



## LICENSING SUB COMMITTEE

Notice of a Meeting, to be held in the Committee Room No. 1 (Fougères Room) - Ashford Borough Council on Tuesday, 21st June, 2022 at 9.30 am\*.

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\*Please note start time.

The Members of the Licensing Sub Committee are:-

Cllrs. Michael, L. Suddards, Wright

Cllr. Buchanan (Reserve)

### Agenda

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| 1. | <b>Election of Chairman</b>  |        |
| 2. | <b>Apologies/Substitutes</b>   |        |
|    | To receive Notification of Substitutes in accordance with Procedure Rule 1.2(iii)                            |        |
| 3. | <b>Declarations of Interest</b>  | 1 - 2  |
|    | To declare any interests which fall under the following categories explained on the attached document:       |        |
|    | a) Disclosable Pecuniary Interests (DPI)   |        |
|    | b) Other Significant Interests (OSI)   |        |
|    | c) Voluntary Announcements of Other Interests  |        |
|    | See Agenda Item 3 for further details  |        |
| 4. | <b>Minutes</b>   | 3 - 4  |
|    | To approve the Minutes of the Meeting of the Licensing Sub-Committee held on 26 <sup>th</sup> February 2020. |        |
| 5. | <b>Procedure Note for Licensing Hearings</b>   | 5 - 8  |
| 6. | <b>Boys Hall, Boys Hall Road, Ashford, Kent TN24 0LA - Application for a Premises Licence</b>                | 9 - 66 |
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DSKM  
7 June 2022

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## Declarations of Interest (see also “Advice to Members” below)

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a relevant Dispensation has been granted).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted).

However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency alone, such as:

- Membership of amenity societies, Town/Community/Parish Councils, residents' groups or other outside bodies that have expressed views or made representations, but the Member was not involved in compiling or making those views/representations, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: Where an item would be likely to affect the financial position of a Member, relative, close associate, employer, etc.; OR where an item is an application made by a Member, relative, close associate, employer, etc., there is likely to be an OSI or in some cases a DPI. ALSO, holding a committee position/office within an amenity society or other outside body, or having any involvement in compiling/making views/representations by such a body, may give rise to a perception of bias and require the Member to take no part in any motion or vote.]

### **Advice to Members on Declarations of Interest:**

- (a) Government Guidance on DPI is available in DCLG's Guide for Councillors, at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5962/2193362.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5962/2193362.pdf)
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, and a copy can be found in the Constitution alongside the Council's Good Practice Protocol for Councillors dealing with Planning Matters. See <https://www.ashford.gov.uk/media/2098/z-word5-democratic-services-constitution-2019-constitution-of-abc-may-2019-part-5.pdf>
- (c) Where a Member declares a committee position or office within, or membership of, an outside body that has expressed views or made representations, this will be taken as a statement that the Member was not involved in compiling or making them and has retained an open mind on the item(s) in question. If this is not the case, the situation must be explained.

**If any Member has any doubt about any interest which he/she may have in any item on this agenda, he/she should seek advice from the Director of Law and Governance and Monitoring Officer, or from other Solicitors in Legal and Democracy as early as possible, and in advance of the Meeting.**

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## Licensing Sub Committee

Minutes of a Meeting of the Licensing-Sub Committee held in the Customer Contact Centre Meeting Room, Civic Centre, Tannery Lane, Ashford on the **26<sup>th</sup> February 2020**.

### **Present:**

Cllr. Burgess (Chairman)

Cllrs. Feacey, Wright.

### **Also Present:**

Cllr. Shorter (Observer)

Applicant

Licensing Officer, Licensing Officer (Observer), Legal Advisor, Member Services Officer.

## **306 Election of Chairman**

### **Resolved:**

**That Councillor Burgess be elected as Chairman for this Meeting of the Licensing Sub Committee.**

## **307 Declarations of Interest**

Cllr Burgess made a Voluntary Announcement during the proceedings, as it came to light that he had worked for the same company as the applicant many years previously, but he confirmed that he did not know the applicant.

## **308 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of this Committee held on the 28<sup>th</sup> January 2020 and the 7<sup>th</sup> February 2020 be approved and confirmed as a correct record.**

## **309 Exclusion of the Public**

### **Resolved:**

**That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of the following item, namely 'Consideration of a Private Hire and Hackney Carriage Driver's licence' as it is likely in view of the nature of the business to be**

transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to paragraphs 1, 2 and 7 of Schedule 12A of the Act, where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **310 Consideration of a Private Hire and Hackney Carriage Driver's Licence**

The Councillors and Officers present were introduced. The Chairman welcomed all present and the Legal Adviser explained the procedure to be followed. The Committee confirmed that they had received and read the agenda papers.

The Licensing Officer had submitted a report which outlined the case. He drew attention to this and highlighted the key points within the report.

The Applicant put his case to the Committee and provided a copy of a reference from a previous employer, supporting his good character and his application.

The Licensing Officer and Applicant answered questions from Councillors, which included additional training resources available to the trade.

The Committee then retired to make its decision.

On the Committee's return, the Chairman read out the 'Decision and Reasoning's Statement' that had been prepared by the Sub Committee. A copy of this document was provided to the Applicant at the meeting. Further, it was advised that a copy of this would also be sent to the Applicant after the meeting, along with the Minutes and a Decision Letter.

