

LICENSING ACT 2003 SUB COMMITTEE MEETING

Date: Friday 7 June 2019
Time: 10.00 am
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Garten, B Hinder and Joy

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

AGENDA

Page No.

1. Disclosures by Members and Officers
2. Disclosures of Lobbying
3. To consider whether any items should be taken in private because of the possible disclosure of exempt information
4. Application for a Premises Licence to be granted under the Licensing Act 2003 for the W House, Warehouse, Rear of 11-15 Week Street, Maidstone, Kent, ME14 1QW 1 - 49

Issued on Thursday 30 May 2019

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

Agenda Item No: 1 - Summary of Report

Licence Reference 19/00989/LAPRE

Report To: LICENSING SUB – COMMITTEE
(UNDER THE LICENSING ACT 2003)

Date: 18TH MAY 2019

Report Title: THE W HOUSE, WAREHOUSE, REAR OF 11-15 WEEK STREET,
MAIDSTONE, KENT, ME14 1QW

Report Author: Lorraine Neale

- Summary:**
1. The Applicant – The W House Ltd
 2. Type of authorisation applied for: A premises licence under the Licensing Act 2003.
 3. Proposed Licensable Activities and hours:

A	Plays (Indoors)	Every day	12:00 – 24:00
B	Films (Indoors)	Every day	08:00 – 24:00
D	Boxing or Wrestling (Indoors)	Every day	12:00 – 24:00
E	Live Music (Indoors)	Every day	12:00 – 03:00
F	Recorded Music (Indoors)	Every day	08:00 – 06:00
G	Performance of Dance (Indoors)	Every day	08:00 – 24:00
H	Anything of a similar description to (e)(f) or (g) (Indoors)	Every day	12:00 – 03:00
L	Late night Refreshment (indoors)	Every day	23:00 – 05:00
M	Supply of Alcohol (On and Off Sales)	Every day	08:00 – 06:00
O	Opening Hours	Every day	08:00 – 07:00

Affected Wards:	HIGH STREET
Recommendations:	The Committee is asked to determine the application and decide whether to grant the premises licence.
Policy Overview:	The decision should be made with regard to the Secretary of State's Guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from Policy or Guidance the departure must be directed solely at the attainment of the licensing objectives, and that such departure be supported by proper reasons.
Financial Implications:	Costs associated with processing the application are taken from licensing fee income.
Other Material Implications:	<p>HUMAN RIGHTS: In considering this application it is appropriate to consider the rights of both the applicant and other parties, such as “responsible authorities” and/or “other persons” (objectors). The procedure for determining licences has a prescribed format to ensure fair representation of the relevant facts by all parties.</p> <p>LEGAL: Under the Licensing Act 2003 the Licensing Authority has a duty to exercise licensing control of relevant premises.</p>
Background Papers:	<p>Licensing Act 2003</p> <p>DCMS Guidance Documents issued under section 182 of the Licensing Act 2003 as amended</p> <p>Maidstone Borough Council Statement of Licensing Policy</p>
Contacts:	Mrs Lorraine Neale at: lorraineneale@maidstone.gov.uk – tel: 01622 602528

Agenda Item No. 1

Affected Wards: HIGH STREET

Recommendations: The Committee is asked to determine the application and decide whether to grant the premises licence.

Policy Overview: The decision should be made with regard to the Secretary of State's Guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from Policy or Guidance the departure must be directed solely at the attainment of the licensing objectives, and that such departure be supported by proper reasons.

Financial Implications: Costs associated with processing the application are taken from licensing fee income.

Other Material Implications: **HUMAN RIGHTS:** In considering this application it is appropriate to consider the rights of both the applicant and other parties, such as “**responsible authorities**” and/or “**other persons**” (objectors). The procedure for determining licences has a prescribed format to ensure fair representation of the relevant facts by all parties.

LEGAL: Under the Licensing Act 2003 the **Licensing Authority** has a duty to exercise licensing control of relevant premises.

Background Papers: Licensing Act 2003
DCMS Guidance Documents issued under section 182 of the Licensing Act 2003 as amended
Maidstone Borough Council Statement of Licensing Policy

Contacts: Mrs Lorraine Neale at: lorraineneale@maidstone.gov.uk – tel: 01622 602528

Report Title: THE W HOUSE, WAREHOUSE, REAR OF 11-15 WEEK STREET, MAIDSTONE, KENT, ME14 1QW
Application: For a premises licence under the Licensing Act 2003. (Appendix 1).

Purpose of the Report

The report advises Members of an application for a Premises Licence to be granted under the Licensing Act 2003 (Appendix 1), made by The W House Limited, in respect of the premises The W House, Warehouse, Rear of 11-15 Week Street, Maidstone, Kent, ME14 1QW (Appendix 2) in respect of which 1 objection has been received from other persons.

Issue to be Decided

Members are asked to determine whether to :

- 1) grant as applied for
- 2) grant with conditions
- 3) exclude any licensable activity
- 4) reject the DPS
- 5) or reject the application.

- 2 The relevant sections are Part 3 S16 -24 of The Licensing Act 2003 and section 4 of The Licensing Act 2003 in particular the Licensing Objectives:
 - The prevention of crime and disorder;
 - Public Safety
 - The prevention of public nuisance; and
 - The protection of children from harm
3. The application has been correctly advertised in the local press and notices displayed at the premises for the required period.
4. There was one representation received from a responsible authority which was the Police, who requested that the applicant amend the operating schedule to include certain conditions, the applicant agreed and the objection was withdrawn, (Appendix 3)
5. There is 1 representation from other parties,(Appendix 5)
6. The table below illustrates the relevant representations which have been received

There appear to be concerns directed towards the management for the new venue who also have connections to the Source Bar. It is believed that the problem of underage drinking which occur at the Source Bar will also occur at this newer and bigger venue because it will be under the same management. There have been no complaints received by the Licensing Section at Maidstone Borough Council about The Source Bar.

7. **Members are advised that applications cannot be refused in whole or in part, or conditions attached to the licence unless it is appropriate to do so to promote the licensing objectives.;**
8. **The Operating Schedule submitted by the Applicant has addressed the licensing objectives in the following manner:**

a) General – all four licensing objectives:

The premises are to be used as an Events Centre that will operate to provide different forms of entertainment during a flexible system of hours with restaurant and bar facilities located on various floors as identified in the plans lodged with this application. The premises will provide events for persons of all ages and include family use and provision of events for mixed age groups.

b) The prevention of crime and disorder:

CCTV will be fitted.

Responsible Authority /Other Party	Licensing Objective	Associated Documents	Appendix
Mr T Modell	Crime and Disorder Public Nuisance Public Safety Children from Harm	e-mail 4	5

Each event will be risk assessed to determine the need for door staff and how many will be engaged.

c) Public Safety:

Existing legislation applies that it is not necessary to duplicate in this licence. A site-specific fire risk assessment has been prepared for use at the premises and is lodged with this application.

d) The prevention of public nuisance:

A Noise dispersal policy will be prepared to arrange a steady dispersal after an event. A Noise Consultant will be engaged and his recommendations complied with.
The Roof Terrace will not be used for the provision of regulated entertainment.

e) The Protection of children from harm:

Challenge 25 applies. No harm to children has been identified.

9. Relevant sections of The Guidance issued under section 182 of The Licensing Act 2003;

Chapters 8 & 9 Premises Licences & Determining Applications

Chapter 10 Conditions NB: There is Home Office Supporting Guidance on Pools of Conditions but this is not statutory guidance.

Relevant policy statements contained in the Licensing Authority's Statement of Licensing Policy:

17.9 CRIME AND DISORDER

17.16 PUBLIC SAFETY

17.19. PREVENTION OF PUBLIC NUISANCE

17.23 CHILDREN FROM HARM

17.9 CONDITIONS TO PROMOTE THE PREVENTION OF CRIME AND DISORDER.

Under the Act the Licensing Authority has a duty to promote the licensing objectives, and, a further duty under the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the borough.

