AGENDA

LICENSING SUB-COMMITTEE MEETING

Date: Thursday, 28 June 2018
Time: 10.00 am
Venue: Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Mike Dendor, Peter Marchington and Tony Winckless.

Quorum = 3

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

To consider an application for a new Premises Licence for Iwade Barn, All Saints Close, Iwade, Sittingbourne, Kent, ME9 8FP.

Issued on Friday, 15 June 2018

The reports included in Part I of this agenda can be made available in alternative formats. For further information about this service, or to arrange for special facilities to be provided at the meeting, please contact DEMOCRATIC SERVICES on 01795 417330. To find out more about the work of this Committee, please visit www.swale.gov.uk
Swale Borough Council

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

Date: Thursday 28th June 2018 at 10:00am

Report Author: Mohammad Bauluck – Licensing Officer

Subject: Iwade Barn – All Saints Close Iwade Sittingbourne Kent, ME9 8FP

Purpose and summary of report:

To consider an application, to which 9 representations have been made, for a new Premises Licence application under the Licensing Act 2003 – application reference number SIT/SWALE/189/0698

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.


Contacts: Mohammad Bauluck at licensing@swale.gov.uk Telephone: 01795 417 286

The Licensing Act 2003 requires the Council to publish a ‘Statement of Licensing Policy’ that sets out the policies the Council will generally 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: Iwade Barn of All Saints Close Iwade Sittingbourne Kent, ME9 8FP

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 Iwade at the Barn Trust in respect of the premises Iwade Barn (Appendix A and B) in respect of which nine (9) representations (Appendix C) have been received from members of the public.

Issues to be decided
Members are asked to determine whether to:
(i) grant the licence as per the application,
(ii) 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,
(iii) grant excluding any of the licensable activities applied for,
(iv) grant refusing to specify a premises supervisor, or
(v) reject the application.

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

i) the prevention of crime and disorder;

ii) the protection of public safety;

iii) the prevention of public nuisance: and

iv) the protection of children from harm

2. The Application
a. On 26th April 2018 an application was received online from Iwade at the Barn Trust for the grant of a premises licence under section 17 of the Licensing Act 2003 in respect of premises Iwade Barn at All Saints Close Iwade Sittingbourne Kent, ME9 8FP. The application is for provision of plays, films, Indoor sporting events, live music, recorded music, performance of dance and supply of Alcohol.

The proposed hours of operation are:

Plays (both indoors and outdoors), Films (both indoors and outdoors), Indoor Sporting Events, live music (both indoors and outdoors), recorded music (both indoors and outdoors), performance of dance (both indoors and outdoors), supply of alcohol (both indoors and outdoors).

Monday – Sunday 10:00 – 23:00
Public holiday 10:00 – 01:00am

Opening Hours

Monday – Sunday 08:00 – 00:00
Public holidays 10:00 – 02:00am
b. Live and recorded music is deregulated for a Licensed Premises during the hours of 08:00 – 23:00. Therefore although advertised on the Public Notice, the timings fall within these deregulations as per the Deregulation Act 2015 and Live Music Act 2012. Based on the application form, the only times which are not deregulated is on public holidays where the premises intend to trade until 02:00am Therefore it becomes licensable.

c. A copy of the application, which includes the operating schedule that details the steps the applicant intends to take to address the licensing objectives, is shown as Appendix A.

d. A location plan of the premises is shown at Appendix B.

e. The application has been correctly advertised in the local press and a notice has been displayed for the whole of the consultation period.

f. The applicant has applied to not have a Designated Premises Supervisor in place on the licensed premises.

Representations

Responsible authorities:

- Kent and Medway Fire & Rescue Service – No representations
- Kent County Council Trading Standards – No representations
- Kent County Council Social services Children & Families – No representations
- Home Office Immigration – No representations
- Planning Department – Swale Borough Council – No representations
- Environmental Health – Swale Borough Council – No representations
- Kent County Council Public Health – No representations.
- Kent Police – No representations

g. There have been nine (9) valid representation received from members of the public. Their comments are shown as Appendix C.

<table>
<thead>
<tr>
<th>Responsible Authority / Other person</th>
<th>Licensing Objective</th>
<th>Associated Documents</th>
<th>Appendix</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members of the public</td>
<td>Prevention of Crime and Disorder Public Nuisance Public Safety</td>
<td>2 emails 7 letters through the post</td>
<td>C</td>
</tr>
</tbody>
</table>
h. The applicant has sent in a mediation letter. The Licensing officer has sent a letter with the comments from the applicant to all those who made a representation – a copy of the letter is attached at Appendix D

- The applicant is willing to not have the extended hours until 01:00am on public holidays as proposed on the application form. The extension until 01:00am will only be requested for New Year’s Eve.