#### **Resolved:**

**That the licence be granted.**

## **PROCEDURE NOTE FOR LICENSING/REGULATORY HEARINGS**

1. Prior to the meeting of the Committee<sup>1</sup>, the Committee will have read and familiarised themselves with the Licensing Officer's report and documents referred to in it.
2. The hearing will take place in public, subject to a discretion to exclude the public and/or parties where the public interest in doing so outweighs the public interest in the hearing taking place in public<sup>2</sup>. The Committee may also exclude anyone behaving disruptively.<sup>3</sup>
3. The parties<sup>4</sup> are entitled to be assisted or represented by any person, whether or not legally qualified. A party is entitled to withdraw any of their representations orally at the hearing or at least 24 hours before the day or the first day of the hearing.<sup>5</sup>
4. The Committee may extend any time limit in the Regulations for a specified period where it considers this to be necessary in the public interest, but must state the period of the extension and the reason for it.<sup>6</sup> For example, the Committee may extend the time for making a request to call a witness (see paragraph 16- below).
5. Where a party has notified the authority that he does not intend to attend, the Committee will proceed with the hearing in his absence. Where he has not so notified the authority but does not attend, the Committee may adjourn the hearing to a specified date where it considers it necessary in the public interest to do so. Otherwise, it will proceed with the hearing.<sup>7</sup>
6. Before proceeding in the absence of a party who has not indicated that they do not wish to attend, the Licensing Officer will attempt to ascertain the reason for that party's non-attendance.
7. The Committee may adjourn the hearing to a specified, or extra, date where it considers this to be necessary for the determination of the case.<sup>8</sup> There are limitations on the ability of the Committee to adjourn the case beyond the time limits for determination during the transitional period and on reviews following closure orders by the police.<sup>9</sup>
8. At the outset of the meeting, a Chair will be elected and any personal and/or prejudicial interests declared.<sup>10</sup>
9. Except where the Regulations make specific requirements, the procedure will be in the discretion of the Committee.<sup>11</sup>

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<sup>1</sup> In this Note the expression "the Committee" includes a sub Committee.

<sup>2</sup> Reg 14 Licensing Act 2003 (Hearings) Regulations 2005

<sup>3</sup> Reg 25.

<sup>4</sup> Reg 2(1) "a person to whom notice of the hearing is to be given under Reg 6(1)" – includes objectors and responsible authorities, such as the Police.

<sup>5</sup> Reg 10

<sup>6</sup> Reg 11.

<sup>7</sup> Reg 20.

<sup>8</sup> Reg 12.

<sup>9</sup> Reg 13.

<sup>10</sup> Model Code of Conduct

10. At the beginning of the hearing, the Committee will explain to the parties the procedure it proposes to follow.<sup>12</sup>
11. The Chairman will indicate that all the papers before the Committee have been read and that the Committee is familiar with the issues. He will ask the parties to avoid repetition.
12. The Chairman will indicate the order of presentation.
13. If there are a number of objectors present, the Chairman may request that a spokesperson be appointed. He will make it clear that any party<sup>13</sup> who wishes to speak will be able to do so, and that the appointment of a spokesperson does not mean that the objections of any interested party will be given less weight.
14. The Chairman may also indicate how the Committee intends to deal with conditions proposed by the parties or by the Committee itself. He may ask the parties to attempt to agree a schedule of conditions for use if the Committee is minded to grant the application. This will not mean that the Committee has formed any view of the merits. It will only come to its decision at the end.
15. A party is entitled to be represented or assisted by another person, whether or not that person is legally qualified.<sup>14</sup>
16. If a party wishes a person (other than himself or his representative) to appear at the hearing he must have made a request to do so prior to the hearing within the times prescribed in Reg. 8. The request must name the person and give a brief description of the point(s) on which that person may be able to assist. In such a case, the Committee will determine the application for permission at the outset of the hearing.<sup>15</sup> In determining that request, the authority will consider the representations of all parties upon the matter and may consider the relevance of the proposed evidence, the assistance it will in fact offer to the Committee and the prejudice to the parties, if the evidence is admitted or excluded.<sup>16</sup>
17. Each of the parties has a right to:
  - a. address the Committee;
  - b. give clarification of any point, where such clarification has been sought by the Council in its notice of hearing;
  - c. question any other party, but only where this is expressly permitted by the Committee (see para 21 below).<sup>17</sup>
18. The Committee must allow an equal maximum time for the parties to exercise their rights as set out in para 17 above.<sup>18</sup>

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<sup>11</sup> Reg 21.

<sup>12</sup> Reg 22

<sup>13</sup> see footnote 4

<sup>14</sup> Reg 15.

<sup>15</sup> Reg 22

<sup>16</sup> Reg 22

<sup>17</sup> Reg 16.



19. The Committee will set the time of the hearing at the outset, having regard to its view of the length reasonably required for the hearing. It may hear the parties briefly before setting the maximum time. It may extend the time where circumstances require.<sup>19</sup>
20. The hearing is to take the form of a discussion led by the Committee.<sup>20</sup> The Chairman will ensure that within the discussions, all parties are given an opportunity to state their case as set out in their written application/representations and to meet the case of opposing parties.
21. Cross-examination will not be permitted unless the Committee considers that it is required for it to give proper consideration to the case.<sup>21</sup> Any application to cross-examine will be heard and dealt with at the hearing.
22. The Committee may consider cross-examination to be required, for example, where there is a genuine issue of fact, which can only be resolved fairly through cross-examination.
23. The Committee may question any party or other person(s) appearing.<sup>22</sup>
24. The Committee may take into account documentary or other information provided by a party before the hearing. Information produced at the hearing may only be taken into account with the consent of all other parties.<sup>23</sup> The parties are therefore strongly recommended to exchange documentary evidence and brief summaries of any proposed witness evidence at least 5 days before the hearing, otherwise they may be restricted in the information they can put before the committee. Any material exchanged should also be given to the licensing authority at the same time.
25. The Committee must disregard any information given which is not relevant to the application, representations or notice of the party giving the information. The Committee must also disregard any information which is not relevant to the promotion of the licensing objectives.<sup>24</sup>
26. In certain circumstances, the Committee is required by law to make its determination at the conclusion of the hearing. This includes certain applications made during the transitional period, counter-notice following police objections to temporary events notices, and reviews of premises licences following closure orders. Otherwise the Committee is required to determine the application within five working days of the day or the last day on which the hearing was held<sup>25</sup>.
27. The Committee will give reasons for its decision and will confirm the decision in writing to the parties.

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<sup>18</sup> Reg 24.

<sup>19</sup> Reg 11

<sup>20</sup> Reg 23.

<sup>21</sup> Reg 23.

<sup>22</sup> Reg 17.

<sup>23</sup> Reg 18.

<sup>24</sup> Reg 19.

<sup>25</sup> Reg 26.