- 17.10 The applicant will be expected to detail in their operating schedule how they will prevent crime and disorder on and close to the premises. Such detail should reflect the licensable activities on offer, location and character of the area, the nature of the premises use and the range of customers likely to use the premises.

These may include, but are not limited to, the following:

- Prevention of disorderly conduct and anti-social behaviour
- Prevention of underage drinking

- Prevention of sales of alcohol to intoxicated customers
- Prevention of drunkenness both on and in the vicinity of the premises
- Prevention of drug use and drug dealing
- Restriction to responsible drinks promotions
- Use of safety glass
- Inclusion of a wind-down time following alcohol sales period
- Adequate seating to discourage “vertical drinking”
- The offer of food and snacks or other entertainment or occupation to discourage persistent drinking

17.11 In busier premises the Licensing Authority would usually expect to see a short (e.g.30 mins) ‘wind down’ or ‘drinking up’ period allowed for after the cessation time of entertainment and alcohol sales as this is effective in assisting in a reduction in noise and exuberance of customers before leaving the premises.

17.12 Applicants will be expected to seek advice from the Police and the Licensing Authority will give appropriate weight to requests by the Police for premises to be protected by SIA registered door staff subject to the provision of relevant evidence. Where the Licensing Authority determines after consultation with the police that a premises is one that warrants additional security and monitoring it would expect applicants to include the provision of SIA approved door staff at the premises at appropriate times. Relevant premises are usually

those used mainly for drinking alcohol, have later opening hours and are situated within the Town Centre night time economy area.

- 17.13 Where appropriate, applicants for licences in the Town Centre areas providing mainly alcohol, music and dancing would be expected to consider inclusion of a provision of safety glasses to prevent a risk of injury on the rare occasion that a glass may be used as a weapon.
- 17.14 The use of CCTV should be considered where appropriate or on the advice and recommendations of the Police and to a quality and standard approved by the Police for evidential purposes. Licensees will be expected to fully comply with the requirements of the Information Commissioners Office and the Data Protection Act 1998 in respect of any surveillance equipment installed at a premises.
- 17.15 In any application resulting in hearing the sub-committee will consider each application on its individual merits and determine the imposition of conditions that are appropriate to promotion of the licensing objectives.

3.1 CONDITIONS TO PROMOTE PUBLIC SAFETY.

The applicant will be expected to show how the physical safety of persons attending the premises will be protected and to offer any appropriate steps in the operating schedule to promote this.

- 3.2 Such steps will not replace the statutory obligation on the applicant to comply with all relevant legislation under the Health and Safety at Work etc. Act 1973 or under the Regulatory Reform (Fire Safety) Order 2004.
- 3.3 Applicants will be expected to have carried out the necessary risk assessments to ensure safe occupancy levels for the premises. Where a representation from the Fire Authority suggests that for the promotion of the Public Safety objective a maximum occupancy should be applied, the Licensing Authority will consider adding such a limit as a licence condition.

Where appropriate an operating schedule should specify occupancy limits for the following types of licensed premises:

- (i) High Volume Vertical Drinking e.g. premises that provide mainly stand up drinking facilities with limited seating/table space and the primary activity is the sale of alcohol
- (ii) Nightclubs
- (iii) Cinemas
- (iv) Theatres
- (v) Other premises where regulated entertainment is likely to attract a large number of people.
- (vi) Where conditions of occupancy have arisen due to representations received.

17.19 CONDITIONS TO PROMOTE THE PREVENTION OF PUBLIC NUISANCE.

The applicant will be expected to detail any appropriate and proportionate steps to prevent nuisance and disturbance arising from the licensable activities at the premises and from the customers using the premises.

17.20 The applicant will be expected to demonstrate that they have considered the following and included steps to prevent public nuisance:

- (i) Proximity of local residents to the premises
- (ii) Licensable activities proposed and customer base
- (iii) Hours and nature of operation
- (iv) Risk and Prevention of noise leakage from the premises from equipment, customers and machinery
- (v) Prevention of noise from customers leaving the premises and customer pick up points outside premises and from the Car Park.
- (vi) Availability of public transport to and from the premises
- (vii) Delivery and collection times and locations.
- (viii) Impact of external security or general lighting on residents.
- (ix) History of management of and complaints about the premises.
- (x) Applicant's previous success in preventing Public Nuisance.
- (xi) Outcomes of discussions with the relevant Responsible Authorities.
- (xii) Impact of location, noise and contamination from outside smoking areas on neighbours and other customers
- (xiii) Collection of litter arising from the premises

17.21 Steps to prevent public nuisance may include a range of options including noise limiting devices, sound insulation, wind down periods, acoustic lobbies, management of smoking areas etc.

17.22 Steps will differ depending on the individual premises and activities and it is for the applicant to ensure that reasonable, effective and appropriate steps are included within the operating schedule.

17.23 PROTECTION OF CHILDREN FROM HARM.

Applicants will be expected to detail any appropriate and proportionate steps to protect children at the premises from any harm. The Licensing Authority recognises the right of licensees (serving alcohol) to allow accompanied children into their premises. The Licensing Authority would not seek to restrict access by children (above that specified in the Act) unless it is necessary for the prevention of physical, moral or psychological harm.

Steps to protect children from harm must be carefully considered for inclusion where:

- (i) There is entertainment or services of an adult nature provided.
- (ii) There have been previous convictions for under age sales of alcohol.
- (iii) There has been a known association with drug taking or dealing.
- (iv) There is a significant element of gambling on the premises.
- (v) There is a presumption that children under 18 should not be permitted entry such as to nightclubs (apart from when specific events are held for under 18's).

- (vi) Outcomes of discussions with relevant Responsible Authorities suggest such steps are applicable.

Nothing in the Licensing Act prevents licensees from excluding children from a licensed premises and no condition can be added to require the admission of children.

Where there are no matters that give rise to concern in respect of children at premises the Licensing Authority would expect to see the relevant box on an application form completed to specify NONE.

10. Options

Legal options open to members -

1. Grant the licence subject to conditions as are consistent with the operating schedule accompanying the application.
2. Grant the licence with modified conditions
3. Exclude a licensable activity
4. Refuse to specify the DPS
5. REJECT the whole or part of the application

Members of the Licensing Act 2003 – Licensing Sub – Committee are reminded of their duty under 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 1988 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 it reasonably can prevent, crime and disorder in its area".

11. Implications Assessment

The decision should be made with regard to the Secretary of 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.

12. 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 Fair Hearing
- Article 10 – Freedom of Expression

The full text of each Article is given in the attached Appendices

13. Conclusion

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

14. List of Appendices

- | | | |
|-----|------------|--|
| 15. | Appendix 1 | Application Form |
| | Appendix 2 | Plan of Premises |
| | Appendix 3 | Representations – Police |
| | Appendix 4 | Applicants agreement & Police withdrawal of reps |
| | Appendix 5 | Other parties representation |
| | Appendix 6 | Plan of area |
| | Appendix 7 | Human Rights Articles |
| | Appendix 8 | Order of Proceedings |

15. 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 Costs Order should they bring an appeal.

Contact: Email:	Senior Licensing Officer lorryneneale@maidstone.gov.uk
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Licensing Authority: *The Licensing Partnership*

APPENDIX 1

Licensing Partnership
P.O. Box 182
Sevenoaks
Kent TN13 1GP

Ref:

Application for a Premises Licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes found at bottom of Page 4 of this form.

Use the blank page at the end of the form to provide further details if necessary.

When it is complete you can submit the form directly to us - click on the Submit Form button.

You may wish to print and keep a copy of the completed form for your records.

