

## LICENSING HEARING PANEL

23 JUNE 2020

### APPLICATION FOR A VARIATION OF PREMISES LICENCE

#### THE BOUNTY PUBLIC HOUSE, Blich Way, Strood, Kent, ME2 2XH

Report from: Perry Holmes, Chief Legal Officer  
Author: Lisa Hopson, Licensing Officer

#### Summary

The applicant has applied for a variation of the Premises Licence in respect of The Bounty Public House, Blich Way, Strood, Kent, ME2 2XH.

All responsible authorities have been consulted in line with the Licensing Act.

The application is before Members as representations have been received from the Police. To date no agreement has been reached.

1. Budget and policy framework
  - 1.1. Medway Council has published its Statement of Licensing Policy, which it takes into account in all applications relating to the Licensing Act 2003.
2. The application
  - 2.1 In accordance with the Licensing Act 2003, the Council has received an application for a variation of the Premises Licence in respect of the Bounty Public House, Blich Way, Strood, Kent, ME2 2XH.
  - 2.2 The details of the application requirements are as follows:  
  
Remove Condition 16 as there is no children's play area.

#### Films

To add the playing of films to the licence:-

Monday to Saturday 10:00 to 23:00  
Sunday 12:00 to 22:00

### **Supply of Alcohol**

To increase the operating hours of the premises licence of the pub for some days and for religious and seasonal public holidays:-

Monday to Wednesday 10:00 to 23:00  
Thursday to Saturday 10:00 to 01:00  
Sunday 12:00 to 23:00

### **Seasonal Variations for the supply of alcohol**

New Year's Eve 07:00 to New Year's Day 23:00

St Patrick's Day plus one hour on standard trading time

Easter Bank Holiday Friday to Monday inclusive plus one hour on standard trading time

May Bank Holiday Friday to Monday inclusive plus one hour on standard trading time.

Spring Bank Holiday Friday to Monday inclusive plus one hour on standard trading time

Late Summer Bank Holiday Friday to Monday inclusive plus one hour standard trading time.

Christmas Eve 10:00 – 02:00  
Christmas Day 11:00 – 22:30  
Boxing Day Friday to Monday inclusive plus one hour on standard trading time.

Opening hours of the premises to be until 30 minutes after the end of licensable activity.

- 2.3 A copy of the current Premises Licence is at Appendix A.
- 2.4 A copy of the original application submitted is at Appendix B.
- 2.5 The application has been correctly advertised in the local press and notices displayed on the premises for the required period.
- 2.6 A copy of a map showing the location of the premises is at Appendix C.

### 3. Promotion of Licensing Objectives

3.1 The applicant is expected to demonstrate that they have dealt with and understand the promotion of the four licensing objectives, where appropriate. Members are referred to section M of the application at Appendix B.

3.2 The four licensing objectives are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

### 4. Relevant Representations

4.1 This matter has been put to the Licensing Hearing Panel because the Council has received representations relating to three of the licensing objectives, prevention of crime and disorder, public safety, and prevention of public nuisance from the Police. Copies of these are attached at Appendix D. To date no agreement has been reached.

### 5. Policy Considerations

5.1 Medway Council has published its Statement of Licensing Policy, which it will consider alongside the amended Guidance issued by the Home Office under section 182 of the Licensing Act 2003 in all applications.

5.2 In determining this application, Members may wish to consider information contained in Appendix 7 to the Statement of Licensing Policy that lists examples of good practice against the four licensing objectives as well as Chapters 9 and 10 of the amended Guidance.

### 6. Risk Management

6.1 The Council has to consider and determine this application, which is a function relating to licensing and registration as set out in Schedule 1 to the Functions Regulations, the Licensing Act 2003, the Gambling Act 2005 and other licensing functions reserved by law to the Council's Licensing and Safety Committee and its Sub-Committees, in accordance with the law (both statutory and case law), relevant statutory guidance and statements of policy.