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ASHFORD  
BOROUGH COUNCIL

**Agenda Item No:** 6

**Licence Reference** WK/202202853

**Report To:** LICENSING SUB COMMITTEE

**Date:** 21 JUNE 2022

**Report Title:** **Licensing Act 2003 - Application for a premises licence for:  
Boys Hall, Boys Hall Road, Ashford, Kent, TN24 0LA**

**Report Author:** Alison Simmonds

**Summary:**

The report advises Members of a licence application under the provisions of the Licensing Act 2003.

Application type: **Application for a premises licence**

Applicant: **'B & K Leisure Ltd' – Mr Bradley Lomas**

Premises: **Boys Hall, Boys Hall Road, Ashford,  
Kent, TN24 0LA**

Members are asked to determine whether to grant the premises licence, with or without additional conditions pursuant to the Act

**Key Decision:** NO

**Affected Wards:** Aylesford & East Stour

**Recommendations:** **The Committee is asked to determine the application and decide whether to grant the premises licence, with or without additional conditions pursuant to the Act.**

**Policy Overview:** The decision is to be made with regard to the Licensing Act 2003, Secretary of State's Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy. Where the decision departs from the Policy or Guidance the departure must be directed solely at the attainment of the licensing objectives, and such departure must be supported by clear and cogent reasons.

**Financial Implications:** The costs associated with processing the application are taken from licensing fee income.

**Other Material Implications:** **HUMAN RIGHTS:** In considering this application the Sub Committee will balance the competing Human Rights of the various parties including the right to respect for private and family life, the protection of property and the right to a fair hearing.

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

**Exemption Clauses:** Not applicable

**Background  
Papers:** None

**Contacts:** ali.simmonds@ashford.gov.uk

**Agenda Item No. 6**

**Report Title: Licensing Act 2003 - Application for a premises licence:  
Boys Hall, Boys Hall Road, Ashford, Kent, TN24 0LA.**

**Purpose of the Report**

1. The report advises Members of a licence application under the provisions of the Licensing Act 2003.

Application type: **Application of a premises licence**  
Applicant: **‘B & K Leisure Ltd’ – Mr Bradley Lomas**  
Premises: **Boys Hall, Boys Hall Road, Ashford, Kent, TN24 0LA**

**Issue to be decided**

2. Members are asked to determine whether to grant the application for a premises licence, with or without additional conditions pursuant to the Act.

**Background**

***The Licensing Objectives***

3. The licensing authority must carry out its functions under the Licensing Act 2003 with a view to promoting the licensing objectives namely, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm (LA 2003, s4 (1)).

***Application details***

4. This application is for a new premises licence. See **Appendix A** for the application for a premises licence, along with a plan of the internal layout of the premises.
5. Boys Hall is a period Manor House set within three acres of gardens. Boys Hall has served as a family home, conference centre and wedding and already holds a premises licence – see **Appendix B**
6. The application to vary a premises licence seeks to include additional areas, including the restaurant and pub within the main house itself and the Walled Garden Room within the licensed area. It also seeks to extend the hours for licensable activity.
7. In the event that the application to vary the licence is granted, the existing premises licence will be surrendered.
8. The application has been made and advertised in the correct manner.

### ***Representations from Responsible Authorities***

9. There are no representations from the relevant Responsible Authorities.

### ***Three representations have been received from local residents.***

10. Under section 35(5) of the Licensing Act 2003, representations are relevant if they are about the likely effect of the grant of the licence on the promotion of the licensing objectives and (subsection 6) are made by an interested party or responsible authority within the prescribed period, are not withdrawn or, in the opinion of the licensing authority, frivolous or vexatious
11. The prescribed period for the receipt of such representations in this case is, by Regulation 22(b) of the Licensing Act 2003 Regulations 2005 "during a period of 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".
12. Three parties have made representations; these are detailed in **Appendices C, D and E**.

The main concerns arising from the representations are the potential for noise nuisance and anti-social behaviour, particularly due to the proximity to the residential area.

### ***Relevant premises operating hours***

13. The application proposes to permit:

<b>Supply of alcohol (Off and on sales)</b>	Sunday – Wednesday (inclusive) 07:30 -23:30 Thursday – Saturday (inclusive) 07:30 – 00:00
<b>Hours premises open to the public*</b>	Sunday – Wednesday (inclusive) 06:30 – 22:30 Thursday – Saturday (inclusive) 07:30 – 00:30
<b>Late night refreshment (Indoors only)</b>	Sunday to Wednesday (inclusive) 23:00 – 23:30 Thursday –Saturday (inclusive) 23:00 -00:00
<b>Live music/Recorded music/Performance of dance/Anything of similar description (Indoors only)</b>	Sunday to Wednesday (inclusive) 08:00 – 23:30 Thursday to Saturday (inclusive) 08:00 – 00:00
<b>*Seasonal variations</b>	All Bank holidays and New Years Eve- From the end of permitted hours until 01:30 the next day. The premises shall be open to hotel guests 24 hours.

## **General**

14. Members attention is drawn to the following matters:

- All applications are to be considered on their merits as well as against the relevant policy and statutory framework.
- Due regard should be given to the provisions of the Human Rights Act 1998, Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 and Section 17 of the Crime and Disorder Act 1998 and, so far as possible, reflect local crime prevention strategies.
- The operating schedule forms part of the completed application form for a premises licence. The operating schedule should include information, which is necessary to enable any responsible authority or other party to assess whether the steps to be taken to promote licensing objectives are satisfactory.
- The licensing authority may not impose any conditions unless its discretion has been engaged following the making of relevant representations and it has been satisfied at a hearing of the appropriateness to impose conditions due to the representations raised. It may then only impose such conditions as are appropriate to promote the licensing objectives arising out of the consideration of the representations. However, in order to minimise problems and the necessity for hearings, it would be sensible for applicants to consult with responsible authorities when schedules are being prepared. This would allow for proper liaison before representations prove necessary.
- Where problems have occurred, the application for a premises licence will afford an opportunity for responsible authorities and other parties to raise the issue through representations and for conditions addressing any nuisance previously caused to be attached following a hearing where necessary. The views of local residents will be important in establishing the extent of any history of problems.
- The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- Public nuisance is not narrowly defined in the 2003 Act and retains its broad common law meaning for the Act's purposes. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity of other parties living and working in the area of a licensed premises. Public

nuisance may also arise as a result of artificial light, dust, odour and insects or where its effect it's prejudicial to health.

- Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise may also prove necessary to address any disturbance anticipated as customers enter and leave the premises and therefore, in the immediate vicinity of the premises.
- In the context of preventing public nuisance, it is essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to public nuisance caused by the anti-social behaviour of customers once they are beyond the control of the licence holder, or premises management cannot be justified and will not serve to promote the licensing objectives in relation to the licensing activities carried on at the premises. Beyond the vicinity of the premises, these are matters for personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in his own right. However, it would be perfectly reasonable for a licensing authority to impose a condition it considered appropriate following relevant representations from an interested party that requires the licence holder to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living near-by to a peaceful night. After a licence has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence.
- The Guidance states “the conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.”
- It is perfectly possible that in certain cases, because the test is one of appropriateness, where there are other legislative provisions, which are relevant and must be observed by the applicant, no additional conditions at all are needed to promote the licensing objectives.



## **Decision options**

15. The steps an authority may take are:
- a) Grant the licence variation subject to
    - i) Such conditions as are consistent with the operating schedule accompanying the application modified to such an extent as the authority considers necessary for the promotion of the four licensing objectives, and
    - ii) any conditions which must under section 19, 20, or 21 of the Licensing Act 2003 be included in the licence (the mandatory conditions).
  - b) Exclude, or limit, the scope of any of the licensable activities to which the application relates.
  - c) Reject the application.

## **Consultation**

16. All relevant parties have followed the consultation procedures required under the Licensing Act 2003.

## **Implications Assessment**

17. 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.

## **Human Rights**

18. 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 10 – Freedom of Expression

The full text of each Article is given in the attached **Appendix F**.

## **Handling**

19. The timings for handling the application are set out in the Licensing Act 2003 and related regulations.

## **Conclusion**

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

**Application for a premises licence to be granted under the Licensing Act  
2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

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

WE, B&K Leisure Ltd *(Insert name(s) of applicant)*

**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 Boys Hall Boys Hall Road Willesborough,			
<b>Post Town</b>	Ashford	<b>Postcode</b>	TN24 0LA
Telephone number at premises			
Non-domestic rateable value of premises		N/A	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick yes

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals          | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual     | <input type="checkbox"/>            | please complete section (B) |
| 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                                | <input type="checkbox"/>            |                             |
| (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  | <input type="checkbox"/> | please complete section (B) |
| f)  | a health service body   | <input type="checkbox"/> | 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 in Wales                                       | <input type="checkbox"/> | please complete section (B) |
| ga) | a person who is registered under Chapter 2 of Part 1 of the Health & Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | Please complete section (B) |
| h)  | the chief officer of police of a police force in England and Wales  | <input type="checkbox"/> | Please complete section (B) |

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

- 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)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over <input type="checkbox"/>			Please tick yes		
Current postal address if different from premises address					
Post Town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over <input type="checkbox"/>			Please tick yes		
Current postal address if different from premises address					
Post Town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

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

Name B&K LEISURE LTD
Registered office address 80-83 Long Lane London EC1A 9ET
Registered number (where applicable) 12578250
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited Company
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
A		S		A	P

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

Day		Month		Year	

Please give a general description of the premises (please read guidance note1)

The premises is an existing 17<sup>th</sup> century Jacobean manor house. The site consists of the layout plans submitted as part of the application. The licensable areas consist of the ground floor of Boys Hall (drawing number 020 Rev P3) and the Walled Garden Bar (drawing number 400.01 Rev P1).

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

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick yes

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

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

☒

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

☒

In all cases complete boxes K, L and M

A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed			<b><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></b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					



**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			<b><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></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Wed			<b><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></b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="checked" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	08:00	23:30			
			Amplified or unamplified live music played on the premises.		
Tue	08:00	23:30			
			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed	08:00	23:30			
Thur	08:00	00:00			
			<b><u>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</u></b> (please read guidance note 6)		
Fri	08:00	00:00			
Sat	08:00	00:00			
			All Bank Holidays and New Year's Eve – From the end of permitted hours until 01:30 the following day		
Sun	08:00	23:30			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)  Playing of recorded music via an in house music system.		
Mon	08:00	23:30			
Tue	08:00	23:30			
Wed	08:00	23:30	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur	08:00	00:00			
Fri	08:00	00:00	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	08:00	00:00			
Sun	08:00	23:30	All Bank Holidays and New Year's Eve – From the end of permitted hours until 01:30 the following day		

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)  Performances of dance by staff and performers.		
Mon	08:00	23:30			
Tue	08:00	23:30			
Wed	08:00	23:30	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur	08:00	00:00			
Fri	08:00	00:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	08:00	00:00			
Sun	08:00	23:30	All Bank Holidays and New Year's Eve – From the end of permitted hours until 01:30 the following day		

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			<b><u>Please give a description of the type of entertainment you will be providing</u></b> Entertainment of a similar nature to live music, recorded music and performance of dance but which may not be strictly considered live music, recorded music and performance of dance, for example but not limited to cabaret performances.		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	08:00	23:30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	08:00	23:30	<b><u>Please give further details here</u></b> (please read guidance note 4) Please see above.		
Wed	08:00	23:30			
Thur	08:00	00:00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri	08:00	00:00			
Sat	08:00	00:00	<b><u>Non standard timings. Where you intend to use the premises for the 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</u></b> (please read guidance note 6)		
Sun	08:00	23:30			
			All Bank Holidays and New Year's Eve – From the end of permitted hours until 01:30 the following day		

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)  The provision of hot food and drink		
Mon	23:00	23:30			
Tue	23:00	23:30			
Wed	23:00	23:30	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur	23:00	00:00			
Fri	23:00	00:00			
Sat	23:00	00:00	<b><u>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</u></b> (please read guidance note 6)  All Bank Holidays and New Year's Eve – From the end of permitted hours until 01:30 the following day		
Sun	23:00	23:30			



J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b><u>Will the supply of alcohol be for consumption (Please tick box)</u></b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)		
Mon	07:30	23:30			
Tue	07:30	23:30			
Wed	07:30	23:30			
Thur	07:30	00:00	<b><u>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</u></b> (please read guidance note 6)  All Bank Holidays and New Year's Eve – From the end of permitted hours until 01:30 the following day		
Fri	07:30	00:00			
Sat	07:30	00:00			
Sun	07:30	23:30			