For help information about filling in this type of electronic form, click on the help information button.

I / We **The W House Ltd** apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

**The W House,
Warehouse Rear Of 11-15
Week Street,**

Post town

Maidstone

Post code

ME14 1QW

Telephone number of premises (if any)

07850135557

Non-domestic rateable value of premises

£ 11500

If the premises is under construction please check here ☐

If the premises hasn't been assigned a rateable value yet, please check here ☐

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please make selection with an "x"

- | | |
|---|---|
| a) An individual or individuals* | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual* | |
| i as a limited company | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) A recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please make selection with an "x"

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

You do not have to answer the questions in this section.

Title

Surname

First names

Are you 18 years or older?

- ☐ Yes
☐ No

Date of Birth

Nationality

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Title

Surname

First names

Date of Birth
(you must be 18
years old or over)

Nationality

Current postal
address
if different from
premises address

Postcode

Post Town

Daytime contact telephone number

Email address
(optional)**(B) OTHER APPLICANTS**

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

Name

The W House Ltd

Address

**4-6, Rose Yard,
Maidstone
Kent ME14 1HN**

Registered number (where applicable)

11725447Description of applicant (for example,
partnership, company, unincorporated
association etc.)**Limited Company**

Telephone number (if any)

07850135557

E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

17/04/2019

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

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

General description of premises (please read guidance note 1)

5 storey building including a roof terrace to be used as an Events centre with licensable activities

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

*Please check all
relevant boxes*

Provision of regulated entertainment (please read guidance note 2)

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input checked="" type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

☒

Supply of alcohol (if ticking yes, fill in box M)

☒

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both - please make selection with an "x"</u> (please read guidance note 3).	Indoors	X
Day	Start	Finish		Outdoors	
				Both	
Mon	12:00	24:00	<u>Please give further details here</u> (please read guidance note 4) To permit the performance of a play in the presence of an audience		
Tue	12:00	24:00			
Wed	12:00	24:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	12:00	24:00			
Fri	12:00	24:00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	12:00	24:00			
Sun	12:00	24:00			

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both - please make selection with an "x"</u> (please read guidance note 3).	Indoors	X
Day	Start	Finish		Outdoors	
				Both	
Mon	08:00	24:00	<u>Please give further details here</u> (please read guidance note 4) To permit the playing of a film in the presence of an audience		
Tue	08:00	24:00			
Wed	08:00	24:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	08:00	24:00			
Fri	08:00	24:00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	08:00	24:00			
Sun	08:00	24:00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<p><u>Please give further details</u> (please read guidance note 4)</p> <p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)</p> <p><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<p><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both - please make selection with an "x"</u> (please read guidance note 3).</p>	Indoors	X
				Outdoors	
				Both	
Day	Start	Finish			
Mon	12:00	24:00	<p><u>Please give further details here</u> (please read guidance note 4)</p> <p>To permit the provision of boxing and wrestling in the presence of an audience</p>		
Tue	12:00	24:00			
Wed	12:00	24:00	<p><u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)</p>		
Thur	12:00	24:00			
Fri	12:00	24:00	<p><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sat	12:00	24:00			
Sun	12:00	24:00			

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors</u> or both - please make selection with an "x" (please read guidance note 3).	Indoors	X
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4) To permit the playing of live music with or without amplified voice		
Mon	12:00	03:00			
Tue	12:00	03:00	State any seasonal variations for performance of live music (please read guidance note 5)		
Wed	12:00	03:00			
Thur	12:00	03:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	12:00	03:00			
Sat	12:00	03:00			
Sun	12:00	03:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors</u> or both - please make selection with an "x" (please read guidance note 3).	Indoors	X
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4) To permit the playing of recorded music with or without a DJ		
Mon	08:00	06:00			
Tue	08:00	06:00	State any seasonal variations for playing recorded music (please read guidance note 5)		
Wed	08:00	06:00			
Thur	08:00	06:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	08:00	06:00			
Sat	08:00	06:00			
Sun	08:00	06:00			

G

Performance of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 3).		Indoors	X
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon	08:00	24:00	To permit the performance of dance in the presence of an audience			
Tue	08:00	24:00				
Wed	08:00	24:00	State any seasonal variations for the performance of dance (please read guidance note 5)			
Thur	08:00	24:00				
Fri	08:00	24:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat	08:00	24:00				
Sun	08:00	24:00				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing To permit similar entertainment that will take place in the presence of an audience			
Day	Start	Finish	Will the entertainment take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 3).		Indoors	X
					Outdoors	
					Both	
Mon	12:00	03:00	Please give further details here (please read guidance note 4)			
Tue	12:00	03:00				
Wed	12:00	03:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)			
Thur	12:00	03:00				
Fri	12:00	03:00	Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat	12:00	03:00				
Sun	12:00	03:00				

K

Provision of facilities for entertainment of a similar description to that falling within J or K Standard days and timings (please read guidance note 7)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please make selection with an "x" (please read guidance note 3).	Indoors	
				Outdoors	
				Both	
Mon					
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within J or K (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for provision of facilities for entertainment of a similar description to that falling within J or K at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment be indoors or outdoors or both - please make selection with an "x" (please read guidance note 3).	Indoors	X
Day	Start	Finish		Outdoors	
				Both	
Mon	23:00	05:00	Please give further details here (please read guidance note 4) To permit the provision of Hot Food and/or Hot Beverages		
Tue	23:00	05:00			
Wed	23:00	05:00	State any seasonal variations for provision of late night refreshment (please read guidance note 5)		
Thur	23:00	05:00			
Fri	23:00	05:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	23:00	05:00			
Sun	23:00	05:00			

M

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption <u>please make selection with an "x"</u> (please read guidance note 8).	On the premises	
Day	Start	Finish		Off the premises	
Mon	08:00	06:00		Both	X
Tue	08:00	06:00	State any proposed seasonal variations for the supply of alcohol (please read guidance note 5)		
Wed	08:00	06:00			
Thur	08:00	06:00			
Fri	08:00	06:00			
Sat	08:00	06:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	08:00	06:00			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor. (Please see declaration about the entitlement to work in the checklist at the end of the form):

Title	Mr
Surname	Barnes
First Name(s)	Jonathan
Date of Birth	23/04/1978
Address	4, Swanley Lane, Swanley, Kent
Postcode	BR8 7JQ
Personal Licence number (if known)	Medway 05-PL-0346
Issuing licensing authority (if known)	Medway Council

Please print the 'Consent of individual to being specified as premises supervisor' form (shown on pages 19 and 20), and have the person specified above sign and confirm the details given.

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

None

O

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	07:00	<p><u>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	08:00	07:00	
Wed	08:00	07:00	
Thur	08:00	07:00	
Fri	08:00	07:00	
Sat	08:00	07:00	
Sun	08:00	07:00	

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

a) General - all four licensing objectives (b,c,d,e) (please read guidance note 10)

The premises are to be used as an Events Centre that will operate to provide different forms of entertainment during a flexible system of hours with restaurant and bar facilities located on various floors as identified in the plans lodged with this application. The premises will provide events for persons of all ages and include family use and provision of events for mixed age groups.

b) The prevention of crime and disorder

CCTV will be fitted.
Each event will be risk assessed to determine the need for door staff and how many will be engaged.

c) Public safety

Existing legislation applies that it is not necessary to duplicate in this licence. A site specific fire risk assessment has been prepared for use at the premises and is lodged with this application.

d) The prevention of public nuisance

A Noise dispersal policy will be prepared to arrange a steady dispersal after an event. A Noise Consultant will be engaged and his recommendations complied with.
The Roof Terrace will not be used for the provision of regulated entertainment.

e) The protection of children from harm

Challenge 25 applies. No harm to children has been identified.