### 7. Financial and legal implications

7.1 There are no direct financial or legal implications at this time.

7.2 This hearing is regulated by the Licensing Act 2003 (Hearings) Regulations 2005 (as amended).

7.3 There is the possibility of a challenge by way of appeal to the decision by either the applicant or objectors should either have the requisite grounds to do so. Legal advice will be given to Members as appropriate at the meeting. However, whatever the decision of the Panel, this must be based on the evidence placed before it in line with the licensing objectives and the Panel must decide what weight to attribute to this information.

## 8. Recommendation

8.1 That the Licensing Hearing Panel, having regard to the Licensing Act 2003, the statutory guidance issued under S182, the Council's Statement of Licensing Policy and all matters before it, both written and oral, considers and determines this application to vary a premises licence.

## Lead officer contact

Mrs Lisa Hopson – Licensing Officer  
Telephone: 01474 337441  
Email: [lisa.hopson@gravesham.gov.uk](mailto:lisa.hopson@gravesham.gov.uk)

## Appendices

Appendix A – Current Premises Licence  
Appendix B – Application for variation of Premises Licence  
Appendix C – Location Plan  
Appendix D – Copies of representations

## Background papers

None



## MEDWAY COUNCIL

Licensing Authority, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

### Premises Licence

Premises Licence Number

**Medway-05-PREM-0648**

#### Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
<b>Bounty Bligh Way Strood</b>	
Post town	<b>Rochester, Kent</b>
Post code	<b>ME2 2XH</b>
Telephone number	<b>01634 717096</b>
Where the licence is time limited the dates: <b>Not Applicable</b>	
Licensable Activities authorised by the licence <b>Sale of Retail of Alcohol, Live Music (on the premises), Recorded Music (on the premises), Dancing (on the premises) and Late Night Refreshment (on the premises).</b>	
The times the licence authorises the carrying out of licensable activities	
<b><u>Sale of Retail of Alcohol</u></b> <b>Monday to Wednesday 10:00 to 23:00, Thursday to Saturday 10:00 to 00:00 and Sunday 12:00 to 22:30.</b>	
<b>Non Standard Times:- Good Friday 12:00 to 22:30, Christmas Day 12:00 to 15:00 &amp; 19:00 to 22:30 and New Years Eve 07:00 to New Years Day 23:00.</b>	
<b><u>Live Music, Recorded Music and Dancing</u></b> <b>Monday to Wednesday 10:00 to 23:00, Thursday to Saturday 10:00 to 00:00 and Sunday 12:00 to 22:30.</b>	
<b>Non Standard Times:- Good Friday 12:00 to 22:30, Christmas Day 12:00 to 15:00 &amp; 19:00 to 22:30 and New Years Eve 07:00 to New Years Day 23:00.</b>	
<b><u>Late Night Refreshment</u></b> <b>Monday to Wednesday 23:00 to 23:30 and Thursday to Saturday 23:00 to 00:30.</b>	
<b>Non Standard Times:- New Years Eve 23:00 to New Years Day 05:00.</b>	
The opening hours of the premises <b>Monday to Wednesday 10:00 to 23:30, Thursday to Saturday 10:00 to 00:30 and Sunday 12:00 to 23:00.</b>	
<b>Non Standard Times:- Opening hours will end 30 minutes after the times and occasions listed above.</b>	
<b>The premises may open outside authorised hours for non-licensable activities subject to <u>planning or other legislation.</u></b>	
Where the licence authorises supplies of alcohol whether these are on and/or off supplies <b>On and Off Supplies</b>	

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence <b>Ken Pub Partnerships Limited</b> <b>11 South Street</b> <b>Lydd</b> <b>Romney Marsh</b> <b>Kent TN29 9DQ</b>
Registered number of holder, for example company number, charity number (where applicable) <b>11092980</b>

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol <b>Georgia Hills</b>
Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

**Signed on behalf of the issuing licensing authority**

**Chief Legal Officer**  
**Legal and Corporate Services**

Annex 1 – Mandatory Conditions

**Condition 1**

**No supply of alcohol maybe made under this licence:-**

- (a) At a time when there is no designated premises supervisor in respect of it or**
- (b) At a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.**

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

**Condition 2**

**Only individuals licensed by the Security Industry Authority (SIA) maybe used at the premises to guard against:-**

- (a) Unauthorised access or occupation (e.g. through door supervision)**
- (b) Outbreaks of disorder**
- (c) Damage**

**Condition 3**

- (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) In this paragraph, 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 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).**

**Condition 4**

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

**Condition 5**

- (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**

**Condition 6**

**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: 25ml or 35 ml; and**
  - (iii) still wine in a glass: 125ml; and**
- (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.**

**Condition 7**

- (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 purpose of the condition set out in paragraph 1:-**
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);**
  - (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) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(7)**
- (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) (1) 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.
- (2) 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.