3. Policy Considerations

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

Chapter 2 – The licensing objectives
Chapter 8 – Applications for premises licences
Chapter 9 – Determining applications
Chapter 10 – Conditions attached to Premises Licences

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

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

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

4. Determining the application – Options of the Panel

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

1. Grant the licence as per the application.
2. 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.
3. Exclude from the licence any of the licensable activities applied for.
4. Refuse to specify a person in the licence as premises supervisor.
5. 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”.

5. 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.

6. Human Rights

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

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

7. Recommendations

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

8. List of Appendices

Appendix A – Application form
Appendix B – Plan of premises
Appendix C – Representations (Other Persons)
Appendix D – Letter sent to all those who made a representation.
Appendix E – Order of proceedings

9. 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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**Swale**

**Application for a premises licence**

**Licensing Act 2003**

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### 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.

<table>
<thead>
<tr>
<th>System reference</th>
<th>Not Currently In Use * required information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Your reference</td>
<td>Iwade Barn * required information</td>
</tr>
</tbody>
</table>

Are you an agent acting on behalf of the applicant?

- [ ] Yes
- [x] No

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### Applicant Details

<table>
<thead>
<tr>
<th>* First name</th>
<th>Iwade at The Barn</th>
</tr>
</thead>
<tbody>
<tr>
<td>* Family name</td>
<td>Trust</td>
</tr>
<tr>
<td>* E-mail</td>
<td><a href="mailto:iwadebarn@outlook.com">iwadebarn@outlook.com</a></td>
</tr>
</tbody>
</table>

**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
- [x] Applying as an individual

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### Applicant Business

- [ ] Is your business registered in the UK with Companies House?

- [ ] Is your business registered outside the UK?

**Business name**

If your business is registered, use its registered name.

**VAT number**

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

**Legal status**

Charity or Association
Your position in the business: Chairman

The country where the headquarters of your business is located: United Kingdom

**Business Address**

<table>
<thead>
<tr>
<th>Building number or name</th>
<th>Iwade Barn</th>
</tr>
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<tbody>
<tr>
<td>Street</td>
<td>All Saints Close</td>
</tr>
<tr>
<td>District</td>
<td>Iwade</td>
</tr>
<tr>
<td>City or town</td>
<td>Sittingbourne</td>
</tr>
<tr>
<td>County or administrative area</td>
<td>Kent</td>
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<tr>
<td>Postcode</td>
<td>ME9 8FP</td>
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<tr>
<td>Country</td>
<td>United Kingdom</td>
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**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**

<table>
<thead>
<tr>
<th>Building number or name</th>
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<tr>
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<td>United Kingdom</td>
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</table>

**Further Details**

- Telephone number: [redacted]
- Non-domestic rateable value of premises (£): 1,450
**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
- [x] 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

**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**

Iwade at The Barn Trust

**Details**

Registered number (where applicable) 1163386

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

Community Incorporated Organisation - Iwade @the Barn is a Grade II listed former agricultural barn which has been converted into a community space available for hire, and as a premises for community events. This cosy space has a main hall of 7m x 4m which is available for community organisations to use as a meeting place and private hires for events such as small parties, gatherings, wakes or an exhibition space. A small kitchen complements the space and a WC with disabled access brings all the facilities that are needed to complete this community hub.
**Address**

Building number or name: Iwade Barn  
Street: All Saints Close  
District: Iwade  
City or town: Sittingbourne  
County or administrative area: Kent  
Postcode: ME9 8FP  
Country: United Kingdom

**Contact Details**

E-mail: iwadebarn@outlook.com  
Telephone number:  
Other telephone number:  

**Date of birth**

15 / 02 / yyyy

**Nationality**

British

**Add another applicant**

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**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start? 11 / 06 / 2018

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

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.

Iwade @ the Barn is a Grade II listed former agricultural barn which has been converted into a community space. There is a main hall of 7m x 4m which is available for community organisations to use as a meeting place and private hires for events such as small parties, gatherings, wakes or an exhibition space. A small kitchen complements the space along with a WC with disabled access.

Outside there is a small garden area to the North, East and West sides which is separated from the public highway with fencing and planting. A car park area to the South forms part of the site where we plan to hold events such as fetes and classic car shows for example.
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: 10:00
  - End: 23:00

- **TUESDAY**
  - Start: 10:00
  - End: 23:00

- **WEDNESDAY**
  - Start: 10:00
  - End: 23:00

- **THURSDAY**
  - Start: 10:00
  - End: 23:00

- **FRIDAY**
  - Start: 10:00
  - End: 23:00

- **SATURDAY**
  - Start: 10:00
  - End: 23:00

- **SUNDAY**
  - Start: 10:00
  - End: 23:00

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.