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

<b>Name</b> Bradley Lomas
<b>Address</b> Lodge Cottage Boys Hall Road Willesborough Ashford Kent TN24 0LA

**Personal Licence number (if known)**

CWC12-02553

**Issuing licensing authority (if known)**

Cheshire West & Chester Council

**K**

**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

**L**

**Hours premises are open to the public**

Standard days and timings  
(please read guidance note 7)

Day	Start	Finish
Mon	07:30	00:00
Tue	07:30	00:00
Wed	07:30	00:00
Thur	07:30	00:30
Fri	07:30	00:30
Sat	07:30	00:30
Sun	07:30	00:00

**State any seasonal variations** (please read guidance note 5)

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 6)

All Bank Holidays and New Year's Eve – From the end of permitted hours until 02:00 the following day

The premises shall be open to the hotel guests 24 hours.

**M** - 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 information provided in this box is solely for information only and not intended to be converted into conditions on the licence.]*

Boys Hall has the benefit of an existing premises licence, number LN/020060666. Bradley and Kristie Lomas acquired Boys Hall in 2019. It is a period Manor House set within three acres of idyllic gardens. Boys Hall has served as a family home, conference centre and wedding venue over the years.

This premises licence application seeks to include additional areas, including the restaurant and pub within the main house itself and the Walled Garden Room within the licensed area. The premises will be open to the general public and hotel guests. The restaurant will have an emphasis on all-day dining, from breakfasts, brunch, lunch, afternoon teas and dinner. The premises would like to be able to serve alcohol early for the likes of Champagne, Bloody Mary etc. with breakfast.

Towards the east-side of the house there is the pub which shall be a very quaint and authentic country pub filled with local ales. Within the original walled garden there will be a garden bar and terrace which will serve as a café by day with the options of alcoholic drinks.

Please note the application may be amended during the application period to reflect any agreements that may be reached with the responsible authorities and other parties.

In the event that this new premises licence is granted as applied for or in acceptable form, the intention will be to surrender the existing premises licence number LN/020060666.

**b) The prevention of crime and disorder**

1. A refusal log shall be maintained at the premises
2. The Licence Holder shall ensure that all staff are trained as appropriate in relation to under age alcohol sales and consumption. Such training shall ensure that all staff are aware of the recognised 'proof of age' scheme in operation.
3. The Licence Holder shall maintain an accident/incident record book. All accidents/incidents to members of the public or staff shall be detailed in this box which is maintained at the licensed premises and available for inspection.

**c) Public safety**

*We understand our obligations under the extensive legislation and take our responsibilities serious*

**d) The prevention of public nuisance**

4. Notices shall be prominently displayed at all public exits requesting customers to respect the needs of local residents and to leave the area quietly
5. The Licence Holder shall not permit firework displays or laser light shows for

- events covered by the premises licence
6. The Licence Holder shall provide appropriate facilities for the disposal of bottles

**e) The protection of children from harm**

7. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

**Checklist**

**Please tick to  
indicate agreement**

- I have made or enclosed payment of the fee ☒
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- 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 4 – Signatures** (please read guidance note 11)

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

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [Applicable to 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).</li><li>• 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)</li></ul>
Signature	
Date	
Capacity	Solicitors for and on behalf of the applicant

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent.** (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

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

George Domleo  
Flint Bishop LLP  
St. Michael’s Court  
St. Michael’s Lane  
Derby  
DE1 3HQ

Telephone number (if any)	
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>	

### Notes for Guidance

1. 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.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority

concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume

away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

**15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

- (a) **Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).**

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.



- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.

- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of [permanent residence in the UK](#) or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

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

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;

- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

### **Home Office online right to work checking service**

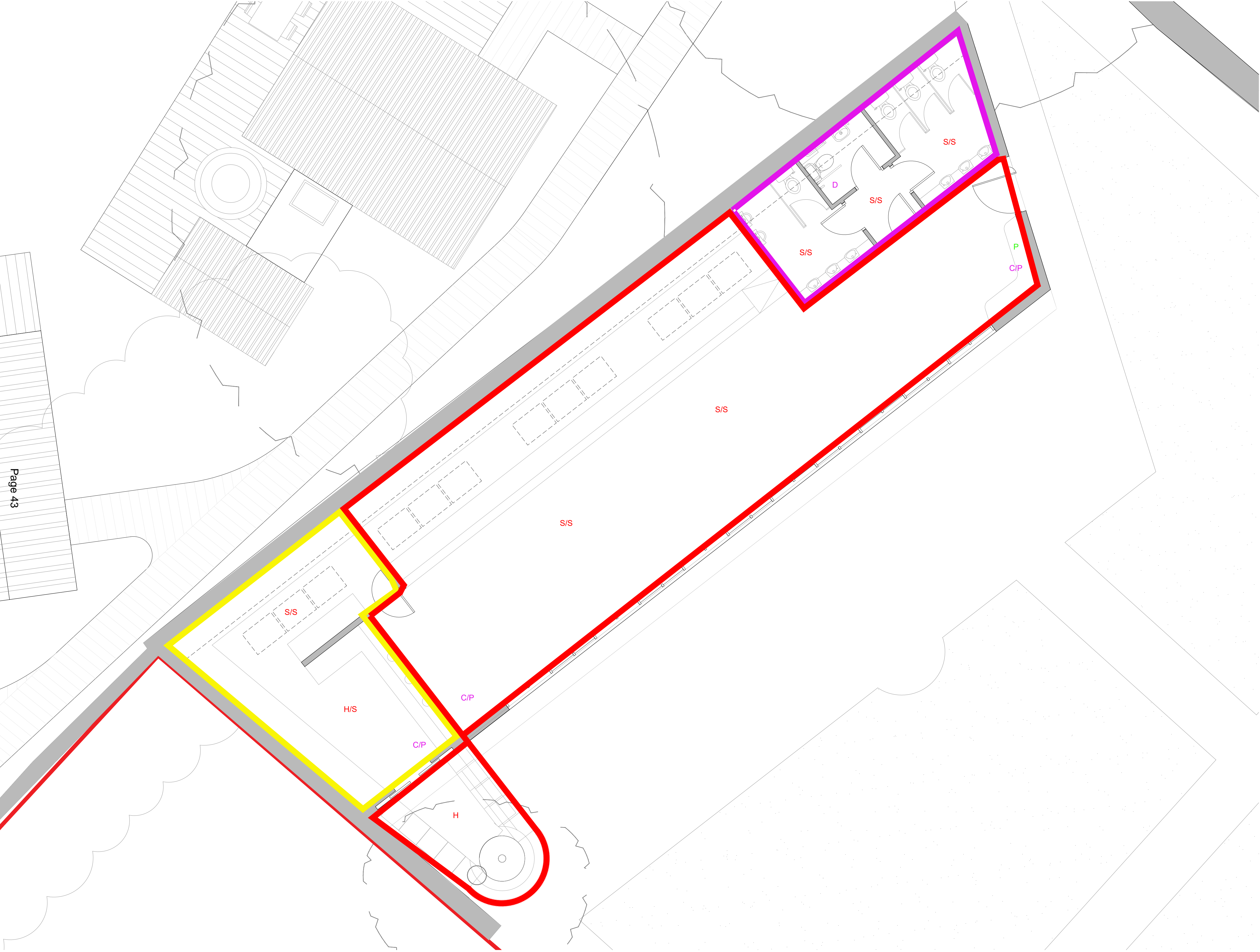
As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <http://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out a check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online.

