

## AGENDA

### LICENSING SUB-COMMITTEE MEETING

Date: Tuesday, 6 August 2019

Time: 2.00pm

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

Membership:

Councillors Derek Carnell, Carole Jackson and Tony Winckless.

Quorum = 3

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Pages

1. Emergency 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. Application for the variation of premises Licence

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To consider a variation of premises licence for Queenborough Service Station, 265/269 Queenborough Road, Minster, ME12 3EW.

### Issued on Monday, 29 July 2019

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](http://www.swale.gov.uk)

## Swale Borough Council

**Report to:** Licensing Sub – Committee (Under the Licensing Act 2003)  
**Date:** 6<sup>th</sup> August 2019 at 14:00  
**Report Author:** Christina Hills – Licensing Officer  
**Subject:** Queenborough Service Station 265/269 Queenborough Road, Minster,  
Kent ME12 3EW

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

To consider an application, to which representations have been made, for a variation of an existing Premises Licence application under the Licensing Act 2003 – application reference number SHE/SWALE/189/0553

### **Recommendations:**

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

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

Contacts: Christina Hills, Licensing Officer  
Email: [chrishills@swale.gov.uk](mailto:chrishills@swale.gov.uk)  
Telephone: 01795 417737

The Licensing Act 2003 Act 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 a 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:**

Application for: A variation to an existing Premises Licence granted under the Licensing Act 2003

## **Purpose of the report:**

The report advises Members of an application for a variation of a Premises Licence to be granted under the Licensing Act 2003, made by George Hammond plc, in respect of premises at Queenborough Service Station, 265/269 Queenborough Road, Minster, Kent ME12 3EW (Appendix A) in respect of which one (1) representation has been received from a ward councillor representing his constituents (Appendix C).

### **1. Issues to be decided**

Members are asked to determine whether to:

- (i) Modify the conditions of the licence
- (ii) Reject the whole or part of the licence

### **2. Background**

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

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

### **3. The Application**

3.1 On 19 June 2019 an application was made which was fully complete, from George Hammond plc for the variation of an existing Premises Licence under section 34 of the Licensing Act 2003 in respect of premises at Queenborough. The application is for the following:

- Extension of hours for sale of alcohol to 24 hours daily. The existing hours on the licence are Monday – Sunday 06:00 until 23:00.
- To make alterations to the premises
- To include a condition “If there is only one member of staff on duty between 00:00 and 05:00, the entrance door to the shop will be closed to customers and any sales between these hours will be made through the night pay window”

3.2 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 at **Appendix A**.

3.3 The application has been correctly advertised in the local press on 26<sup>th</sup> June 2019. The consultation period ended on 17<sup>th</sup> July 2019. The required public notice was correctly displayed during the whole of the consultation period.

### 3.4 Representations

3.4.1 Representations from responsible authorities:

- Kent and Medway Fire & Rescue Service – No representations
- Kent County Council Trading Standards – No representations
- Kent County Council Services Children and Families – No representations
- Kent County Council Public Health – No representations
- Environmental Health – Swale Borough Council – No representations
- Kent Police – Have made no representations however they requested a variation to the operating schedule as follows:
  - a) The sale and supply of alcohol between 00:00 and 05:00 daily shall be restricted to service by staff through the serving hatch at the front of the premises.
  - b) No persons other than management, their staff, site service providers and members of emergency services shall be allowed access to the premises other than the forecourt between 00:00 and 05:00 daily.

The applicant responded to Kent Police and proposed the following:

“Between the hours of 24:00 and 05:00 there will be a minimum of two members of staff on duty. In the alternative, if there is only one member of staff on duty between 24:00 and 05:00 the entrance door to the shop will be closed to customers and any sales between these hours will be made through the night pay window”.

The police have agreed to this amended condition as shown at **Appendix B**

3.4.2 There have been one (1) representation) received from a ward councillor representing some of his constituents. This shown at **Appendix C**.

Responsible Authority / Other person	Licensing Objective	Associated Documents	Appendix
Ward Councillor representing	Crime and Disorder	One (1) email	C

## 4. Policy Considerations

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

Chapter 2 – The licensing objectives

Chapter 8 – Applications for premises licences

Chapter 9 – Determining applications

Chapter 10 – Conditions attached to Premises Licences

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

Sections 3.1 -3.4, 17.1-8, 17.20-23 – These sections set out the Council’s approach with regard to licensing and details other mechanisms to deal with potential problems.