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.
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.

Community plays / art and cultural activities, with music or PA system, either amplified or not.

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.
Public holidays until 01:00.

Section 7 of 21
PROVISION OF FILMS
See guidance on regulated entertainment
Will you be providing films?
☐ Yes ☐ No

Standard Days And Timings

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<thead>
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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.
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Will the exhibition of films take place indoors or outdoors or both?
- [ ] Indoors
- [ ] Outdoors
- [x] 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.

- Cinema screenings for children and/or adults either inside on a TV or externally by projection, with amplified music.

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.

- Public holidays until 01:00.

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Section 8 of 21
PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment
Will you be providing indoor sporting events?

- [ ] Yes
- [ ] No

### Standard Days And Timings

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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.

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.

Sporting events shown on TV or other media. Fundraising events such as race nights.

State any seasonal variations for indoor sporting events

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 indoor sporting events 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.

Public holidays until 01:00.

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 10:00  End 23:00
Start  End

TUESDAY

Start 10:00  End 23:00
Start  End

WEDNESDAY

Start 10:00  End 23:00
Start  End

THURSDAY

Start 10:00  End 23:00
Start  End

FRIDAY

Start 10:00  End 23:00
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.
Continued from previous page...

SATURDAY
Start 10:00  End 23:00
Start              End

SUNDAY
Start 10:00  End 23:00
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 as part of plays, public events or private hires.

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.

Public holidays until 01:00.

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 10:00  End 23:00
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.
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<tr>
<th>Day</th>
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Will the playing of recorded music take place indoors or outdoors or both?
- [ ] Indoors
- [ ] Outdoors
- [x] 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.

<table>
<thead>
<tr>
<th>Playing music via streaming of or other media</th>
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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.

Public holidays until 01:00

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 10:00  End 23:00
Start  ☐  End  ☐

TUESDAY
Start 10:00  End 23:00
Start  ☐  End  ☐

WEDNESDAY
Start 10:00  End 23:00
Start  ☐  End  ☐

THURSDAY
Start 10:00  End 23:00
Start  ☐  End  ☐

FRIDAY
Start 10:00  End 23:00
Start  ☐  End  ☐

SATURDAY
Start 10:00  End 23:00
Start  ☐  End  ☐

SUNDAY
Start 10:00  End 23:00
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.

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

☐ Inddoors  ☐ 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 classes held within the building and arts/cultural events performed either internally or externally.

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.

Public holidays until 01:00

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### 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

### Section 14 of 21

**LATE NIGHT REFRESHMENT**

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**

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<th>MONDAY</th>
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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.
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**TUESDAY**

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**SUNDAY**

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Will the sale of alcohol be for consumption:

- [ ] On the premises
- [x] Off the premises
- [ ] Both

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

State any seasonal variations

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

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

Public holidays until 01:00

Page 20
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
- 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.
## HOURS PREMISES ARE OPEN TO THE PUBLIC

### Standard Days And Timings

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**SUNDAY**

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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.

State any seasonal variations

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

Non standard timings. Where 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.

Public holidays until 02:00.

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 trustees and appointed persons 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 retail area
  d/ no violent and anti-social behaviour
  e/ no any harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.
- Trustees are obligated to be in day-to-day control of the premises, to provide good training for themselves and other appointed persons on the Licensing Act (Training Record), to make or authorize each sale
- Clear "Challenge 25" 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 carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

CCTV System installed to remotely monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

Alarm system is installed and remotely monitored.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use within the premises and its boundaries.

Trustees and appointed persons will be well trained in asking customers to use premises in an orderly and respectful manner.

c) Public safety

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

Trustees and appointed persons will adhere to environmental health requirements.

Training 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 coming 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.
d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.
- Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
- Customers will be asked not to stand around loudly talking in the street outside the premises.
- Customers will not be admitted to premises outside of opening hours.
- The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.
- Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.
- Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.
- Trustees and appointed persons to have a good understanding about the requirement for persons' identification, age establishment etc.
- All the details provided in Training Record Book available on the premises.
- Log Book will be kept upon the premises all the time.
- All trustees and appointed persons will be provided with the trust's adopted safeguarding policy.
- The barn trust operates a total no smoking policy within the barn or its boundaries.
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 an EEA country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of an EEA country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European EEA 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, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder’s parents or adoptive parents, when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
• A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.

• A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.

• A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.

• A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

• Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

• Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  • evidence of the applicant's own identity – such as a passport,
  • evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  • evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    (i) working e.g. employment contract, wage slips, letter from the employer,
    (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    (iv) self-sufficient e.g. bank statements.