The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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- Licensable Area
- Kitchen / Back of House
- Toilets
- 
- S/S Smoke / Sound Detector
- H/S Heat / Sound Detector
- H Heat Detector
- S Smoke Detector
- C/P Call Point
- D Disabled Pull Cord
- P Fire Panel

# Hollaway

London | 11a Acton Street | London | W1K 9BQ  
T +44 (0) 20 7096 5422 | E london@hollawaystudio.co.uk | W www.hollawaystudio.co.uk

Kent | The Tramway Stables | Ramport Road | Hythe | Kent | CT21 5BG  
T +44 (0) 1303 240 515 | E kent@hollawaystudio.co.uk | W www.hollawaystudio.co.uk

**Project** | BOYS HALL ROAD, ASHFORD, TN24 0LA  
BOYS HALL

**Client** | MR & MRS LOMAS

**Title** | WALLED GARDEN BAR PLAN

**Status** | PLANNING

Scale 9A1 | 1:100    Date | 12.12.21    Drawn | JK    Chk'd | RW

Project Number	Drawing Number	Revision
19.143	400.01	P1
Bim Number		

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- Licensable Area
- Kitchen / Back of House
- Toilets
- External Licensable Area

S/S Smoke / Sound Detector

H/S Heat / Sound Detector

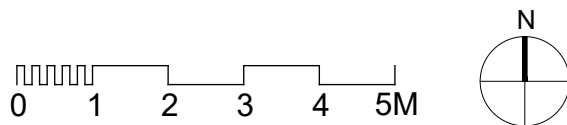
H Heat Detector

S Smoke Detector

C/P Call Point

D Disabled Pull Cord

P Fire Panel



Revision Number	Revision Description	Revision Date
P1	Revised External Terrace Wall and Kitchen flue position	13/01/2021
P2	Amended Design	08/03/2021
P3	Amended Design	12/03/2021

# Hollaway

London | 11a Action Street | London | WC1X 9BS  
T +44 (0) 20 7596 5423 | E london@hollawaystudio.co.uk | W www.hollawaystudio.co.uk

Rent | The Tramway Stables | Ramport Road | Rythe | Kent | CT21 5BG  
T +44 (0) 1303 240 315 | E kent@hollawaystudio.co.uk | W www.hollawaystudio.co.uk

**Project** | BOYS HALL  
BOYS HALL ROAD, ASHFORD TN24 0LA

**Client** | MR & MRS LOMAS

**Title** | GROUND FLOOR PLAN

**Status** | PLANNING

**Scale** | A1 | 1:100   **Date** | 22.07.2020   **Drawn** | HF   **Chk'd** | NO

Project Number  
**19.143**

Drawing Number  
**020**

Revision  
**P3**

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## **Premises Licence**

### **Ashford Borough Council**

**Premises Licence Number: LN/020060666**

#### **Premises details:**

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

**Boys Hall, Boys Hall Road, Willesborough, Kent, TN24 0LA**

**Telephone number:**

**Where the licence is time limited the dates:**  
**Not applicable**

**Licensable activities authorised by the licence & times the licence authorises the carrying out of licensable activities:**

**Licensed area:** **Indoors and outdoors**

**Licensable activities:** **Sale by retail of alcohol**

<b>Authorised hours:</b>	<b>Sunday</b>	<b>11:30 - 23:30</b>
	<b>Monday</b>	<b>11:30 - 23:30</b>
	<b>Tuesday</b>	<b>11:30 - 23:30</b>
	<b>Wednesday</b>	<b>11:30 - 23:30</b>
	<b>Thursday</b>	<b>11:30 - 23:30</b>
	<b>Friday</b>	<b>11:30 - 00:00</b>
	<b>Saturday</b>	<b>11:30 - 00:00</b>

**Non Standard Timings & Seasonal Variations:**  
**All Bank Holidays and New Years Eve 11:30 - 01:30**

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies** **On and Off supplies**

<b>Licensable area:</b>	<b>Indoors and outdoors</b>
<b>Licensable activities:</b>	<b>Recorded Music Performances of Dance Facilities for Making Music Facilities for Dancing Live Music</b>

<b>Authorised hours:</b>	<b>Sunday</b>	<b>11:30 - 23:00</b>
	<b>Monday</b>	<b>11:30 - 23:00</b>
	<b>Tuesday</b>	<b>11:30 - 23:00</b>
	<b>Wednesday</b>	<b>11:30 - 23:00</b>
	<b>Thursday</b>	<b>11:30 - 23:00</b>
	<b>Friday</b>	<b>11:30 - 23:30</b>
	<b>Saturday</b>	<b>11:30 - 23:30</b>