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

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

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

- (i) Modify the conditions of the licence;
- (ii) Reject the whole or part of the application

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

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

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

## **6. Implications Assessment**

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

## **7. Human Rights**

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

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

## **8. Recommendations**

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

## **9. List of Appendices**

Appendix A – Application form

Appendix B – Emails between applicant and Kent Police licensing

Appendix C – Representation (Ward Councillor) against the application

Appendix D - Order of proceedings

## **10. Appeals**

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

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Swale  
Application to vary a premises licence  
Licensing Act 2003

For help contact  
[licensing@swale.gov.uk](mailto:licensing@swale.gov.uk)  
Telephone: 1795417364

\* required information

### Section 1 of 18

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 the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

### Applicant Business

Is the applicant's business registered in the UK with Companies House?  Yes  No

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

Registration number

Business name

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

VAT number

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

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent 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:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent 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.

**Agent 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 18**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

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

\* Premises Licence Number

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

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable  
value of premises (£)

142,000

### Section 3 of 18

#### VARIATION

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

Yes  No

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

Yes  No

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

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

#### Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

The premises is a petrol forecourt store located at 265/269 Queenborough Road, Minster, Sheerness, Kent, ME12 3EW.

The variation is to do the following:

1. Extension of the hours for the sale of alcohol to 24 hours daily.
2. To make alterations to the premises.
3. To include in Part 4 the condition in box b of Section 16 of the application.

### Section 4 of 18

#### PROVISION OF PLAYS

See guidance on regulated entertainment

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

Yes  No

### Section 5 of 18

#### PROVISION OF FILMS

See guidance on regulated entertainment

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

Yes  No

Continued from previous page...

**Section 6 of 18**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

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

- Yes  No

**Section 7 of 18**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

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

- Yes  No

**Section 8 of 18**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

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

- Yes  No

**Section 9 of 18**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

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

- Yes  No

**Section 10 of 18**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

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

- Yes  No

**Section 11 of 18**

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

See guidance on regulated entertainment

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

- Yes  No

Continued from previous page...

**Section 12 of 18**

**PROVISION OF LATE NIGHT REFRESHMENT**

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

Yes  No

**Section 13 of 18**

**SUPPLY OF ALCOHOL**

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

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

- On the premises       Off the premises       Both

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

State any seasonal variations.

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

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

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

**Section 14 of 18**

**ADULT ENTERTAINMENT**

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

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

The premises sells alcohol and other age restricted products.

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start 00:00

End 24:00

Start

End

THURSDAY

Start 00:00

End 24:00

Start

End

FRIDAY

Start 00:00

End 24:00

Start

End

SATURDAY

Start 00:00

End 24:00

Start

End

SUNDAY

Start 00:00

End 24:00

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 above, list below.

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

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

None. The existing conditions will remain on the licence.

I have enclosed the premises licence



*Continued from previous page...*

I have enclosed the relevant part of the premises licence

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

**Section 16 of 18**

**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.

b) The prevention of crime and disorder

If there is only one member of staff on duty between 0000 and 0500, the entrance door to the shop will be closed to customers and any sales between these hours will be made through the night pay window.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

**Section 17 of 18**

**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:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.
  - o 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.
  - o 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 18 of 18**

**PAYMENT DETAILS**

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

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

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

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

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

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

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

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

\* Fee amount (£)

**DECLARATION**

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the

Continued from previous page...

\* 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/change-1> to upload this file and continue with your application.