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

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-
(i) any page containing the holder’s personal details including nationality;
(ii) any page containing the holder’s photograph;
(iii) any page containing the holder’s signature;
(iv) any page containing the date of expiry; and
(v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.
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 proprietor or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
- any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
- any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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

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<tr>
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<td>Band B</td>
<td>£4301 to £33000</td>
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<td>Band C</td>
<td>£33001 to £8700</td>
<td>£315.00</td>
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<td>Band D</td>
<td>£87001 to £12500</td>
<td>£450.00*</td>
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<tr>
<td>Band E</td>
<td>£125001 and over</td>
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*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

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<th>Band D</th>
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<td>Band D</td>
<td>£87001 to £12500</td>
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<tr>
<td>Band E</td>
<td>£125001 and over</td>
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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

<table>
<thead>
<tr>
<th>Capacity</th>
<th>Fee</th>
</tr>
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<tbody>
<tr>
<td>5000-9999</td>
<td>£1,000.00</td>
</tr>
<tr>
<td>10000-14999</td>
<td>£2,000.00</td>
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<td>15000-19999</td>
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<tr>
<td>80000-89999</td>
<td>£56,000.00</td>
</tr>
<tr>
<td>90000 and over</td>
<td>£64,000.00</td>
</tr>
</tbody>
</table>

* Fee amount (£) 100.00

**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: James Hunt
* Capacity: Chairman
* Date: 25 / 04 / 2018

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](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**
<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant reference number</td>
<td>Iwade Barn</td>
</tr>
<tr>
<td>Fee paid</td>
<td></td>
</tr>
<tr>
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<td>Error message</td>
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<td>Is Digitally signed</td>
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The Licensing Department
Swale Borough Council
Swale House
East Street
Sittingbourne
Kent ME10 3HT

Dear Sir/Madam

Re: Iwade at the Barn Trust – 20 All Saints Close

I am writing in regard to the notice I have seen displayed outside of the Barn in All Saints Close referring to an application for licensable activities. I understand that this will include the sale of alcohol and the playing of both live and recorded music.

I would like my disapproval lodged in the most strongest of terms. As you can see I am a resident of All Saints Close and have lived here now for over 7 years. I bought my house purely because of the location, ie quiet, countryside location overlooking the church yard. This development had to work within very strict planning permissions in order for the developer to be able to build, ie keeping in touch with the locale. We have tiled roofs to match the church, wooden windows and hot air heat pumps in the gardens.

As I always understood it the barn was for local residents to use, once it had been restored and handed over to the Parish Council for such activities as the local scouts, meetings for residents and other such low key events. To find out now that a licence is proposed with music is just preposterous.

The barn overlooks the graveyard so I find this idea very disrespectful and the noise effect this will have on the residents will be awful. The application says music could be played until 1 am on bank holidays and weekends and this I find intolerable. Both my husband and I work weekends and bank holidays so to have our sleep disrupted on a regular basis is unacceptable.

Iwade as a village has more than enough venues to hold such events. There is the Village Hall, the new Pavilion plus of course The Woolpack pub and just outside the village there is the Dancing Dog pub which also holds events. Why is this proposal for the barn necessary?

We also already have a parking issue in All Saints Close with people using the barn parking in our quiet road which again is unacceptable. We will have cars coming and going at all hours of the day and night and again this is not what we signed up for when we purchased our houses. We find ourselves very lucky to be living in such a nice part of the village and feel very strongly that this license, if it is agreed will have a detrimental impact on our lives.

Please consider this application very seriously and take all residents opinions and feelings into consideration. We rely on our Council to represent us.
The Licensing Department
Swale Borough Council
Swale House
East Street
Sittingbourne
Kent ME10 3HT

Dear Sir/Madam

Re: Iwade at the Barn Trust – 20 All Saints Close

I am writing in regard to the notice I have seen displayed outside of the Barn in All Saints Close referring to an application for licensable activities. I understand that this will include the sale of alcohol and the playing of both live and recorded music.

I would like to lodge my concerns and make it quite clear that I am against this proposed license for both drink and live music. The notice says that live music could be played from Monday to Sunday from 8 am to mid-night and on bank holidays from 8 am to 1 am. The barn is a very small dwelling and so would have to have windows and doors open which will make the noise very loud for the residents. We live in very close proximity to the barn in a quiet close so having this level of noise for up to 14 hours a day is totally unacceptable. The barn has no sound proofing either so this will only make matters worse. Please note that these opening hours are longer than our local pub!!

I have no objection to the barn being used as it is being used currently ie meetings, coffee mornings, use of internet etc but I do not believe that we need another drinking/entertainment venue in the village as we already have a number.

If I did this in my back garden on a regular basis I am sure someone would be complaining. All Saints Close only houses 19 properties and overlooks the church yard and is a very pretty area to live in. Please don’t allow this to be spoiled.
The licensing department
Swale house
All Saints Close
Iwade
Sittingbourne.

