident in the same area as the Tin Church and I have known Mike and Romana since well before they acquired the it, and I from everything they have told me about their plans to use the building as a combined residence, café, art gallery, and occasional music venue I can only se them as a great new asset to the area and town as a whole. Their approach is focussed on supporting local artists, musicians, food producers, and overall, giving quality and individuality priority over commercial gain. I feel it's highly unlikely that any events they host there will prove a nuisance to surrounding residents in practice, as their interest and background is based far more in the field of film and the arts than in the sale of alcohol; that would simply be an adjunct to the main purpose as a community arts centre.

Yours sincerely,

Henry Dagg

MARIAN AUGUST  
CYPRUS ROAD, FAVERSHAM, KENT ME13 8HD

Tom Dunn  
Licensing Department  
Swale Borough Council

04 April 2018

Dear Mr Dunn

**Re: Licensing Proposal for a Cafe and Arts Venue at St Saviour's Church, Whitstable Road, Faversham, ME13 8BD**

For some years this Grade II listed building has been under-used and neglected, and it has fallen into a degree of disrepair. For the building to be maintained and viable, it needs to be put to use.

The plans proposed by Hot Tin/Routestock – as described at their public meeting and consultation exercise for residents – would provide a community resource and be an asset to the area.

Though parking space has become an issue in surrounding streets, there are a number of council car parks within easy walking distance. Though fears about noise and rowdy behaviour have been muted as objections it seems extremely unlikely, to me, given the type of activities that are being proposed.

I am looking forward to making use of this community resource in the near future.

I am a local resident.

Yours Sincerely

Marian August

[REDACTED]

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**From:** Matt Dobson [REDACTED]  
**Sent:** 04 April 2018 19:35  
**To:** Tom Dunn  
**Subject:** The Hot Tin

Dear Mr. Dunn,

I write in support of The Hot Tin, St. Saviours Church, Whitstable Road, Kent ME13 8BD.

A community space that promotes local and national arts, culture, food and drink in such a unique grade 2 Tin Tabernacle will be unique and I wholly support this venue. We need more places like this in our communities so we can connect with each other.

There is a Tin church in Hythe that is similar and has become an real asset to that town, I predict the Hot Tin will be the same for Faversham.

Yours sincerely

Matt Dobson

[REDACTED]

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**From:** peter flack [REDACTED]  
**Sent:** 05 April 2018 09:23  
**To:** Tom Dunn  
**Subject:** St Saviours Church Faversham

Dear Mr Dunn

We would like to add some positive comments with regard to the Licenses applied for by Romana Bellinger and Mike Eden to be applied to St Saviours Church in Faversham.

We have known Romana Bellinger and Mike Eden for many years and they have always proved themselves to be honest, truthful, enthusiastic and always want the best for their friends and the community.

We have visited them in Faversham many times since they purchased the Tin Church and wholeheartedly support their wonderful ideas and visions to promote the church as an arts and culture venue in Faversham.

We feel it would be an excellent opportunity for artisans (local and from further afield) to exhibit their work and such an exciting prospect for 'pop-up' ventures to take place, making the venue a new and interesting place to visit.

The ideas and visions they have for the church are entirely geared around the fact that they want to promote arts and culture to the town and the wider community, and they have every respect for the neighbourhood and local area, not wanting in anyway to be a negative addition to the town.

In our opinion it can only be a 'positive' for Faversham.

Yours sincerely  
Peter and Emma Flack

Sent from my iPhone



[REDACTED]

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**From:** the perou [REDACTED]  
**Sent:** 04 April 2018 22:03  
**To:** Tom Dunn  
**Subject:** Hot tin cafe

Dear Mr Dunn

Just a quick note to express our support for the proposed Hot Tin Cafe

Although we haven't lived in Faversham so long, we have long known Faversham and are delighted to now be residents

One of the things that we were drawn to here is the strong sense of community and the charming, burgeoning, artisan feel of the town: the places to eat out, the coffee shops and venues.