Annex 2 – Conditions consistent with the Operating Schedule

**Condition 8**

When regulated entertainment, which generates significant noise, is taking place, doors and windows will be kept shut.

**Condition 9**

Reproduced or live music is to be set at a level so as not to be audible at the facade of the nearest residential property.

**Condition 10**

The designated premises supervisor, duty manager or relevant person should assess noise levels on a regular basis, to prevent excessive breakout.

**Condition 11**

All staff to be trained in all aspects of the licensing legislation and in particular under age sales. It is recommended that records are kept of the nature and frequency of such training.

**Condition 12**

CCTV cameras installed and maintained with an incorporated recording facility. Recordings to be stored for an appropriate period (generally one month – but to be agreed with Police and Licensing Authority). The CCTV system to be fully operationally throughout the hours that the premises are open for any licensable activities. Recordings to be made available to Police and Local Authority on request.

**Condition 13**

No drink will be allowed outside after 00:00 (midnight) on any day.

**Condition 14**

Children under the age of 14 are allowed on the premises until 22:00 (10 pm).

**Condition 15**

Notices will be displayed throughout the premises stating that children are to be kept under constant supervision by their parents/guardian at all times.

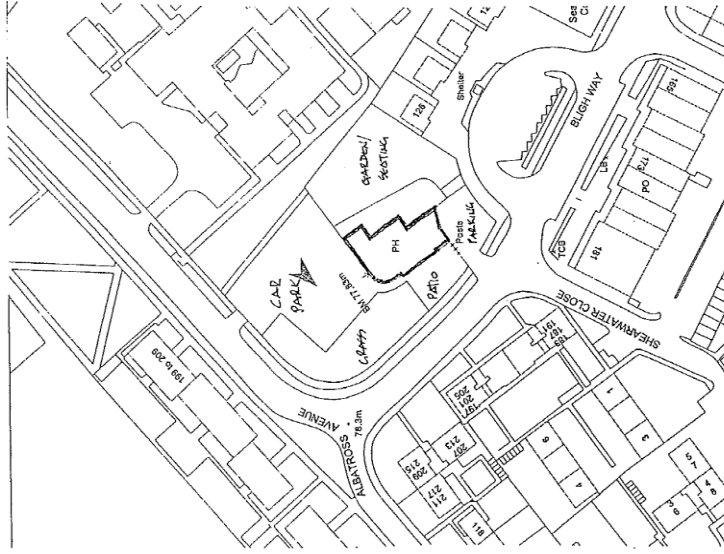
**Condition 16**

Entrances in and around the designated children’s play area are to be alarmed to notify staff when a door is opened.