East Street
Sittingbourne
Kent ME10 3HT

Dear sir / madam

I am writing with regard to the notice displayed outside of the barn in all Saints close referring to an application for licensed activities.

This application in our opinion would cause a great deal of noise and disruption to a quiet residence.

Surely this building is only suitable for the likes of girl guides Brownies scouts whist drives table top sales and WI meetings or council meetings.

Although there is a carpark attached to the building residents do experience people using the the barn parking in The Close causing people who live here distress. The building itself is in close proximity to the Woolpack public house who also have events that can be noisy and comes with parking concerns.

The barn also backs onto a churchyard surely this is not acceptable.

The barn is not able to contain the noise that events of loud music and alcohol can produce. To my knowledge there is a lack of toilet facilities to the barn.

We do not feel that this is appropriate for this building or village.

Please consider this application very seriously and take into account how you would feel if you were living here.

You are our representatives and we vote for you to do a good job.
Swale Borough Council

Mr/Mrs P. Harrison
All Saints Close Wade
ME9

I am writing to object to the proposed licensing of the Wade barn.
To All Saints Close Wade ME9 8EP.
The licensing of this building would allow drinking of alcohol on the premises.
Up to 1am some days, and as a resident, I wish to protest. This would cause the following issues:
- Anti-social behaviour.
- Car parking issues.
- Loud noise/music.
- Drinking alcohol outside the building.
- Litter and rubbish in and around the area, being disregarded.

Page 36
From: Helen Usher [mailto:********@hotmail.co.uk]
Sent: 21 May 2018 21:47
To: Planning Comments 
Cc: Neil Edwards 
Subject: Licensing applications department Swale Borough Council 

To whom it may concern,

My partner and I are opposing the plans to expand The Barn Iwade establishment to include the sale of alcohol and late closing.

The Woolpack pub is a stones throw away and even this public house does not stay open until 1am.

We moved to our property at All Saints Close nearly three years ago and our most loved feature is the quietness of this Close, our location is secluded away from the typical Iwade properties whereby lots of houses are built on top of each other. Our private Close is perfect for families who enjoy peace and quiet.

Since The Barn opened we have had damage to a large post where someone blatantly reversed into it before turning around and parking at The Barn (caught on CCTV) - this post has since been replaced and doesn’t even match! This is a brief example of disrespect to our Close since the opening of The Barn. We pay a courtyard fee of maintenance for our Close and definitely do not want members of the public using it for somewhere to park. On our deeds we all have allotted spaces to park and to my knowledge there are only 3 visitor spaces on this Close. The Barn car park is not massive and people are likely to spill out onto our Close. I (Helen) will not be best pleased returning from work at 21:30 hours to have nowhere to park.

We do not want our children being woken by members of the public clearing out of this establishment at midnight or even 01:00. Our daughter is 1.5 yrs and her bedroom overlooks the Close - she can easily be awoken by nighttime noise such as cars starting and/or pub chat taken into the Close. Drunken behaviour will not be acceptable.

We are both very against the pending licence, please hear our cause.

Kind regards

Helen Usher and Neil Edwards 

[All Saints Close] 
Iwade 

MFR [ ]
The Licensing Department
Swale Borough Council
Swale House
East Street
Sittingbourne
ME10 3HT

Dear Sirs

Re Iwade at the Barn Trust-20 All Saints Close

I am writing in regard to the application for Live and Recorded Music and the sale of alcohol.

This application for music and the sale of alcohol from Monday to Sunday from 8am to 1am and Bank Holidays from 8am to 1am. This building is totally unsuitable for this activity and is basically a large shed, has no soundproofing, being the size it is all the doors and windows would be open and cause noise pollution to the residents of this small close.

The trustees of the Barn seem to have forgotten that if it was not for the people that bought houses in this close they would not have the Barn.

There are no reasons for this application to be approved as there are venues in the village, The Village Hall and the Sports pavilion.

The Barn is suitable for the activities which it is used for at present.

I make it clear that I object to this application and will do everything along with the other residents to have this refused.

I did not buy a property in a quiet close to have my life ruined by music and drinking activities.