I think its a wonderful idea to utilise a former church and scout hut with a sensitive, considered and gentle proposal for a new use bringing new life to the building and Faversham

Faversham in our opinion needs more places like this

We strongly feel that this would be an asset to the town

Kind Regards

Perou and Lucy Perou

**Mr Perou**

**Lucky Perou Ltd**

[REDACTED] Preston Street, Faversham, Kent. ME13 8JJ. UK  
[REDACTED] [REDACTED]



[REDACTED]

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**From:** Nicholas Kenny [REDACTED]  
**Sent:** 04 April 2018 10:55  
**To:** Tom Dunn  
**Subject:** The Tin Church Project

Dear Mr Dunn

I was at the Tin Church meeting that Mike and Romana put on for the neighbours in order to explain their intentions. I talked to them and watched videos of a number of events that they have either hosted or have been a part of. Eg Alternative music, art films, readings by writers and poets. I like the idea that these will involve the community and the church will also make an excellent environment in which to showcase the work of local visual artists.

Any qualms I had about noise and disruptive behaviour have faded away. I was very impressed. They will be an asset to the town and I wish them every success.

Yours faithfully Nick Kenny  
[REDACTED] St John's St Faversham

Sent from my Xperia™ by Sony smartphone

[REDACTED]

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**From:** Ruby Parker-Barcy [REDACTED]  
**Sent:** 04 April 2018 14:18  
**To:** Tom Dunn  
**Subject:** The Hot Tin and Routestock CIC at The Hot Tin

Dear Mr Dunn,

I am writing to show my support for Romana Bellinger and Mike Eden with regards The Hot Tin and Routestock CIC at The Hot Tin, St. Saviours Church, Whitstable Road, Kent ME13 8BD.

This venue will be of great benefit to Faversham and to promoting local culture and arts in the area. I am very familiar with Romana and Mike's work within communities and find that they always adopt responsible management skills at any of their events as well as creating a warm inviting and inclusive atmosphere where you can have fun as well as be informed.

In conclusion having a venue such as The Hot Tin will be of great value to the community as well as to artists like myself and I am in full support of their venture.

Kind regards,

**Ruby Parker-Barcy**  
Recruitment Consultant

**Property Management Recruitment**

[REDACTED]

[REDACTED] London, W1W 8EA



[View my profile on LinkedIn](#)



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[REDACTED]

-----Original Message-----

From: Romana Bellinger [REDACTED]

Sent: 05 April 2018 12:15

To: Licensing Resource (SBC)

Cc: [REDACTED]

Subject: Re: Example NMP

Dear Tom,

Thank you for your email of today's date.

We can confirm that we have agreed with Environmental Health when a noise management plan will be required and we are working closely with Julie Oates the Senior Environmental Health Officer at Swale.

As a condition we are looking to incorporate within our operating schedule the following:

[REDACTED] a noise management plan, which has been agreed with the local authority (Environmental Health), is in place. The noise management plan shall be periodically reviewed and/or when significant changes occur in the operation, building or event type or following a complaint.

Please let us know if you require anything further from us.

Many thanks

Kind regards

Romana Bellinger

Sent from my iPhone

**The Hot Tin Noise Management Plan (non-music version)**

<b>Priority</b>	<b>What needs to happen</b>	<b>How this will happen</b>	<b>Who responsible</b>
To ensure residents are not disturbed by customers attending	Limited outside drinking and smoking in a designated area.  Ensure there is adequate signage on premises asking customers to respect the neighbours and leave quietly.	Limit the hours of use, to avoid later times. Manager to remind customers if their behaviour becomes unruly – ‘3 strikes’ rule for unruly customers. Use CCTV to monitor customer behaviour. After 9pm drinks will be refused to be taken outside. Signage will be displayed to advocate this.  Signage in place on egress of the building asking customers to leave quietly. Hand out lollipops on exit on event evenings to minimise speech. Door supervisors will encourage people to leave quietly. SIA Door Supervisors will be present at larger music events and adhere to our licensing objectives and Noise Management Plan.  Information concerning directions, public transport, local public car parks and taxi companies will be made available on The Hot Tin website and customers will be directed to use these.	Manager and/or Door supervisors/ or SIA Door Supervisor(s)
To ensure residents are not disturbed by general establishment activity	Ensure deliveries and refuse collection take place at acceptable times.  Bins emptied at reasonable times.	Specify to companies that deliveries should take place between the hours of 8am and 6pm, Monday-Saturday and not on public holidays where possible. Also school drop off and pick up times should be avoided as this causes congestion in the road 8.20-8.50am and 3.00-3.30pm.  Bins will not be emptied between 9pm and 8am.	Manager/staff