Please make
selection with an "x"

I have enclosed the plan of the premises ☒

I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable ☒

I understand that I must now advertise my application ☒

I understand that if I do not comply with the above requirements my application will be rejected ☒

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships.] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

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.

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.

Part 5 - Declaration (please read guidance note 11)

Confirmation of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 12) **If confirming on behalf of the applicant please state in what capacity.**

• [Applicable to all individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

• The DPS named in this application form is entitled to work in the UK, (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

Confirmation ☒

Name Date

Capacity

Please print the 'Consent of individual to being specified as premises supervisor form (shown on pages 19 and 20), and have the person specified above sign and confirm the details given.

For joint applications confirmation of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation ☐

Name Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Name

Address

Post Town

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Use this page if there is any other information that you think we should know about.
Information entered on this page will be sent to us, along with the data on the rest of the form when you use the "Submit" option.

The documents lodged with this application are:

1. The Fire Risk Assessment,
2. The DPS Consent
3. The Plans

Notes for Guidance are available online

Consent of individual to being specified as premises supervisor

Please print this form and ask the person being specified as premises supervisor to fill in the below.

Certain details have been pre-populated from data given on this online form. Please amend any incorrect information or add details where necessary.

Please return this completed form to:

*Licensing Partnership
P.O. Box 182
Sevenoaks
Kent TN13 1GP*

I, **Mr Jonathan Barnes**

[Full name of prospective premises supervisor]

of **4, Swanley Lane,
Swanley,
Kent
BR8 7JQ**

[Home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

A premises licence

[Type of application]

by **The W House Ltd**

[name of applicant]

relating to a premises licence

[Number of existing licence, if any]

for **The W House,
Warehouse Rear Of 11-15
Week Street,
Maidstone**

[Name and address of the premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

The W House Ltd

[Name of applicant]

concerning the supply of alcohol at

**The W House,
Warehouse Rear Of 11-15
Week Street,
Maidstone**

[Name and address of the premises to which the application relates]

Consent of individual to being specified as premises supervisor (cont.)

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

Medway 05-PL-0346

[insert personal licence number, if any]

Personal licence issuing authority

Medway Council

[Name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print)

Date

Form end

You have now reached the end of the form. If you have entered all the necessary information, and read all the guidance notes, please now submit the form.

XML Specific

Application Type	LAPRE
Licence Case Type	NEW
Licence Status	1_REC
XML Template	L
CAPS Reference	

Payments request

CallingAppID	VIFO
CallingAppRef	ZZLO00
PaymentSourceCode	01

Customer Message

Response response

PaymentAuthorisationCode	
IncomeManagementReceiptNumber	447416
OriginatorsReference	
CardScheme	
CardType	
PaymentAmount	
ResponseCode	
ResponseDescription	
Number of payment lines	1

Service Message

Payment 1

Receipt Number	
DueDate	
PaymentType	WEB
Pay Description	
XML Description	Premises Licence Application
PaymentDue	190 VAT
Paid	190
Payment Date	
Fund	05
Reference	CDEF04L087Y

Payment 2

Receipt Number	
DueDate	
PaymentType	
Pay Description	
XMLDescription	
PaymentDue	VAT
Paid	
Payment Date	
Fund	
Reference	

Payment 3

Receipt Number	
DueDate	
PaymentType	
Pay Description	
XML Description	
PaymentDue	VAT
Paid	
Payment Date	
Fund	
Reference	

Payment 4

Receipt Number	
DueDate	
PaymentType	
Pay Description	
XML Description	
PaymentDue	VAT
Paid	
Payment Date	
Fund	
Reference	

Payment 5

Receipt Number	
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PaymentType	
Pay Description	
XML Description	
PaymentDue	VAT
Paid	
Payment Date	
Fund	
Reference	

Case Overview

Form file name:	<input type="text"/>	Current Date	<input type="text"/>
Form data set reference	<input type="text" value="The W House Ltd/"/>	Date From	<input type="text"/>
Has been E-Signed	<input type="checkbox"/> Date/Time E-Signed	<input type="text"/>	
Date/Time Submitted to main server	<input type="text"/>	Data Validation Reference	<input type="text"/>
Date/Time Submitted to external server	<input type="text"/>	Date/Time form Started	<input type="text" value="18/03/2019 16:29:18"/>

Automatic Messaging

Receipt Email Address	<input type="text"/>	Notification Email Address	<input type="text"/>
Receipt Email Subject	<input type="text"/>	Notification Email Subject	<input type="text"/>
Receipt Email Message	<input type="text"/>	Notification Email Message	<input type="text"/>
Mobile Number	<input type="text"/>		

Case Notes

CRM Integration

CRM Case Ref

Form History

19/03/2019 12:27:56 | Received on Remote Server
19/3/2019 12:31:44 | Submitted | (anon, ,) | Application for a premises licence (1.0).wdf, 30718, Licence Inc Bexley, new | Ref: 030718-90319-D11W406
19/03/2019 12:27:56 | Received on Remote Server
19/3/2019 12:31:44 | Submitted | (anon, ,) | Application for a premises licence (1.0).wdf, 30718, Licence Inc Bexley, new | Ref: 030718-90319-D11W406

Form Database

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Department Name	<input type="text"/>	Form Status	<input type="text"/>
Depart Classification / Priority	<input type="text"/>	Search Field 3	<input type="text" value="The W House, Warehouse Rear Of 11-15 Week Street, ME14 1QW"/>
Dept Case Reference	<input type="text"/>		
Date Record Started	<input type="text"/>		
Date Last Modified	<input type="text"/>		

Current User

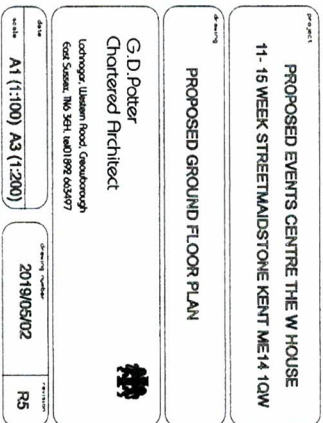
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Tel No	<input type="text"/>	Email address	<input type="text"/>	Address	<input type="text"/>		
User Classification	<input type="text"/>						
Portal Username	<input type="text"/>	Expert for this form	<input type="text"/>				

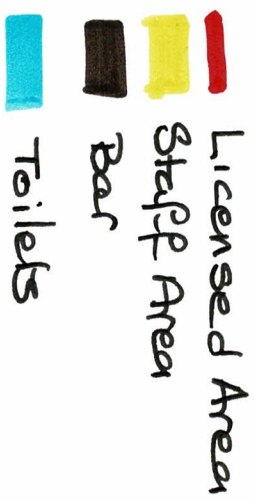
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Data Locked for Editing	<input type="text"/>	Date of offline forms creation	<input type="text"/>	Enable high-quality print (WDF)	<input type="checkbox"/>
Type of form - ufx, wdf or txt	<input type="text"/>	If TXT - Optimised for screen-readers	<input type="checkbox"/>	Enable top controls on opening	<input type="checkbox"/>
Start page for expert users	<input type="text"/>	Print Collation Config	<input type="text"/>		