Yours Faithfully

John Macoy
Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

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

<table>
<thead>
<tr>
<th>Your name</th>
<th>Marie Carr &amp; Aaron Carr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation name OR</td>
<td>Iwade Barn</td>
</tr>
<tr>
<td>Name of body you represent</td>
<td>Iwade Barn</td>
</tr>
<tr>
<td>Postal Address</td>
<td>Iwade Barn</td>
</tr>
<tr>
<td></td>
<td>All Saints Close</td>
</tr>
<tr>
<td></td>
<td>Iwade</td>
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<td></td>
<td>Sittingbourne</td>
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<td>Kent</td>
</tr>
<tr>
<td></td>
<td>ME9 8FP</td>
</tr>
</tbody>
</table>

Email address

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

<table>
<thead>
<tr>
<th>Licensing Objective</th>
<th>Yes/No</th>
<th>Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prevention of crime &amp; disorder</td>
<td>Yes</td>
<td>The car park for the Iwade Barn shares a roughly 4-foot brick wall with our home and our front door opens directly onto this area. Our concern here is that, as it is illegal to smoke inside, this area will likely become a natural smoking area and there will undoubtedly be small crowds, sometimes drunk, loitering right outside our front door. <em>Please see next page</em> ...</td>
</tr>
<tr>
<td>Public Safety</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Prevention of public nuisance</td>
<td>Yes</td>
<td>The reason for our representation is the proximity of the Iwade Barn to our home and the implications of live/amplified music taking place on a regular basis, as well as the inevitable noise of people congregating in the car park area. <em>Please see next page</em> ...</td>
</tr>
<tr>
<td>Protection of children from harm</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

**Signed:** [Redacted]  
**Dated:** 23/05/18
Prevention of crime & disorder:

Continued...

The application states "CCTV System installed to remotely monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective". This covers the Iwade Barn itself, as is to be expected, but does not state whether the CCTV coverage extends far enough to cover the entire car park, especially the section of low wall adjoining our home. Our property could therefore be being placed at an increased risk, potentially without any consideration for the outcome. We would ask that the CCTV cover as close to the wall as possible and small signs indicating surveillance is taking place be positioned in all corners of the car park to deter people as much as possible from any criminal activity.

Prevention of public nuisance:

Continued...

The car park for the Iwade Barn shares a roughly 4-foot brick wall with our home and our front door opens directly onto this area. Our concern here is that, as it is illegal to smoke inside, this area will likely become a natural smoking area and there will undoubtedly be small crowds, sometimes drunk, smoking, drinking and talking loudly until gone midnight everyday of the week: right outside our front door.

The license application states "customers will be asked not to stand around loudly talking in the street outside the premises". However, there is no mention of how this would be checked or enforced, and it is not only the "street outside the premises" that is of concern, but – most crucially for us – the car park of the premises itself, upon which no control or prevention measure has been placed or mentioned. As the wall is not particularly high, the potential for people loitering and sitting on it while drinking and smoking is unfortunately very likely. Not only would this be a disturbance to our home in terms of noise, but there is also the predictable leaving of drinks containers and cigarette butts on or over said wall to consider. We would ask that an area far away from our low property wall – preferably the front "lawn" area of the barn (detached from all residential properties as it is) – be set up as a designated smoking area to avoid this as much as is possible, and that some of the "adequate waste receptacles" mentioned in the application are placed at this location.

The application states, "noise reduction measures to address the public nuisance objective". However, no mention is made of what these would be. It has been left entirely ambiguous, which does not suggest a clear plan is in place to reassure residents that their
quality of life will not be inhibited by the application. As nothing has been specified, we would ask that a few small compromises on the application be considered.

Firstly, with regards to the provision of plays, the provision of films, the provision of live music, the provision of recorded music and the provision of performances of dance, the locations have been set as both indoor and outdoor. During the week, the end time is set as 23:00 everyday, which is reasonable enough. However, on public holidays, it is specified that the end time would be set as 01:00am. This is very late to have amplified music, crowds etc. gathered outdoors right outside our home, especially considering that despite it taking place on a public holiday, it is actually the end of the day - crossing into the next - and we would still have to get up and go to work early the following morning. We would ask that these activities please be restricted so that, after 23:00, all of the above must take place indoors, not outside.

Secondly, the opening times are a slight concern. On the public notice meant to alert residents to this new premises license application, the closing time on public holidays stated is 01:00am, but on the application it states 02:00am. The 01:00 closing time is already late enough to potentially cause noise and disturbance to residents' sleep and evening routines, but 02:00 seems extreme. As it takes people some time to leave events, especially if they've been drinking, there is bound to be at least half an hour of talking and cars starting up and gravel being chucked about as people drive off. Clearly, this all taking place as late as 02:30am is inordinately more detrimental to residents than 01:30. We would ask that the closing time of 01:00 on public holidays, as stated on the public notice, be adhered to, rather than the 02:00 closing time – stated in the application – of which the public notice rather dubiously makes no mention.