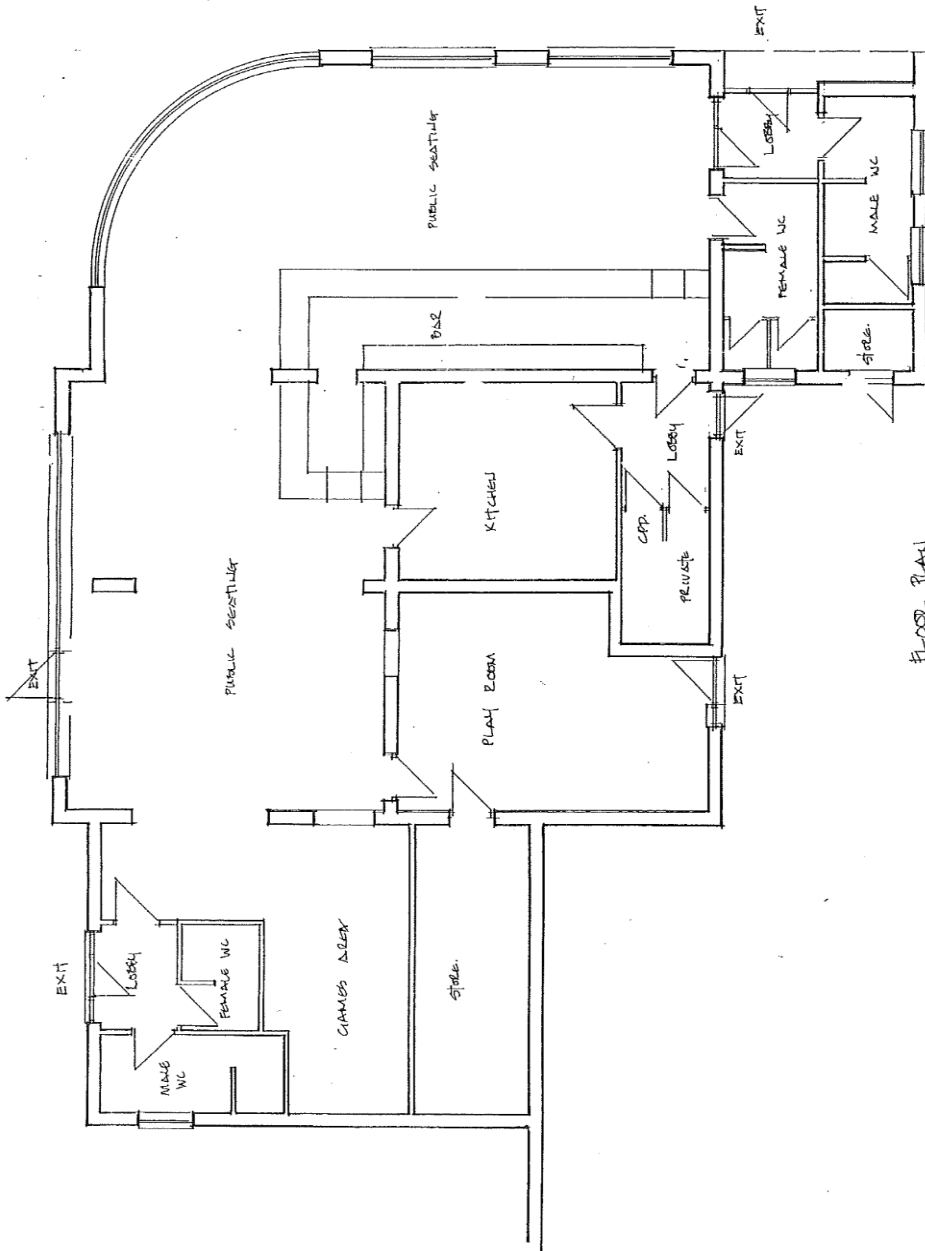
Annex 3 – Conditions attached after a hearing by the licensing authority

**Not Applicable**

Annex 4 – Plans



SITE PLAN 1/1250



FLOOR PLAN

CLIENT VEEVA LEIBOUR.	JOB THE BOUNTY BLYTH WAY STEPS	DRN.	
		DATE	08/04
TITLE FLOOR PLAN		SCALE	1/1250
		DRG NO	TB / 01

**Application to vary a premises licence 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.

I/We KEN PUB PARTNERSHIPS LTD

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

<b>Premises licence number</b> MEDWAY-05-PREM-0648
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**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description BOUNTY BLIGH WAY STROOD
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Post town	ROCHESTER, MEDWAY	Postcode	ME22XH
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Telephone number at premises (if any)	01634 712469
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Non-domestic rateable value of premises	£14500
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**Part 2 – Applicant details**

Daytime contact telephone number	
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E-mail address (optional)	
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Current postal address if different from premises address	11 SOUTH STREET
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Post town	LYDD	Postcode	TN299DQ
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**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect? DD MM YYYY  

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Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)  
TO INCREASE THE TRADING HOURS OF THE PUB FOR SOME DAYS AND FOR RELIGIOUS AND SEASONAL PUBLIC HIOLIDAYS