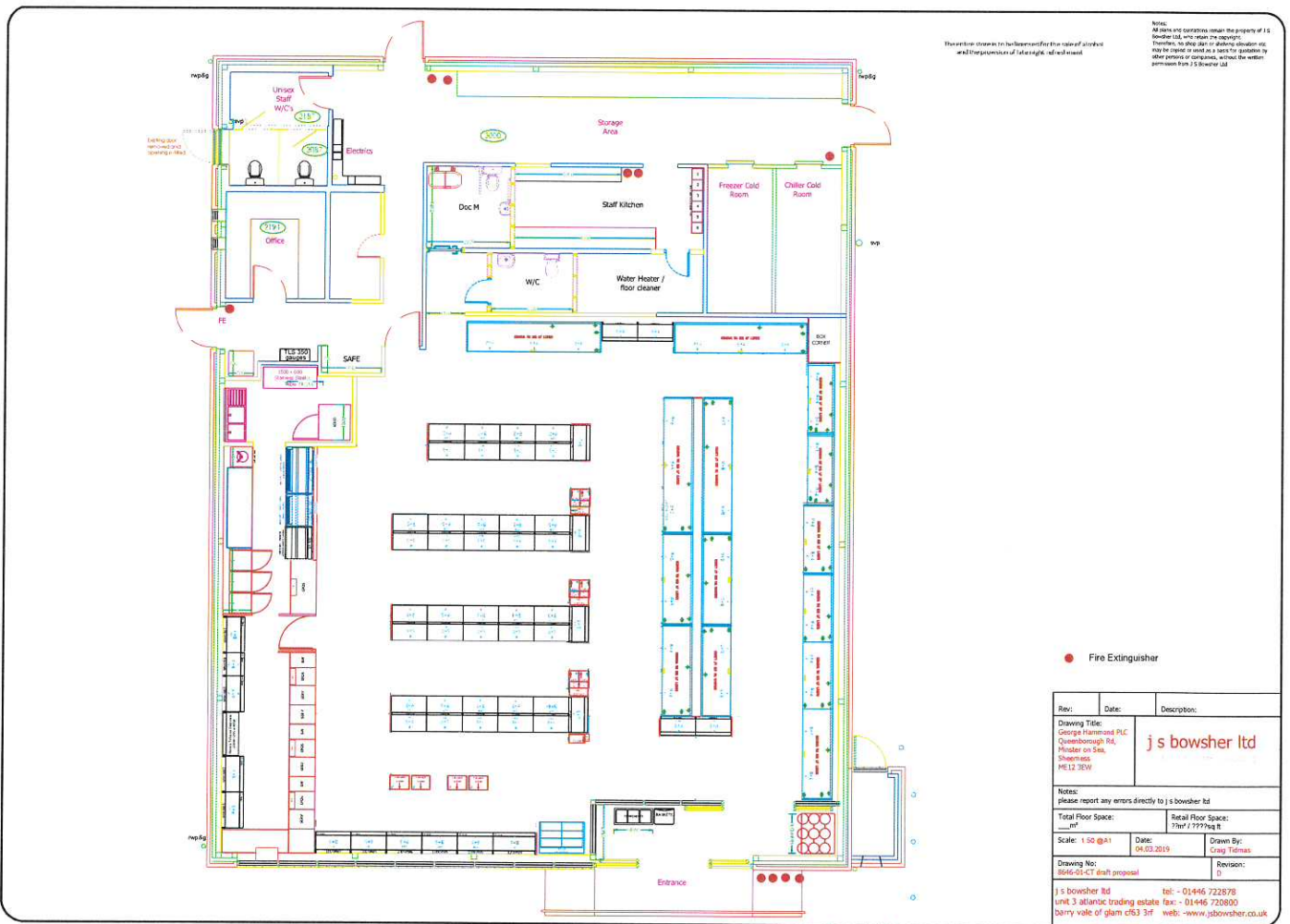
Don't forget to make sure you have all your supporting documentation to hand.