**Non Standard Timings & Seasonal Variations:**  
**All Bank Holidays and New Years Eve 11:30 - 02:00**

<b>Licensed area:</b>	<b>Indoors and outdoors</b>
<b>Licensable activities:</b>	<b>Late Night Refreshment</b>

<b>Authorised hours:</b>	<b>Sunday</b>	<b>23:00 - 01:00</b>
	<b>Monday</b>	<b>23:00 - 01:00</b>
	<b>Tuesday</b>	<b>23:00 - 01:00</b>
	<b>Wednesday</b>	<b>23:00 - 01:00</b>
	<b>Thursday</b>	<b>23:00 - 01:00</b>
	<b>Friday</b>	<b>23:00 - 01:00</b>
	<b>Saturday</b>	<b>23:00 - 01:00</b>

**Non Standard Timings & Seasonal Variations:**  
**All Bank Holidays and New Years Eve until 02:00**

**The opening hours of the premises**

**Authorised hours:**

<b>Sunday</b>	<b>11:30 - 01:00</b>
<b>Monday</b>	<b>11:30 - 01:00</b>
<b>Tuesday</b>	<b>11:30 - 01:00</b>
<b>Wednesday</b>	<b>11:30 - 01:00</b>
<b>Thursday</b>	<b>11:30 - 01:00</b>
<b>Friday</b>	<b>11:30 - 01:00</b>
<b>Saturday</b>	<b>11:30 - 01:00</b>

**Non Standard Timings & Seasonal Variations:**  
**All Bank Holidays and New Years Eve 11:30 - 02:00**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

**Name :** Mr Bradley Lomas  
**Address:** The Denne, Flood Street, Mersham, Kent, TN25 6LY  
**Tel number:** bradley@boys-hall.com  
**Email:**

**Registered number of holder, for example company number, charity number (where applicable)**

Not applicable

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

**Name:** Bradley Lomas  
**Address:** The Denne, Flood Street, Mersham, Kent. TN25 6LY  
**Tel number:**

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

**Personal licence number:** CWC12-02553  
**Licensing authority:** Cheshire West & Chester Council

**Licence issued by Alison Simmonds - Licensing Officer**

**Signature:**

**Issue date:** 17 August 2020

## **Mandatory Conditions**

### **Supply of alcohol**

1. No supply of alcohol may be made under this premises licence:

- a) At a time when there is no designated premises supervisor in respect of the premises licence or,
- b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

2. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

### **Alcohol minimum permitted price**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in 3 above—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

Where—

- i) P is the permitted price,
- ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- i) the holder of the premises licence,
- ii) the designated premises supervisor (if any) in respect of such a licence, or
- iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Irresponsible Promotions**

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

2. An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .

(ii) drink as much alcohol as possible (whether within a time limit or otherwise); .

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; .

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; .

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

### **Potable Water**

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

### **Age Verification**

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or .
- (b) an ultraviolet feature.

### **Small Measures**

The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures— .

- (i) beer or cider: ½ pint; .
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and .
- (iii) still wine in a glass: 125 ml; .

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and .

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

### **Door Supervisors**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

- (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
- (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:



- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

### **Conditions consistent with the Operating Schedule**

#### **General – All Four licensing Objectives**

1. The Licence Holder shall operate within the following occupancy limits:
  - inside the premises - 50 persons
  - outside the premises - 120 persons excluding staff
2. The Licence Holder shall develop and implement a 'good neighbour policy' that promotes the four licensing objectives i.e. the prevention of crime & disorder, public safety, the prevention of public nuisance and the protection of children from harm.

#### **Prevention of Crime and Disorder**

3. The Licence Holder shall only permit use of the premises for private events.
4. The Licence Holder shall ensure that the grounds to the premises are fully walled and fenced.
5. The Licence Holder shall ensure that all access and egress points to the grounds of the premises are suitably gated.
6. The Licence Holder shall ensure that gates are kept closed other than when those attending events access or egress the premises. The gates to the front of the premises shall be capable of opening automatically as vehicles leave the premises.
7. The Licence Holder shall ensure that a CCTV system is provided with cameras fitted to the front and rear gates so that full time monitoring of the premises and surrounding areas is achieved at all times.
8. The Licence Holder shall ensure that vehicle movements from the premises are carefully monitored by relevant staff and that appropriate action is taken in order to prevent traffic build up in Boys Hall Road.
9. The Licence Holder shall when requested arrange for customers to be collected by a taxi.
10. The Licence Holder shall make appropriate arrangements for taxis to come directly to the main property in order to prevent them waiting at the main gates.

11. The Licence Holder shall within the 'good neighbour policy' ensures that those booking the premises are advised of and agree to the various controls and arrangements that are in place to promote the four licensing objectives i.e. the prevention of crime & disorder, public safety, the prevention of public nuisance and the protection of children from harm.
12. The Licence Holder shall ensure that customers are reminded to leave the premises quietly.
13. The Licence Holder shall display appropriate signs to actively encourage sensible drinking.
14. The Licence Holder shall ensure that alcohol consumption is monitored and that any person within the premises who appears to be intoxicated or who is behaving in a disorderly manner will not be served alcohol.
15. The Licence Holder shall not permit children onto the premises unless accompanied by an adult.
16. The Licence Holder shall ensure that all staff are trained as appropriate in relation to under age alcohol sales and consumption. Such training shall ensure that all staff are aware of the recognised 'proof of age' scheme in operation.
17. The Licence Holder when reviewing policies and procedures relevant to under age alcohol sales and consumption shall do so in accordance with the Police, Trading Standards & other relevant authority recommendations.
18. The Licence Holder shall ensure that all staff are trained as appropriate in connection with under age alcohol sales and consumption controls. The Licence Holder shall implement appropriate management arrangements to ensure that the controls are appropriately implemented.
19. The Licence Holder shall display notices at the point of sale of alcohol advising customers of the premises policy in relation to alcohol sales and consumption.
20. The Licence Holder shall provide as appropriate child care facilities for use of customers. Such facilities shall comply with all relevant statutory provisions.

### **Public Safety**

21. The Licence Holder shall maintain a designated smoking area within the premises. The area shall be positioned away from the functions rooms within the exterior of the premises. The area shall not be located with or close to any erected marquee.