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

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b> |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A)  |                                   |
| b) films (if ticking yes, fill in box B)  | X                                 |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>          |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>          |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/>          |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/>          |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>          |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>          |

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

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

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please <u>give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						State <u>any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur								
Fri			Non standard timings. Where you intend to use the premises for the <u>performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)					
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon	10:00	23:00						
Tue	10:00	23:00						
Wed	10:00	23:00				State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur	10:00	23:00						
Fri	10:00	23:00	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 (please read guidance note 7)					
Sat	10:00	23:00						
Sun	12:00	22:00						

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please <u>give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			State <u>any seasonal variations</u> for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			Non standard timings. <u>Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			



D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Tue					
			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 (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the <u>performance of live music take place</u> <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please <u>give further details here</u> (please read guidance note 5)		
Mon					
Tue			State <u>any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the <u>premises for the</u> <u>performance of live music at different times to those listed in the</u> <u>column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the <u>playing</u> of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please <u>give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
			State <u>any seasonal variations for the playing</u> of recorded music (please read guidance note 6)		
Thur			Non standard timings. Where <u>you intend to use the premises for the</u> <u>playing of recorded music at different times to those listed in the</u> <u>column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	
			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 5)	
Mon				
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)	
Wed				
Thur			<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 7)	
Fri				
Sat				
Sun				

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 5)</p>		
Wed					
Thur					
Fri			<p><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 6)</p>		
Sat					
Sun					
			<p><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 7)</p>		

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)			
			Indoors	<input type="checkbox"/>		
			Outdoors	<input type="checkbox"/>		
			Both	<input type="checkbox"/>		
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)			
Mon						
Tue						
Wed					<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)	
Thur						
Fri						
Sat					<b>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</b> (please read guidance note 7)	
Sun						

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	X
Day	Start	Finish	<p><b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)</p> <p>NEW EVE 07:00- NEW YEARS DAY 23:00</p> <p>ST PATRICKS DAY PLUS ONE HOUR ON STANDRD TRADING TIME</p> <p>EASTER BANK HOLIDAY FRIDAY TO MONDAY INCLUSIVE PLUS ONE HOUR ON STANDRD TRADING TIME</p> <p>MAY BANK HOLIDAY FRIDAY TO MONDAY INCLUSIVE PLUS ONE HOUR ON STANDRD TRADING TIME</p> <p>SPRING BANK HOLIDAY FRIDAY TO MONDAY INCLUSIVE PLUS ONE HOUR ON STANDRD TRADING TIME</p> <p>LATE SUMMER BANK HOLIDAY FRIDAY TO MONDAY INCLUSIVE PLUS ONE HOUR ON STANDRD TRADING TIME</p> <p>CHRSTMAS EVE 10:00 TILL 02:00 CHRSTMAS DAY 11:00 TILL 22:30 BOXING DAY FRIDAY TO MONDAY INCLUSIVE PLUS ONE HOUR ON STANDRD TRADING TIME</p> <p><b>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</b> (please read guidance note 7)</p>		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	01:00			
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	12:00	23:00			

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 10).**



L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)
Day	Start	Finish	
Mon	10:00	23:30	NEW EVE 07:00- NEW YEARS DAY 23:30  ST PATRICKS DAY PLUS ONE HOUR ON STANDRD TRADING TIME
Tue	10:00	23:30	EASTER BANK HOLIDAY FRIDAY TO MONDAY INCLUSIVE PLUS ONE HOUR ON STANDRD TRADING TIME  MAY BANK HOLIDAY FRIDAY TO MONDAY INCLUSIVE PLUS ONE HOUR ON STANDRD TRADING TIME
Wed	10:00	23:00	SPRING BANK HOLIDAY FRIDAY TO MONDAY INCLUSIVE PLUS ONE HOUR ON STANDRD TRADING TIME  LATE SUMMER BANK HOLIDAY FRIDAY TO MONDAY INCLUSIVE PLUS ONE HOUR ON STANDRD TRADING TIME  CHRSTMAS EVE 10:00 TILL 02:30 CHRSTMAS DAY 11:00 TILL 23:00 BOXING DAY FRIDAY TO MONDAY INCLUSIVE PLUS ONE HOUR ON STANDRD TRADING TIME
Thur	10:00	01:30	<b><u>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</u></b> (please read guidance note 7)
Fri	10:00	01:30	
Sat	10:00	01:30	
Sun	12:00	23:30	

