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Please ask for: Licensing
Telephone: (01795) 417 286
E-mail: licensing@swale.gov.uk
Our Reference: SIT/SWALE/189/0698
Date: 31st May 2018

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.



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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**



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Parking

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

- (1) Prevention of crime and disorder.
- (2) Prevention of public nuisance.
- (3) Promotion of public safety.
- (4) Protection of children from harm

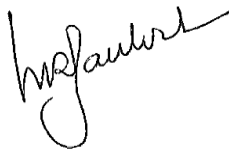
Parking is not an issue that can be taken into consideration under the Licensing Act 2003. However if there is an issue with parking, we can always refer the matter to the Parking department.

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



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