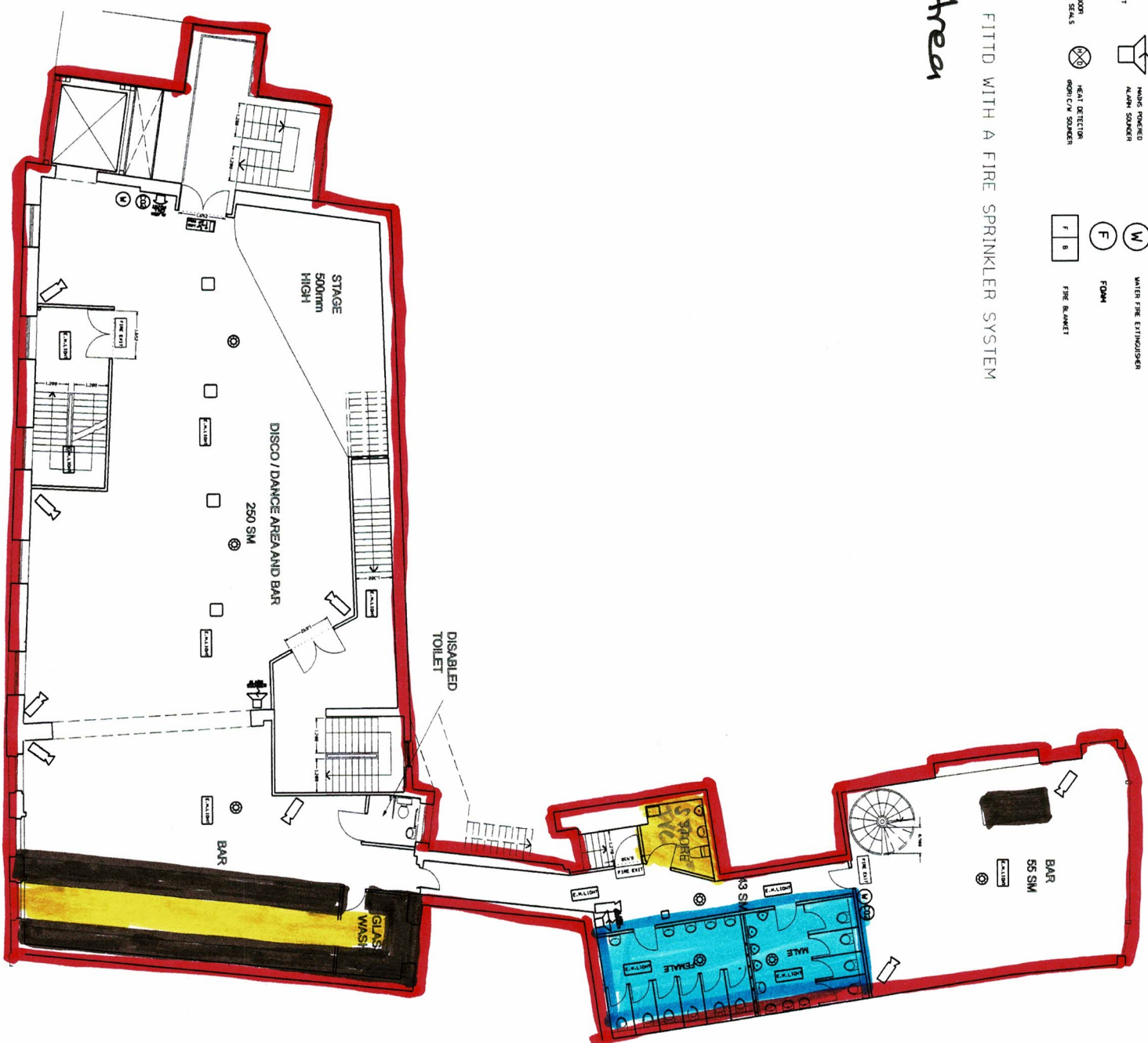
Form Design Settings

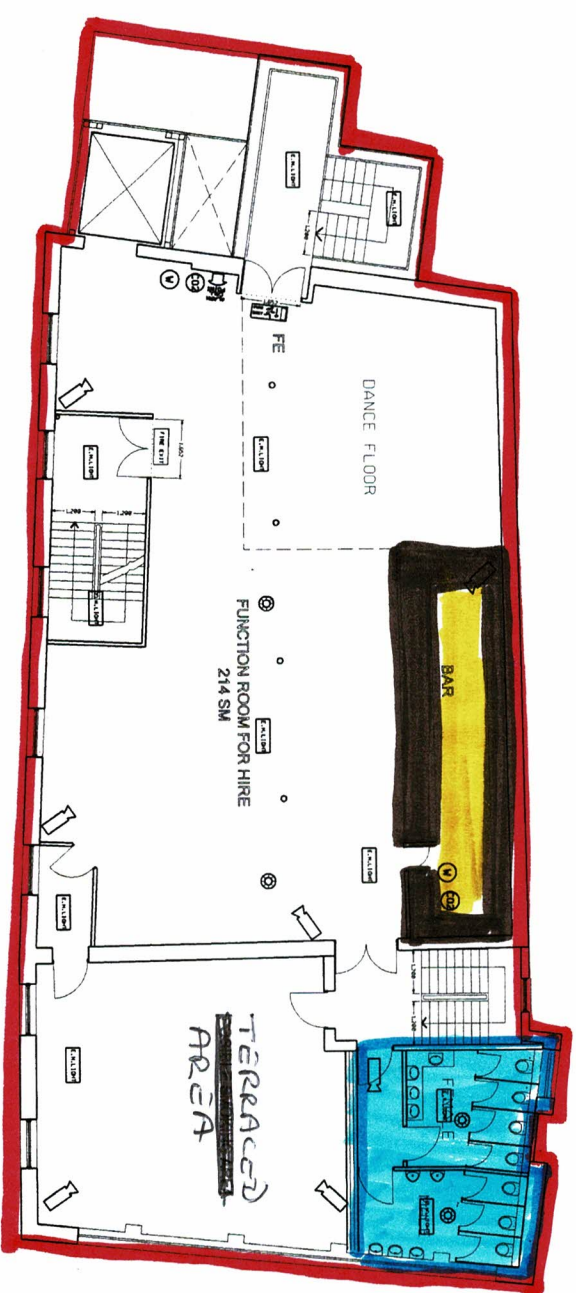
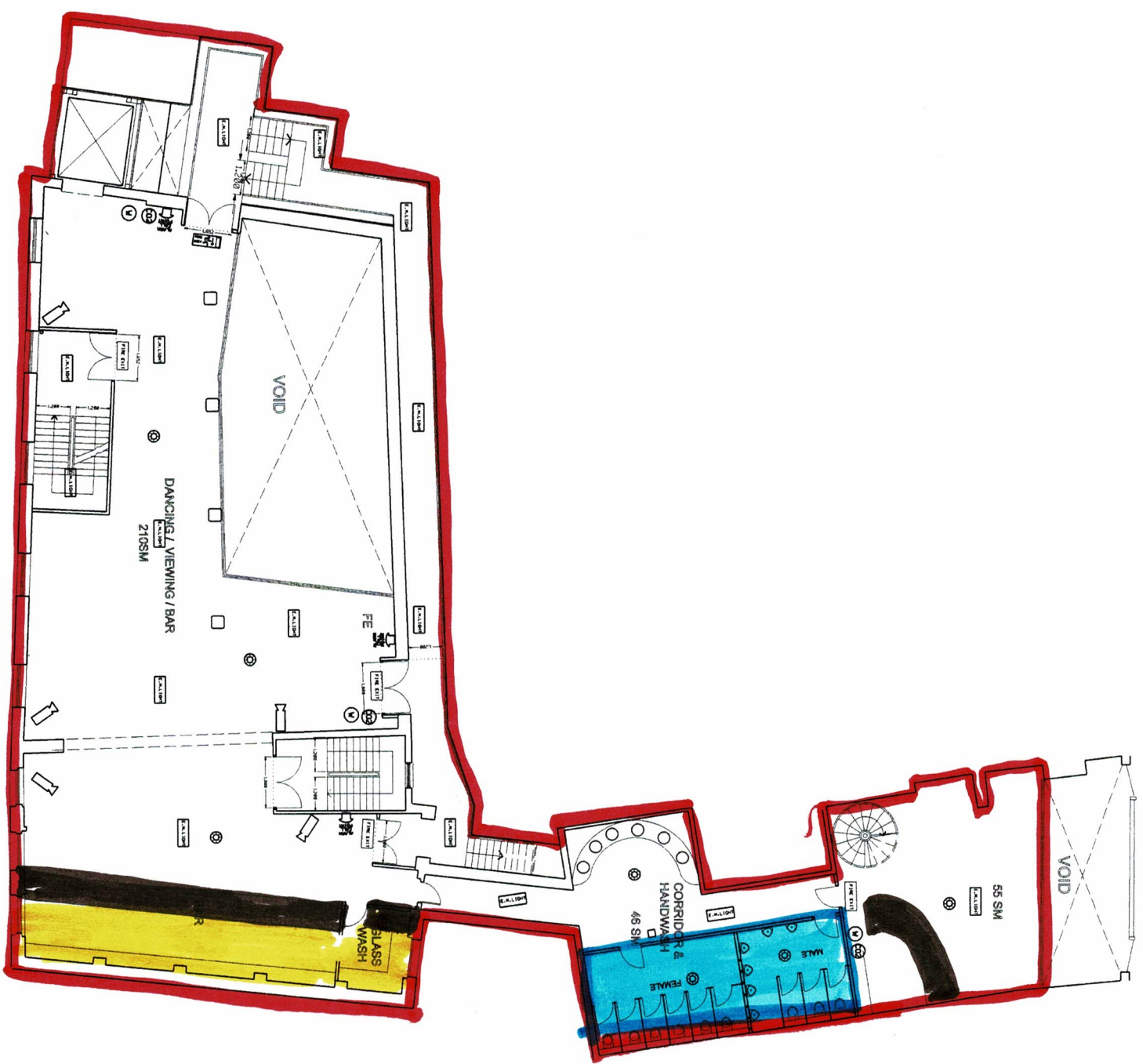
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Pages with forced error checking	<input type="text"/>								
Pages that override forced error checking	<input type="text"/>								
Last visible page:	Unregistered users	<input type="checkbox"/>	Registered users:	<input type="checkbox"/>	Expert users:	<input type="checkbox"/>	Override for TXT version	<input type="checkbox"/>	
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THE WHOLE PREMISES IS TO BE FITTD WITH A FIRE SPRINKLER SYSTEM