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

ANEXX 2. CONDITION 16: ENTRANCES IN AND AROUND THE DESIGNATED CHILDRENS PLAY AREA ARE TO BE ALARMED TO NOTIFY STAFF WHEN A DOOR IS OPENED

REASON FOR REMOVAL:

THERE IS NO CHILDRENS AREA ANYMORE

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.  
It was sent with the original application that has been lost in the post

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

WE INTEND TO MAINTAIN OUR CURRENT PROTOCOL INPLACE & WORK WITH THE LICENSING TEAM TO UPHOLD THE FOUR LICENCING OBJECTIVES

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

WE INTEND TO MAINTAIN OUR CURRENT PROTOCOL INPLACE AND CONTINUE TO REPORT ANY ISSUES OR SUSPECTED PROBLEMS TO THE CORRECT AUTHORITIES

**c) Public safety**

WE INTEND TO MAINTAIN OUR CURRENT PROTOCOL INPLACE

**d) The prevention of public nuisance**

THE EXTENTION OF THE LICESNING TIMES SHOULD PREVENT THE MASS EXSODUSE OF THE PREMISES AND LARGE GROUPS WAITING FOR TAXIS ALL AT ONCE. WITH THE EXTENTION WE BELIVE PEOPLE WILL DRIFT AWAY IN A MORE NATURAL MANOR REDUCING NOISE.

WE INTEND TO MAINTAIN OUR CURRENT PROTOCOL INPLACE

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

WE INTEND TO MAINTAIN OUR CURRENT PROTOCOL INPLACE

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or X
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I understand that I must now advertise my application. X
- I have enclosed the premises licence or relevant part of it or explanation. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

**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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	06/11/19
Capacity	MANAGING DIRECTOR OF KEN PUB PARTNERSHIPS

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15)			
JORDAN SHEARD 11 SOUTH STREET			
Post town	LYDD	Post code	TN299DQ
Telephone number (if any)			

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

## Notes for Guidance

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

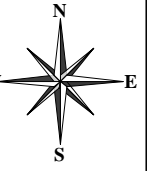
1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. 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.
  9. 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'.
  10. 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.
  11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.