Thirdly, as nothing specific has been detailed in the application in terms of the prevention of noise leakage from the premises we would ask that a small measure be considered to reduce the potential for disturbance to our lives. When music etc. is being played inside the Barn, for example an event such as a wedding anniversary or birthday, we would ask that the windows and doors to the Barn be kept closed. This would dramatically reduce the noise and vibrations travelling to our home. There have been a few events of this sort held at the Barn so far and the noise and bass vibration has often been clearly heard/felt within our living room – enough that we easily recognised which songs were being sung on karaoke. While these occasions have thankfully fallen mostly on weekends it would put our minds at rest to know that a small measure such as keeping the doors and windows closed is in place to avoid disturbance to us as these events become more frequent.
The application for a new premises license only came to our attention because we received a note through our front door with a picture of the public notice and the text "This must be addressed please send in your concerns this should not go ahead". This clearly shows the concern at least one other resident has about the potential impact the license change/application could have. Had another resident not made us aware of the application we would have had absolutely no idea that anything was being planned or any chance to ask for these few small considerations.

As members of this small community, we are all for the Iwade Barn being utilised to its potential as an exciting local hub, but we will absolutely not stand for an establishment that detrimentally affects not just our home lives but the peace and tranquility of our friends and neighbours, and the nature of this beautiful old centre of Iwade – surrounding the historic church – which we proudly call home.
The Licensing Department
Swale Borough Council
Swale House
East Street
Sittingbourne

23rd May 2018

To Whom It May Concern

I would like to share my concerns and objections in regards to the change of licensing hours to the venue at the Barn Iwade ME9 8FP.

Initially when the development was built it was agreed for the Barn to be rebuilt and developed for the use of the Church for storage in time this was then changed to offer the additional usage for day time events and clubs during the day. This has now gone a stage further for the use for private hire and looking to include the sale of alcohol and extending the opening hours to midnight and 1am and from 8am during normal weeks. I don’t think it is acceptable to have this venue operating 7 days a week. My house is within ft. of this venue I have previously had to speak to the users of this facility due to the excessive noise being generated from their parties or events. When the doors and windows are opened on the side of the barn facing All Saints Close and opposite my house the noise travels and it becomes very disturbing and disruptive. Due to the noise concern I had planned to ask the Environmental Health Authorities to monitor is use as this isn’t acceptable to the local neighbourhood. I also have concerns around the sale of alcohol in this facility as I believe this will only fuel the potential problems in the village with the youngster using this as a place to gather and lead to anti-social behaviour issues.
We have the pub in the local village that can be used for social events and gatherings and at the other end we have the Village Hall that can be utilised for any events I believe there are already restrictions in place around the opening of windows due to concerns around the noise. I don't think that the barn is best placed for these types of events as we have also had previous problems with parking when the visitor's park up and down the main street not using the parking premises provided. Also I believe having the provision to have live music events will also heighten the potential problem of the noise impact locally. When the pub has late night events these also disturb the peace and quiet and this is some distance from our street.

Yours sincerely

Mr M Walsom
Dear Sirs/Madam,

RE Licensing Application for The Barn, 20 All Saints Close, Iwade.

I would like to object regarding the Barn being given a Licence for Live music. This is a very small location on the corner of a very quiet cul-de-sac. We have no problems in our road with any loud residents and I feel if these premises are to be given a licence this would all change. I believe that this would cause an increase in anti-social behaviour in our village and even in our road. This could also lead to more damage being caused in our road. We pay a private company a fee to look after our road and we have already had one of the pillars in our road knocked over by a driver that was visiting the barn. I feel that being given a licence this could also lead to drunken people coming in our road and cause further damage. We already have a village hall in Iwade which is plenty big enough for parties and already have a licence to serve alcohol etc. I cannot see in such a small village why we need to have another premises that is so similar.

I also believe that there will be a problem with parking, even thou the Barn have a car park linked to it, it is on a number of occasions that people don’t use this car park and already park in our road causing a problem for the residents to park in the evenings. If the Barn was to be given a Licence this would increase the parking problem we have already had since the Barn open.

When we were advised that the Barn was opening, at no point were we ever advised that they would be applying for a licence. I would also like to point out at no point were we advised as residents of this road that they had even applied for a Licence we only found out about this from a neighbour. So I feel this application has not been put out to the residents of the road it will directly affect for them to be given a chance to object at all.

Yours sincerely

Catherine Redman & Daniel Mears
Dear Sir,

Re: The Licensing Act 2003 – Representation for a New Premises Licence application – Iwade Barn of 20 All Saints Close Iwade Sittingbourne Kent ME9 8FP

Thank you for your representation in respect of the New application for a Premises licence for Iwade Barn of 20 All Saints Close Iwade Sittingbourne Kent ME9 8FP

One of the trustees has sent a letter to the Licensing department following the representations that have been made. Please see comments below:

‘The trust would like to clarify some points mentioned in the representations in the hope that it gives a more detailed understanding of the proposals. It would be helpful, if possible, for the points to be passed to the residents of All Saints Close in the hope that they will be satisfied with the proposals and consider the objections are removed. The trust would have happily discussed the concerns raised had anyone come directly to us, however this is the first time these matters have been brought to our attention.