THE WHOLE PREMISES IS TO BE FITTED WITH A FIRE SPRINKLER SYSTEM

















































Licensed Area

Staff Area

205



Toilets

	CONTROL PANEL	FIRE ALARM CONTROL PANEL
	E.M.U.L.I.G.H.T.	NAME CHANGED BATTERY BACK UP EMERGENCY LIGHT
	FIRE EXIT	FIRE EXIT SIGN
	FIRE EXIT	FIRE EXIT SIGN
	ILLUMINATED EXIT SIGN	ILLUMINATED EXIT SIGN
	ILLUMINATED EXIT SIGN	ILLUMINATED EXIT SIGN
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	SPEAKER	NAME POWERED ALARM SOUNDER
	SPEAKER	NAME POWERED ALARM SOUNDER
	WATER FIRE EXTINGUISHER	WATER FIRE EXTINGUISHER
	FOAM	WATER FIRE EXTINGUISHER
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	SPEAKER	NAME POWERED ALARM SOUNDER
	SPEAKER	NAME POWERED ALARM SOUNDER
	WATER FIRE EXTINGUISHER	WATER FIRE EXTINGUISHER
	FOAM	WATER FIRE EXTINGUISHER
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	SPEAKER	NAME POWERED ALARM SOUNDER
	SPEAKER	NAME POWERED ALARM SOUNDER
	WATER FIRE EXTINGUISHER	WATER FIRE EXTINGUISHER
	FOAM	WATER FIRE EXTINGUISHER
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	SPEAKER	NAME POWERED ALARM SOUNDER
	SPEAKER	NAME POWERED ALARM SOUNDER
	WATER FIRE EXTINGUISHER	WATER FIRE EXTINGUISHER
	FOAM	WATER FIRE EXTINGUISHER
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	SPEAKER	NAME POWERED ALARM SOUNDER
	SPEAKER	NAME POWERED ALARM SOUNDER
	WATER FIRE EXTINGUISHER	WATER FIRE EXTINGUISHER
	FOAM	WATER FIRE EXTINGUISHER
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	SPEAKER	NAME POWERED ALARM SOUNDER
	SPEAKER	NAME POWERED ALARM SOUNDER
	WATER FIRE EXTINGUISHER	WATER FIRE EXTINGUISHER
	FOAM	WATER FIRE EXTINGUISHER
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	FIRE ALARM	NAME POWERED BELL CLASS ALARM CALL POINT
	SPEAKER	NAME POWERED ALARM SOUNDER
	SPEAKER	NAME POWERED ALARM SOUNDER
	WATER FIRE EXTINGUISHER	WATER FIRE EXTINGUISHER
	FOAM	WATER FIRE EXTINGUISHER



Staff Area



Chief Officer of Police Representation in relation to an application
for grant of premises licence made under Part 3 Section 17
Licensing Act 2003 (S18 Licensing Act 2003)

Details of person making objection

Name of Chief Officer of Police	Chief Insp Ray Quiller
Postal Address: (Area Headquarters)	Maidstone Police Station Palace Avenue Maidstone. ME15 6NF
E-mail address	10051@kent.pnn.police.uk
Telephone Number:	01622 604403

Details of premises representation is about

Name of Premises:	W House
Address of premises:	Rear of 11-15 Week Street Maidstone
Date application received by police	22/03/19
Date representation sent to Licensing Authority	12/04/19
<i>Must be within 28 days of receipt – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. Part 4 Reg. 22.</i>	

The Chief Officer of Police has received an application for the grant of a premises licence made under the provisions of Section 17 Licensing Act 2003, and under Section 18 of that Act, asks the Licensing Authority to consider these representations in respect of: -

Please tick one or more of the licensing objectives that the representation relates to:

Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input checked="" type="checkbox"/>

Is this a representation regarding the Designation of Premises Supervisor under S18 (9) Licensing Act 2003? **NO**

If yes, complete the following statement: -

The relevant representation within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(9) of that Act and are as follows:

Due to the exceptional circumstances of this case, I am satisfied that the designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective because

Please use separate sheets where necessary

The relevant representations within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(7) of that Act and are as follows:

Please give the reason for the representation and detail the evidence supporting it:

Please see attached sheet.

Please use separate sheets where necessary

Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:

Please use separate sheets where necessary. Consider s106 Licensing Act 2003.

Please see attached sheet.

Signed:

Date: 15/04/19..

Print name:PC James Williams.....

Force Number: . 11187...

pp Chief Officer of Police for the Police Area in which the licensed premises are situated

Representation may be made at any time during the 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant. Please return this form along with any additional sheets to the Licensing Authority. This form must be returned within the Statutory Period.

Please give the reason for the representation and detail the evidence supporting it:

Kent Police make these representations in respect of a new license application for the "Warehouse" which is going to be located in the Rose Yard, Maidstone.

The location falls within the town centre's Public Space Protection Order and therefore it has already been evidenced that alcohol has a detrimental effect in the area.

The application is for a five storey building (including roof terrace) and is asking for nearly all of the licensable activities. The requested hours of operation seem to vary from activity to activity however it is noted that the provision of Recorded Music and the sale of alcohol is to be allowed between 08:00hrs and 06:00hrs each day.

It is Kent Police's understanding that the applicant intends to use the building for various types of event and therefore wants the licence to be broad so as to permit the venue to host almost anything from an all-night dance event to a day time Christmas Market. Whilst it is Kent Police's understanding that the applicant does not intend to use the premises for a late night club 7 days a week the fact remains that this licence would technically allow that and therefore this licence needs to be robust enough to cover all possibilities.