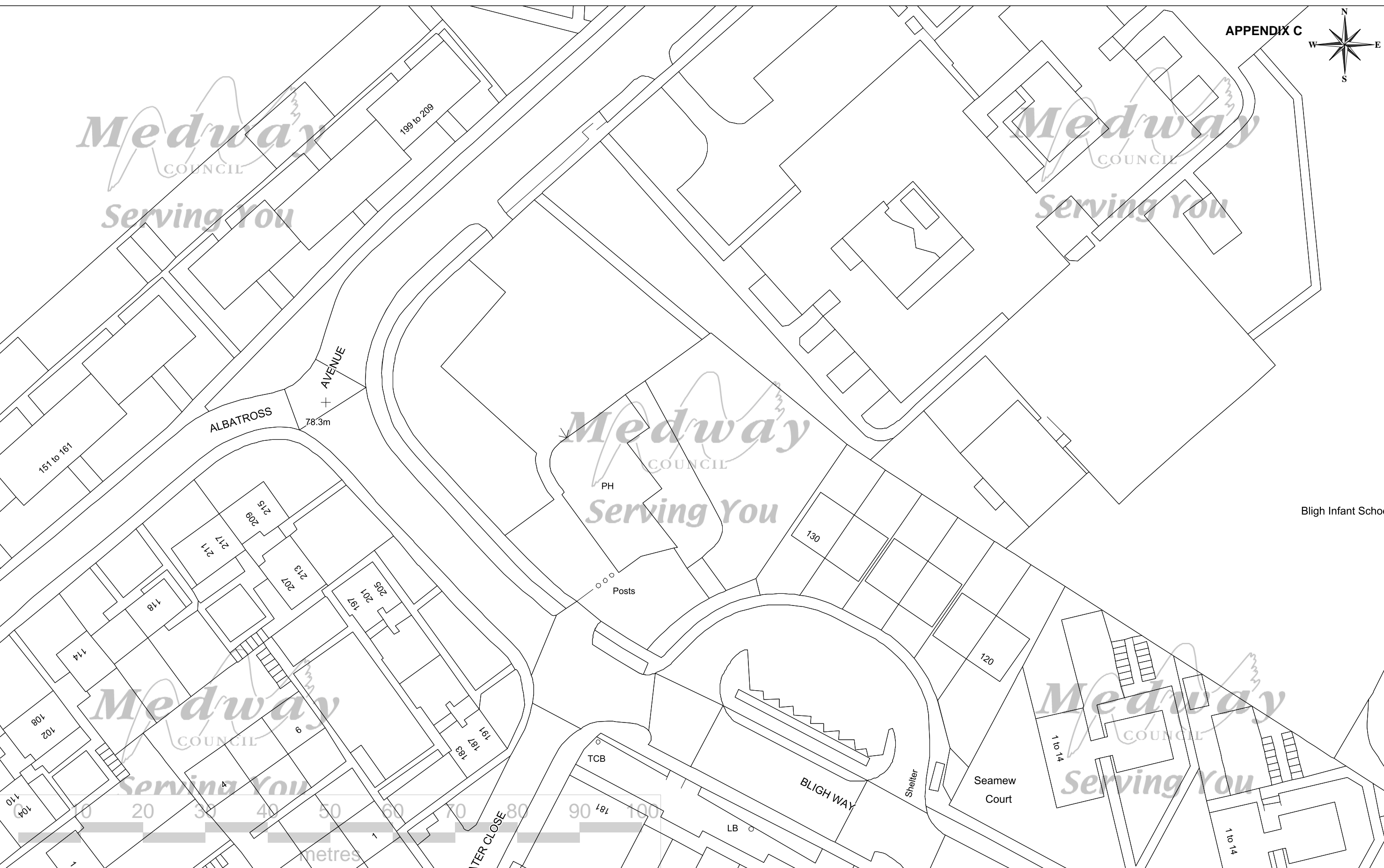


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COUNCIL  
*Serving You*

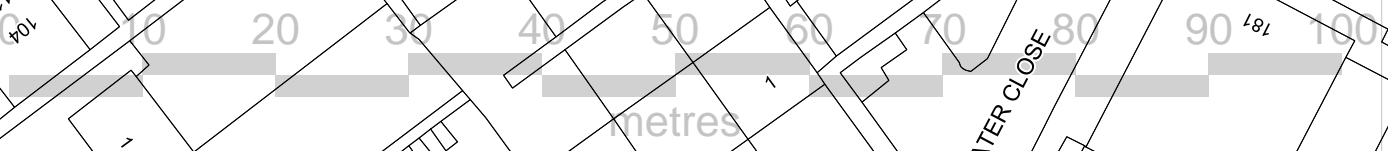
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Bligh Infant School



The Bounty Bligh Way

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# Kent Police

Chief officer of Police Representation in relation to an application for variation of premises licence made under Part 3 Section 34 Licensing Act 2003 (S35 Licensing Act 2003)

<b>Details of person making representation</b>	
<b>Name of Chief Officer of Police</b>	Chief Superintendent WILSON
<b>Postal Address: (Divisional Headquarters)</b>	Medway Police Station Purser Way Gillingham Kent ME7 1NE
<b>E-mail address</b>	licensing.north.division@kent.police.uk
<b>Telephone Numbers:</b>	
<b>Licensing Co-ordinator</b>	Geoff Rowley 01634 792733
<b>Licensing Officers</b>	Chris Hill 01634 792276
	Clare Cossar 01634 792411
	Diane Holroyd 01634 792388
	Dan Hunt 01634 792388
<b>Details of premises representation is about</b>	
<b>Name of Premises:</b>	Bounty
<b>Address of premises:</b>	Bligh Way Strood Kent ME2 2XH
<b>Date application received by police</b>	14 <sup>th</sup> February 2020
<b>Date representation sent to Licensing Authority</b>	27 <sup>th</sup> February 2020
<p>All representations must be made within 28 days of receipt of initial application</p> <p>The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. Part 4 Reg. 22.</p>	