22. The Licence Holder shall ensure the provision of adequate and appropriate fire safety notices and illuminated emergency fire exit signs in accordance with Fire Safety Service recommendations.
23. The Licence Holder shall ensure the provision of appropriate fire fighting equipment. All fire extinguishers shall be clearly visible and appropriately signed.
24. The Licence Holder shall ensure the provision of adequate and appropriate first aid equipment and materials on the premises.
25. The Licence Holder shall ensure that staff are trained to administer first aid as deemed appropriate.
26. The Licence Holder shall ensure all staff are trained in health and safety commensurate with their work activities.
27. The Licence Holder shall maintain an accident / incident record book. All accidents / incidents to members of the public or staff shall be detailed in this book which is maintained at the licensed premises and available for inspection.
28. The Licence Holder shall ensure that the Fire Risk Assessment for the licensed premises is implemented and updated on a regular basis. The Fire Risk Assessment shall be maintained at the licensed premises and shall be available for inspection.
29. The Licence Holder shall ensure that a Health & Safety Policy is in operation and that suitable health & safety risk assessments have been undertaken and implemented. The Health & Safety Policy and associated risk assessments shall be maintained at the licensed premises and will be available for inspection. All risk assessments are to be regularly reviewed and updated as deemed necessary.
30. The Licence Holder shall not permit firework displays or laser light shows for events covered by the premises licence.

#### **Prevention of Public Nuisance**

31. See also crime and disorder conditions as outlined above.
32. The Licence Holder shall provide appropriate facilities for the disposal of bottles.

#### **Protection of Children From Harm**

33. See condition requiring children to be accompanied as given above.
34. The Licence Holder shall ensure that those booking the facility are advised of the controls in place in regard to underage sales and

consumption of alcohol and other controls as relevant to the protection of children from harm.

35. The Licence Holder shall ensure that children are not exposed to passive smoke.
36. The Licence Holder shall ensure appropriate CRB checking arrangements are in place especially with regard to underage drinking, general criminal records and convictions relating to children or adults.
37. See condition relating to the provision of appropriate child care facilities.

#### **Conditions attached after a hearing by the licensing authority**

##### **General – All Four licensing Objectives**

1. The maximum number of persons at each event may not exceed 50 inside the house and 120 in the grounds, excluding staff. The number within the premises boundaries must not exceed 120.

##### **Prevention of Public Nuisance**

2. Subject to the following additional conditions under the prevention of public nuisance objective: -
  - (i) The Licence Holder will not permit noise from amplified music to be audible from the inside of the nearest neighbour's property after 23.00 hours.
  - (ii) The Licence Holder or a nominated representative shall receive and respond to complaints.

Ashford Borough Council  
Civic Centre  
Tannery Lane  
Ashford  
Kent TN23 1PL

06 MAY 2022

4<sup>th</sup> May 2022

Reference: B&K Leisure Ltd Premises Licence application for Boys Hall, Boys Hall Road.

We are writing to express our objections to the above application in respect to the above Premises Licence for premises known as Boys Hall, Boys Hall Road, Willesborough, Ashford, TN24 OLA which are based on our concerns that this new licence may increase the possibility of public nuisance for the many local dwellings, including our own.

1. We are particularly concerned about the noise nuisance as this has already happened occasionally under the previous restricted licence for Boys Hall
2. We are sympathetic of the need to sell alcohol although we expect there will be an increase in inebriated behaviour and noise outside our homes in Millstream Green and the local housing estates from having the sale of alcohol
  - a. Sunday to Wednesday from 07:30 to 23:30
  - b. Thursday to Saturday 07:30 to 24:00
3. We are much more concerned about the noise that will result from amplified sound of all types being permitted every day of the week and times as below
  - a. Sunday to Wednesday 08:00 to 23:30
  - b. Thursday to Saturday 08:00 to 24:00
4. We strongly disagree to the non-standard timings on all Bank holidays and New Year's Eve for all licensable activities until 01:30 and opening hours until 02:00 the following day.

We would be grateful if the Ashford Borough Council would consider our objections and modify the times and days to prevent noise pollution disrupting the quiet surroundings with people consuming alcohol, playing loud music and persons leaving the venue by foot or car spilling out in to Boys Hall Road and surrounding footpaths late at night.

Additional Comments:

1. We must also not forget our younger residence with possible continued noise disruption every night of the week.
2. This application has been poorly advertised with only two notices posted up regarding the application with only persons using the footpath being able to see it, should this requested be done by mail shot with the local residence ( Ash Meadow, Sevington Lane, Church Road, Millstream Green and Boys Hall Road).

Mr & Mrs M J Heritage

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al neighbours and residents.

Whilst the venue will be a great utility for people and provide some employment, please consider the closeness of local houses when making a decision regarding timings of licences for music and alcohol.

With thanks

Yours faithfully

Peter & Frances McDougall

Safety & Wellbeing  
Ashford Borough Council

MAY 19 2022

Civic Centre  
Ashford TN23 1PL

16/05/22

Re: Licence Application for  
Boys Hall, Boys Hall Road.

Dear Sirs,

We are concerned regarding the licensing application for a Premises license for Boys Hall.

It was tolerable as a wedding venue in previous years, the then owners were very considerate to its neighbours and it was usually only at intermittent weekends that events were held.

The requested whole week timings for live music/recorded music and availability of alcohol when there will be much more outside activity because of the outside bar/refreshment area and occupied accommodation pods could be detrimental to noise/nuisance and parking issues for

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## **Boys Hall – Application for a premises licence – Committee report**

### **Appendix E**

We wish the following comments to be taken into account when the committee considers this application. We are close neighbours to Boys Hall living at 8 Millstream Green.

1. This area is RESIDENTIAL.

2. Our main concern is NOISE. The application indicates that live music, recorded music and dance will only be performed indoors up until 23.30 except for Bank Holidays and New Years Eve when it could go on until 0130 the next day. Our experience with a previous owner was that even when the music was played inside it could be heard especially on summer evenings when the doors and windows were left open.

3. The application also states that alcohol will be served both inside and outside to the same hours as listed for music. Inevitably there could be noise especially if the consumption of alcohol is allowed away from the indicated bar areas.

Jane and Peter Porter,

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## **APPENDIX F - 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 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.

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