Kent Police believe the venue may undermine the licensing objectives in the following ways:

Prevention of Crime and disorder

The link between alcohol and crime is well established and doesn't need any further evidence here. However it needs to be understood that this Premises Licence will potentially allow a large number of people to drink alcohol from 08:00hrs until 06:00hrs the next day and without doubt some of them will become involved in acts of crime and or disorder. Clearly it will involve a significant number of security staff to control them and even then in reality all the staff will do is push the problem out of the premises and onto the streets where they become a Police issue. It should be noted that the busiest period of the NTE for the Police is between 01:00hrs and 04:00hrs which is when this licence will be operating.

Public Nuisance

Maidstone town centre is undertaking a growth in residential premises and these new residents should be entitled to a home in which they can live and sleep without being disturbed by this premises. Therefore steps need to be taken to control the noise coming from the premises as well as controlling the noise of customers leaving in the early morning. It is obvious that several hundred people walking past your address at 4 or 5 in the morning will have

an impact on your sleep. When you add in the fact that they have been drinking for some time, the problem will be magnified.

Public Safety

The premises will have a capacity of 1300 people which is quite large. That number of people in a multi storey building carries a risk before alcohol is even added to the situation.

Protection of children from harm.

The premises are to be used as an events centre and as it is impossible to know exactly what events will occur, it is impossible to say how much impact these events will have on the licensing objective but the licence if granted as per the application could allow for nearly 1300 children to be on site at any one time, they need to be kept safe.

Because of these concerns Kent Police believe that a number of conditions need to be added to the licence to reduce these risks to a minimum.

Suggested conditions that could be added to the licence to remedy the representation or other suggestions the licensing sub committee may take into account:

CCTV to be fitted to a standard agreed by the Police and that complies with the "CCTV Code of Practice" (Latest edition) as produced by the Information Commissioners Office. The CCTV coverage shall include all areas to which the public have access (with the exception of areas agreed by the Police, for example toilet cubicles) and will cover stairwells and entrances. It will also cover any areas which are expected to be used to eject or temporarily hold customers. The CCTV will also cover any area which could be considered a balcony area.

The CCTV system will be maintained and serviced on a regular basis and records kept to that effect.

The DPS will ensure that the CCTV is displaying the correct date and time (To within 5 minutes)

The CCTV shall be recording at all times that the premises are open to the public.

Images will be retained for a period of at least 30 days.

The Police or local authority will be given a copy of the CCTV in a suitable format within 48 hours of any reasonable request.

A member of staff who can operate the CCTV will be on duty at all times the premises are open to the public and will be able to provide the Police with a copy of CCTV, upon request in the case of a serious incident occurring.

At least one member of staff with a personal licence will be on duty at all times that the premises are open for the sale of alcohol.

The DPS will be responsible for the maintaining of an incident book at the premises and this book will log all incidents which are "out of the ordinary".

Adequate arrangements will be in place to accommodate disabled people and enable their safe movement within the premises. Those arrangements will also consider the needs during a safe evacuation from the premises in case of an incident.

Adequate and appropriate first aid equipment/materials will be on site at all times that the premises are open to the public.

A minimum of at least one member of staff trained in First Aid will be on duty on each floor that the public are using. (not including the ground floor)

At the end of any event which finishes between midnight and 06:00hrs at least one member of security staff will be posted outside the building to supervise the immediate egress of customers. They will remain on duty until all customers are clear from the area of the Rose Yard immediately in front of the building.

The premises will undertake the "Challenge 25" Scheme.

All staff involved in the sale or supply of alcohol will be trained in the "Challenge 25" Scheme and such training will be recorded.

The premises shall produce a full Risk Assessment to cover the running of events at the premises. All events whether run as "in house" or by outside organisers will comply with that Risk Assessment unless a separate Risk Assessment is completed for that particular event. These risk assessments either *generic* or *event specific* will be agreed by the Police at least 72 hours prior to the event taking place.

APPENDIX 4

From: James Williams PC 46011187
Sent: 19 Apr 2019 10:26:16 +0000
To: Licensing
Cc: st@stephenthomaslaw.co.uk;john@thesourcebar.co.uk
Subject: FW: Warehouse
Attachments: Evidence & Conditions.doc, 3480 Representations against s17 Grant of premises licence.docx
Importance: High

Louise,

Please see below email in relation to the W House application and representations made by Kent Police. As the applicant has now agreed to all proposals made by Kent Police then I can confirm that we are willing to withdraw the representation subject to the proposed conditions being attached to any premises licence granted under this application.

Regards,

James

From: Stephen Thomas <st@stephenthomaslaw.co.uk>
Sent: 16 April 2019 22:30
To: James Williams PC 46011187 <james.williams@kent.pnn.police.uk>
Cc: Louise Davis <LouiseDavis@Maidstone.gov.uk>
Subject: Re: Warehouse
Importance: High

Dear James,

I have taken inonditstructions from Stephen Moore. Your proposed conditions are agreed. Can you advise Louise that on this basis your representation is withdrawn

Thanks

Stephen Thomas

From: Stephen Thomas
Sent: 16 April 2019 22:17
To: Stephen Thomas
Subject: Fwd: Warehouse

Sent from my iPhone

Begin forwarded message:

From: James Williams PC 46011187 <james.williams@kent.pnn.police.uk>
Date: 16 April 2019 at 13:32:36 BST
To: "st@stephenthomaslaw.co.uk" <st@stephenthomaslaw.co.uk>, "john@thesourcebar.co.uk" <john@thesourcebar.co.uk>
Subject: Warehouse

Stephen, John

In relation to the application for the warehouse I have now submitted our representations to MBC.

Please read the attached and any issues please contact me.

Regards,

James Williams
07870157540

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87-88 Bank Street
Maidstone
Kent
ME14 1SD

Monday 15th April 2019

Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent
ME15 6JQ

Objection to Premises Licence Application

Dear Sirs,

I am writing to voice my objection to the application for a premises licence by The W House Ltd for W. House, Warehouse at rear of 11-15 Weak Street, Maidstone, Kent ME14 1QW.

I am objecting on the grounds of all four licencing objectives, but the main concern is on the protection of children from harm.

The owner and director of W House Ltd is the same as the owner for Source Bar, located on Rose Yard. This venue has a problem with underage drinking, which we have raised on several occasions, even providing photographic evidence of people under age to them and the licensing officer, but nothing is ever done about it. We are concerned that if the same owners open another, larger venue in the town, it will draw even more under age people into the town at night, provide them with alcohol and place them in unnecessary danger. We have even provided proof to the venue and the licensing officer that they knowingly let one of our underage members of staff in, they did not care and continued to let her in.