<p>To ensure The Hot Tin works in partnership with the community.</p>	<p>To ensure Neighbours know they can approach The Hot Tin if they have any queries or concerns.</p> <p>To take neighbour complaints seriously and take swift and appropriate action.</p> <p>Ensure relationship with whole community is strong and The Hot Tin is seen as an asset to the locality.</p>	<p>To liaise with neighbours to introduce themselves as new managers and ask them to let us know if they are concerned about anything.</p> <p>All staff need to know that they deal with any complaints from neighbours politely, quickly and efficiently, ensuring a member of the senior team has been notified and providing feedback to the neighbour on the action that has been taken as soon as possible.</p> <p>Support/host community events where possible. Forge good relationship with Parish Council and local organisations.</p> <p>Local neighbours will be made aware of future events published i.e. flyer distribution, mailing list.</p> <p>The owners/managers live at the premises and have similar concerns as their neighbours and will want to minimise any disturbance and encourage a good relationship and to enjoy The Hot Tin as an asset to the community.</p> <p>This Noise Management Plan will be reviewed annually in conjunction with Swale Borough Council Environmental Health.</p>	<p>Manager</p>
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[REDACTED]

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**From:** Diane HOLROYD PC 46010399 [REDACTED]  
**Sent:** 24 March 2018 18:31  
**To:** Licensing Resource (SBC)  
**Subject:** FW: Hot tin Cafe Application  
**Attachments:** Proposed conditions.docx

Hi

Please find attached agreed conditions to be added to the licence application. Also is it possible at this late stage to amend the supply of alcohol to both rather than on only?

If this is done then Kent police have no objection to the application

Thanks  
Diane

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**From:** Romana Bellinger [REDACTED]  
**Sent:** 23 March 2018 13:49  
**To:** Diane HOLROYD PC 46010399  
**Subject:** Re: Hot tin Cafe Application

Hi Diane,

Thank you for coming over to see us to discuss the conditions you put forward, it was really great meeting you.

We are happy with the amended conditions so can you please add them to our application. We also wish to confirm that after discussion we realise that we need both on and off for the supply of alcohol as long as you feel that it will not delay our application. We will take your advice with regards to this matter.

Thank you for all your help and we hope you have a fab holiday with your family.

Many thanks.

Romana Bellinger  
[REDACTED]

On 22 Mar 2018, at 10:52, Diane HOLROYD PC 46010399

[REDACTED] wrote:

Romana

Thank you for meeting with me on Tuesday.

Please find attached the amended conditions and confirm that you are happy with them and wished them to be added to your application.

Can you also confirm that you after discussion with myself realised that you need to be both on and off for the supply of alcohol , due to any craft fairs etc, where you may wish to sell alcohol to be taken away ie bottles of wine and the like.

Many thanks

Diane

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## Proposed conditions

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 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](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. The Designated Premise Supervisor will undertake a risk assessment in respect of the provision of door supervisors for any unusual events and where deemed appropriate a minimum of 2 door supervisors will be employed.
4. The License Holder will maintain auditable refusal/incident records. These records will detail the following;
  - a) Day, Date and Time of Refusal/Incident.
  - b) Nature of Refusal/Incident and reason.
  - c) Details of or description of the individual.

These records will be made available for inspection to any Police Officer, Police Licensing Officer, and Officer of the Local Authority immediately upon demand.

5. The Licence holder shall erect and maintain clear and prominent notices displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.



 = The Hot Tin Café

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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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