Noise and timings - The trust fully understand the concern around noise, however for the majority of the time any live or recorded music will be no later than 23:00 hours. The trust has chosen this time as it is the time given as the unregulated hours. If we were not to apply for the licence then live and recorded music could still be played at this time, and this is the reason we have kept within the times applied for. Whilst we wouldn’t need a licence during these times we felt it right that whilst applying for a premises licence we gave these times so it is clear of what is expected from not just us but also users of the barn.

In one representation it mentions noise for up to 14 hours a day. This would not be the case as the barn is remaining as a community hall for the village, as it has always been intended. The time periods have been chosen as there could be music at any time during these hours depending on the event held, and not continuous. We have already had a number of events such as live music at an arts event in the car park, live music at a private party as well as with karaoke and a sans lumière. We also have a sound system where recorded music is played at various times. To our knowledge no complaints have been received during any of these events.

We have asked for some extended hours during regulated times but these would be very limited. We have asked for public holidays, however due to the concerns of noise late at night we would be willing to alter these timings to only be permitted on New Year’s Eve. This is the only event where it would be likely that a late event would take place although we stated all public holidays to cover ourselves. We hope that this would be acceptable.
Regarding the closing time of midnight this has been chosen to allow time for the trust or others hiring to clear up after an event finishing at 23:00 and vacate the premises.

Alcohol - The trust are applying for an alcohol licence due to feedback from residents and hall users, where there have been suggestions about locally produced goods such as jams and wine being sold using local produce such as plums from the orchard and we would require the licence to enable us to sell them. As stated in the application the sale would only be by trustees or appointed persons with training and it is not to be a regular occurrence. Anyone serving alcoholic beverages or goods would be doing so on a voluntary basis and it would not be a case of being an establishment such as the Woolpack public house. By applying for an annual licence it removes the need for applying for TEN’s throughout the year whilst also given the opportunity for conditions to be added to enable a clear understanding as to what is expected from trustees and hall users so that it can be managed appropriately.

The sale and consumption of alcoholic beverages would only be at certain events rather than a regular occurrence. There are events such as the annual “Old Iwade” reunion where the sale of alcohol is likely.

One representation mentions damage to a post in All Saints Close. Again whilst this is outside of the control of the trust we would like to clarify that this was not done by a user of the barn. The CCTV system at the barn recorded the incident whilst it occurred and the information was provided to residents so it could be passed on to the management company. In this incident the footage showed that the driver who knocked over the bollard was a member of the public parking in All Saints Close and going off for a walk.

The barn as a venue was initiated after a consultation by the parish council where residents submitted their suggestion as to what was needed in the village. Within the top 10 suggestions was an additional venue for residents to use and the barn given as a possibility. The village hall is regularly booked so an additional space was needed. As well as the regular bookings smaller groups either found the village hall too big or were unable to afford the hire charges. With the barn being the size it is ideal for small groups and events. This will still continue to be the case under the licence application and as mentioned there are no proposals to alter this to a late night drinking establishment as has been alluded to. Hopefully the council can see this by the full details given accompanying this application.”

The comments above are for your consideration since you have made a valid representation against the new Premises licence application.

If this alleviates your concern and you now feel that your issues have been addressed, the licensing team would be very grateful if you could inform us in writing if you would like to withdraw your representation in light of the comments and proposals that have been made.

There are a few ways for you to confirm if you would like your representation to be withdrawn:

1. Send us a letter by post – Swale Borough Council, Swale House, East Street Sittingbourne. Kent ME10 3HT.
2. You can email us at licensing@swale.gov.uk
3. Dropping a letter in person at the reception of Swale House.

The deadline for sending the confirmation in writing is Thursday 14th June 2018
Parking

I would like to mention that the 4 licensing objectives under the Licensing Act 2003 are:

1. Prevention of crime and disorder.
3. Promotion of public safety.
4. Protection of children from harm

Parking is not an issue that can be taken into consideration under the Licensing Act 2003. However if there is an issue with parking, we can always refer the matter to the Parking department.

Live Music Act 2012

The Live Music Act 2012 introduced the deregulation of live and recorded music for licensed premises. This means licensed premises are entitled to have recorded or live music without the need for a licence between the hours of 8am until 23:00. The applicant did not have to list the regulated entertainment (live music, recorded music) on the application form.

If you have any questions about the above please contact the Licensing team on 01795 417 286

Kind regards

Mohammad Bauluck
Licensing Officer
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/members 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.