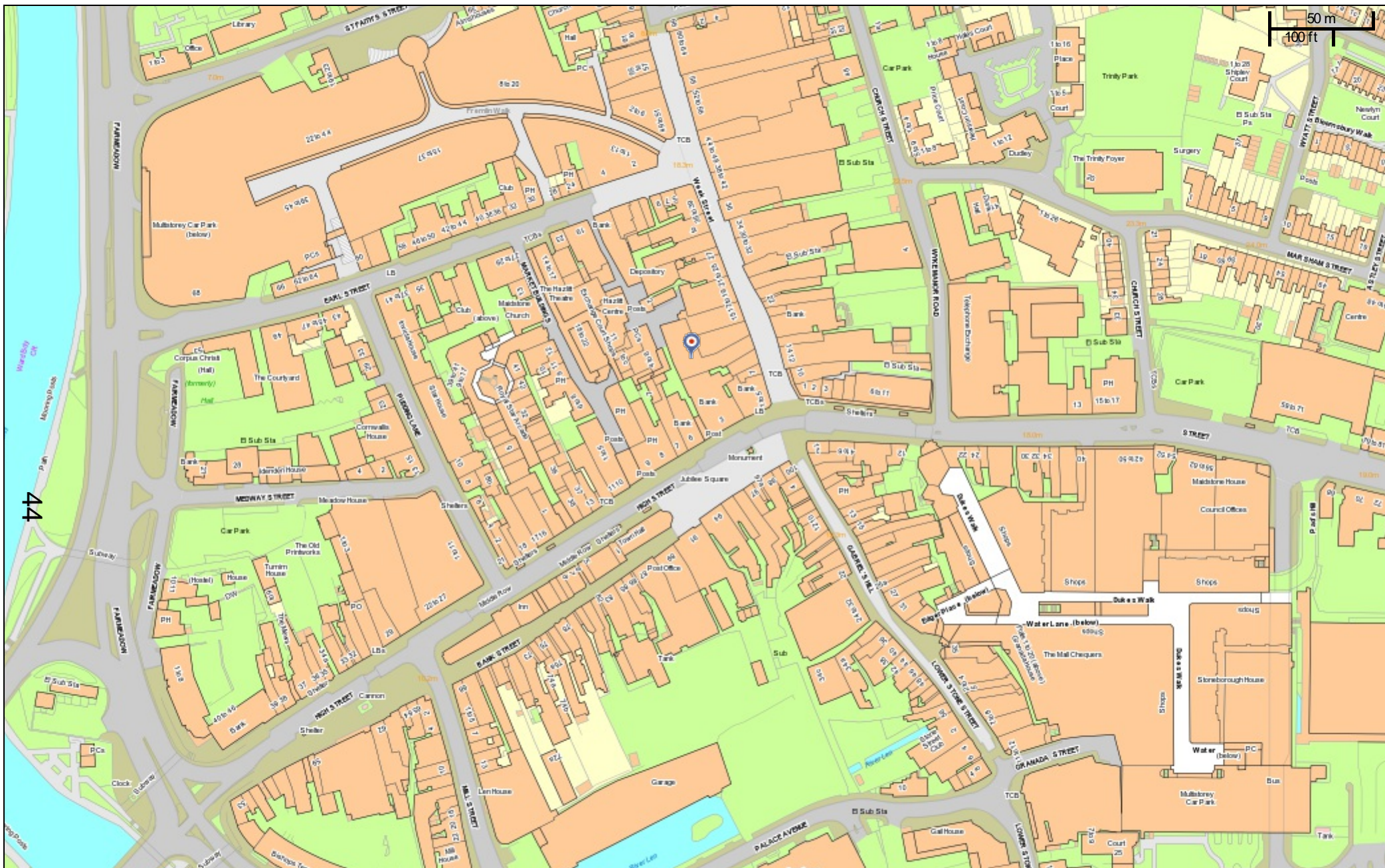
This just goes to show the attitude of the owners to this licensing objective, they do not care about protecting children from harm.

We can't see how any responsible authority can grant a new licence to the same owners, who have this blatant disregard for the licensing objectives. We, however, fully expect our concerns to be ignored as they have been every time we have raised them as it seems that certain members of the local authority/police turn a blind eye to all actions that this individual and his businesses do.

Kind Regards

A black rectangular box redacting the signature of Trevor Modell.

Trevor Modell
Director



HUMAN RIGHTS

Article 8

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Article 1 of the First Protocol

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Article 6(1)

In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgement shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.

Article 10

3. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
4. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.



LICENSING AUTHORITY: MAIDSTONE BOROUGH COUNCIL

Licensing Act 2003 Sub-Committee Hearing Procedure of Applications for New Premises Licences/Club Premises Certificates and Variations to existing licences and certificates

Introduction and Procedure

i) Introductions

The Chairman will request all those persons participating in the hearing to identify themselves, starting with the:

- ☐ Members of the sub-committee (who will, if applicable, declare any personal or prejudicial interests)
- ☐ Legal advisor
- ☐ Committee clerk
- ☐ Maidstone Borough Council licensing officers/managers
- ☐ Applicant (and any representative)
- ☐ Each responsible authority (and any representative)
- ☐ Each interested party (and any spokesperson or representative)

ii) Procedural Matters

- **Procedure**

The Chairman will:

- ☐ Confirm that all parties are aware of the sub-committee hearing procedure and that each party has a copy of the hearing procedure document.

- **Submissions**

The Chairman will:

- ☐ Explain that the sub-committee will allow all parties to put their case fully and make full submissions, within a reasonable time frame.

- **Discussion and cross-examination**

The Chairman will:

- ☐ Explain that the sub-committee procedure shall take the form of a discussion led by the sub-committee.
- ☐ Explain that the sub-committee will usually permit cross examination (conducted within a reasonable time frame).

- **Disruptive Behaviour**

The Chairman will:

- ☐ 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) and thereafter the person may submit to the sub-committee in writing any information which the person would have been entitled to give orally had the person not been required to leave the hearing.

- **Reading of Papers**

The Chairman will:

- ☐ Confirm that all sub-committee members have pre-read all the papers and any other documents contained in the report regarding the hearing.

- **Draft Conditions**

The Chairman will:

- ☐ Enquire whether draft conditions have been agreed between the applicant and any of the other parties for the sub-committee to consider.

- **Witnesses**

The Chairman will:

- ☐ Enquire whether any parties request to have any witnesses give evidence at the hearing; and if so grant the request unless the request is unreasonable.
- ☐ Invite the parties, where appropriate, to appoint a spokesperson.

The Hearing

Outline of the Application and Representations

- ☐ The Chairman will ask the legal advisor or community services manager to briefly outline the application and all representations regarding the application.

i) The Applicant

- ☐ Opening remarks by the applicant (or their representative).
- ☐ Evidence of the applicant and any witnesses.
- ☐ After each person has given evidence the person may be questioned by each responsible authority, interested party and sub-committee member.
- ☐ If necessary, the applicant (or their representative) may clarify any matter that arose during questioning.

ii) Responsible Authorities (where applicable)

RESPONSIBLE AUTHORITY	Tick if applicable
Police	
Trading standards	
Environmental Health	
Child Protection (Social Services)	
Planning	
Fire and Rescue	

- ☐ Opening remarks by the officer representing the responsible authority (or their representative).
- ☐ Evidence of the responsible authority officer and any witnesses.
- ☐ After each person has given evidence the person may be questioned by the applicant, each other responsible authority, interested party and sub-committee member.
- ☐ If necessary, the officer (or representative) may clarify any matter that arose during questioning.

iii) Interested Parties

- ☐ Opening remarks by the interested party (or spokesperson/representative).
- ☐ Evidence of the interested party and any witnesses.
- ☐ After each person has given evidence the person may be questioned by the applicant, responsible authorities, each other interested party and sub-committee member.
- ☐ If necessary, the interested party (or spokesperson/representative) may clarify any matter that arose during questioning.

Closing Speeches

In the following order:

- ☐ **Each Responsible Authority**
- ☐ **Each Interested Party**
- ☐ **The Applicant**

End of Hearing

- ☐ The Chairman will ask the members of the sub-committee if they have any final questions for any party to the hearing.
- ☐ The Chairman will ask the legal advisor whether there are any further matters to be raised or resolved before the hearing is closed.
- ☐ 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, all relevant representations, evidence, the relevant extracts of Licensing Authority's Statement of Licensing Policy, the relevant extracts of the National Guidance issued under section 182 of The Licensing Act 2003 and the licensing objectives under the Licensing Act 2003.
- ☐ The Chairman shall invite the legal advisor to remain with the sub-committee during its deliberations and ask all other persons to withdraw from the room.

The Decision

The Chairman shall declare in public session:

- ☐ The sub-committee's determination.
- ☐ All parties to the hearing will receive a copy of the written Determination Notice regarding the sub-committee's determination.
- ☐ 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.
- ☐ The hearing is formally closed.