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

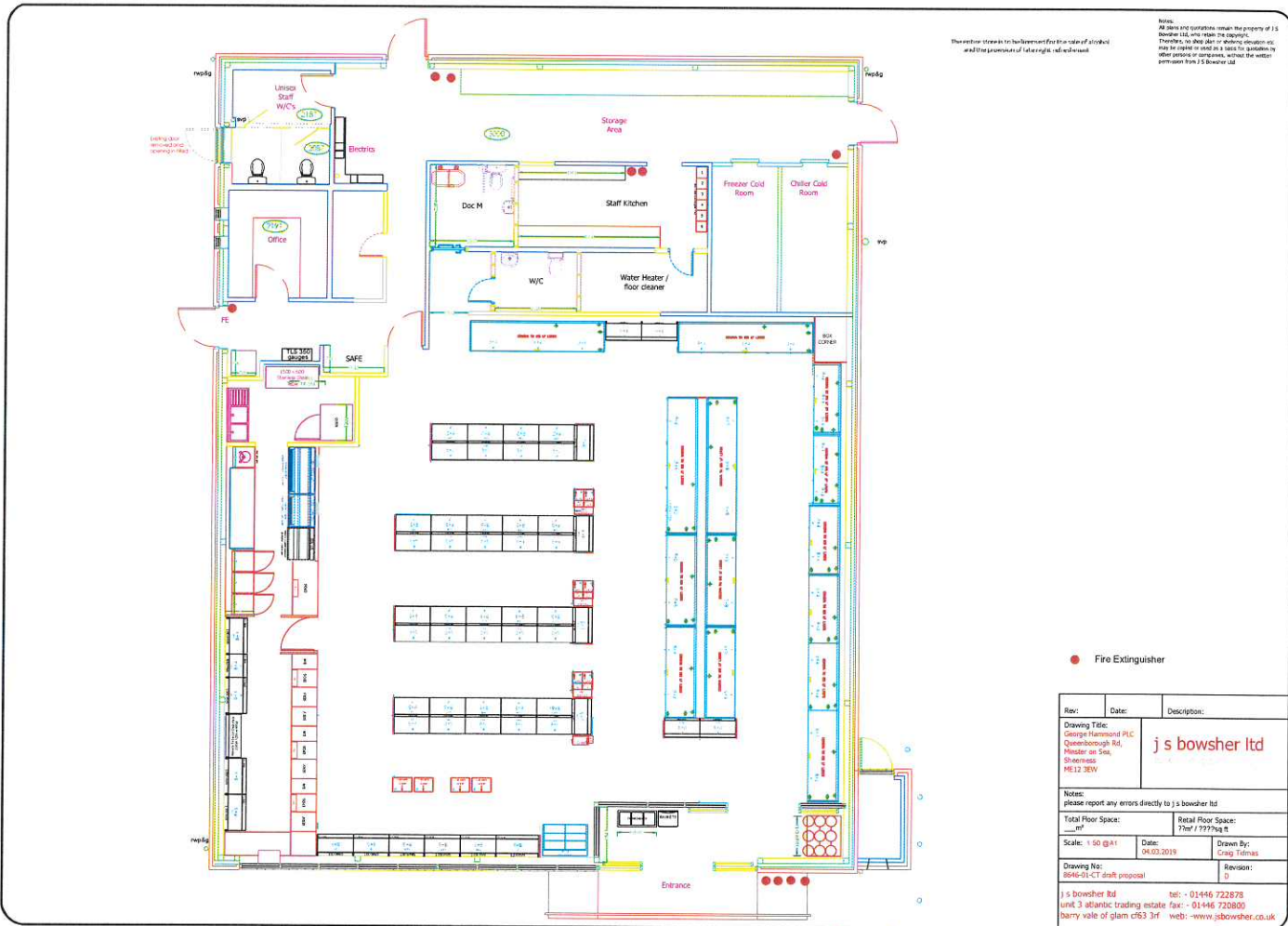
**OFFICE USE ONLY**

Applicant reference number   
Fee paid   
Payment provider reference   
ELMS Payment Reference   
Payment status   
Payment authorisation code   
Payment authorisation date   
Date and time submitted   
Approval deadline   
Error message   
Is Digitally signed

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >







This drawing is to be used for the purpose of a proposal and the purchaser of the unit is advised to check the details of the unit before purchase.

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● Fire Extinguisher

Rev:	Date:	Description:
Drawing Title: Glenage Hardware Ltd Queensborough Rd, Plympton on Sea, Bournemouth BH12 3EW		<b>j s bowsher ltd</b>
Notes: Please report any errors directly to j s bowsher ltd		
Total Floor Space: m <sup>2</sup>	Retail Floor Space: 77m <sup>2</sup> / 7977sq ft	
Scale: 1:50 @ A1	Date: 04/03/2019	Drawn By: Craig Trillings
Drawing No: 8046-01-CT draft proposal		Revisions: 0
j s bowsher ltd unit 3 atlantic trading estate barry vale of glam c63 3rf		tel: - 01446 722878 fax: - 01446 720850 web: - www.jsbowsher.co.uk





**Chris Hills**

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**From:** Clare Cossar PC 46012431 <Clare.Cossar@kent.police.uk>  
**Sent:** 11 July 2019 08:34  
**To:** Robert Botkai  
**Cc:** Licensing (SBC)  
**Subject:** RE: Queenborough Services

Good morning Robert

Let me start by apologising if I was distracted on the phone yesterday, I was on my way into a meeting.

Kent Police agree with the proposed condition and I will inform the Council.

Thank you.

Kind regards

Clare

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**From:** Robert Botkai  
**Sent:** 10 July 2019 16:22  
**To:** Clare Cossar PC 46012431  
**Cc:** Andrew Sanders  
**Subject:** FW: Queenborough Services

Hi Clare

Further to our conversation I attach the existing premises licence.

I suggest the following as a new condition:

Between the hours of 2400 and 0500 there will be a minimum of two members of staff on duty. In the alternative, if there is only one member of staff on duty between 2400 and 0500 the entrance door to the shop will be closed to customers and any sales between these hours will be made through the night pay window.

Please confirm this is agreed. I will then notify the licensing officer and copy you in.

Kind regards

Robert

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**From:** Andrew Sanders  
**Sent:** 09 July 2019 09:25  
**To:** Robert Botkai  
**Subject:** FW: Queenborough Services

Robert

Following John's response, this is over to you. I will put the file on your desk.

Thanks

Andrew

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**Andrew Sanders**  
Licensing Assistant

**Winckworth**  
**Sherwood**  
Page 25  
1

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[asanders@wslaw.co.uk](mailto:asanders@wslaw.co.uk)

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**From:** Clare Cossar PC 46012431 <[Clare.Cossar@kent.police.uk](mailto:Clare.Cossar@kent.police.uk)>  
**Sent:** 08 July 2019 14:56  
**To:** Andrew Sanders <[asanders@wslaw.co.uk](mailto:asanders@wslaw.co.uk)>  
**Subject:** Queenborough Services

**This message originated outside Winckworth Sherwood**

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Good morning

Please find below two conditions Kent Police believe would uphold the Licensing Conditions on this full variation

- The sale and supply of alcohol between 00:00 and 05:00 daily shall be restricted to service by staff through the serving hatch at the front of the premises.
- No persons other than management, their staff, site service providers and members of emergency services shall be allowed access to the premises other than the forecourt between 00:00 and 05:00 daily.

If you have any queries, please do not hesitate to contact me.

Thank you.

Clare

**PC Clare Cossar**  
North Division Licensing Officer

☎ 04-2411  
☎ 01634 792411  
☎ 07929049646  
[12431@kent.pnn.police.uk](mailto:12431@kent.pnn.police.uk)

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**Chris Hills**

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**From:** Simon Fowle (Cllr)  
**Sent:** 23 June 2019 20:43  
**To:** Chris Hills; Cameron Beart (Cllr); Peter Marchington (Cllr)  
**Subject:** RE: Application for a variation of a Premises Licence granted under the Licensing Act 2003 - Queenborough Service Station, 265/269 Queenborough Road, Sheerness

Dear Chris

Forgive me if this is not in the correct format, I have talked to a selection of local residents at the local community centre in Queenborough, and the view to date is they are worried about 24hr access to alcohol. They believe there to be an increase in anti-social behaviour, especially revolving around cars (boy racers) in the area around Neat's Court and Queenborough, and if they have an unrestricted access to alcohol potentially they believe will exacerbate the situation.

Simon Fowle

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**From:** Chris Hills  
**Sent:** 19 June 2019 16:38  
**To:** Cameron Beart (Cllr) ; Simon Fowle (Cllr) ; Peter Marchington (Cllr)  
**Subject:** Application for a variation of a Premises Licence granted under the Licensing Act 2003 - Queenborough Service Station, 265/269 Queenborough Road, Sheerness

Good afternoon dear Councillors

The licensing team have received an application for the variation of a Premises Licence granted under the Licensing Act 2003 in respect of the above premises.

The application is for:

1. Extension of hours for sale of alcohol to 24 hours daily
2. To make alterations to the premises
3. To include a condition "If there is only one member of staff on duty between 00:00 and 05:00, the entrance door to the shop will be closed to customers and any sales between these hours will be made through the night pay window"

The consultation will end on 17<sup>th</sup> July and I would be most grateful to receive any comments or representations that you may wish to make before that date.

Very best regards

Chris

Yours sincerely

**Christina Hills**

Licensing Officer

Tel: 01795 417286 | Email: [licensing@swale.gov.uk](mailto:licensing@swale.gov.uk) or [taxis@swale.gov.uk](mailto:taxis@swale.gov.uk) | Website:

[www.swale.gov.uk](http://www.swale.gov.uk)

Swale Borough Council | Swale House | East Street | Sittingbourne | Kent | ME10 3HT

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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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