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

Prevention of crime and disorder	X
Public Safety	X
Prevention of public nuisance	X

Protection of children from harm	
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**Is this a representation regarding the Designation of Premises Supervisor under S18 (9) Licensing Act 2003?** No

**If yes complete the appropriate statement:**

**Please give the reason for the representation and detail the evidence supporting it under the appropriate headings:**

This is an application to vary the operating hours of a premises licence of an already existing licenced premises namely Bounty Public House, Bligh Way, Strood. The venue currently operates under premises licenced reference number MEDWAY-05-PREM-0648.

Bounty is currently authorised for licensable activity at the following hours:

Sale of alcohol and Regulated entertainment – Monday to Wednesday 10:00 to 23:00, Thursday to Saturday 10:00-00:00, Sunday 12:00-22:30 hours

Opening hours – 30 minutes after the end of licensable activity

The premises has applied to extend these hours until:

**Films:**

Monday – Saturday: 10:00-23:00

Sunday: 10:00-22:00

**Sale by Retail of Alcohol**

Monday – Wednesday: 00:00-23:00

Thursday, Friday & Saturday: 10:00 - 01:00

Sunday: 12:00-23:00

**Hours premises are open to the public**

Monday-Tuesday: 10:00-23:30

Wednesday: 10:00-23:00

Thursday, Friday & Saturday: 10:00-01:30

Sunday: 12:00-23:30

Including seasonal variation

New Eve 07:00 to New years day 23:30

St Patricks Day plus one hour on standard trading time

Easter bank holiday Friday to Monday inclusive plus one hour on standard trading time

May bank holiday Friday to Monday inclusive plus one hour on standard trading time

Spring bank holiday Friday to Monday inclusive plus one hour on standard trading time

Late summer a bank holiday Friday to Monday inclusive pls one hour on standard trading time

Christmas eve 10:00-02:30

Christmas day 11:00-22:30

Boxing day Friday to Monday inclusive plus one hour on standard trading time

OFFICIAL (when complete)

**Kent Police are opposed to this variation for the extension of licensable activity and opening hours at the premises**

The North Division police licensing team were not contacted by management team of Bounty prior to this application being submitted.

On 22<sup>nd</sup> November 2019 at approximately 22:30 hrs Kent Police attended the pub as part of a pre-planned operation with police officers and a passive drugs dog. During this operation a person was arrested for possession with intent to supply class A drugs, and another person was cautioned for possession of class B drug. Police found many bags of cocaine where discarded in the garden and in the pub. It appeared to the officers on site that drug use was prolific in this pub.

In the last calendar year, we have had many calls to the premises from which 9 crime reports have been generated, this includes a GBH with intent, actual bodily harm, common assault, public order and threats to kill and the 3 reports from the drugs operation. As recently as 15<sup>th</sup> February 2020 at 23:39 hrs, police received a call to state 3 males intoxicated in the pub refusing to leave, they were threatening staff and customers, they threw a glass against a window. The males left prior to police arrival.

With the seasonal variations that have been applied for, this would mean that the pub could remain open until 02:30 hours approximately 22 times a year.

Experience would tell us that the risk of violence and the issues with dispersal can increase the later a venue operates. Kent Police believe that such issues would undermine the licensing objectives, namely the prevention of crime and disorder, public safety and the prevention of public nuisance.

Having fully considered the application for variation submitted, it is apparent that the premises does not intend to take any additional steps to promote the licensing objectives to coincide with the proposed later operating hours. The applicant has not considered measures such as; the introduction of SIA door supervisors, a last entry time an anti-drugs policy or a dispersal policy.

**Kent Police are opposed to this variation for the extension of licensable activity and opening hours at the premises**

PC Clare Cossar  
PP. Ch. Supt WILSON  
**North Division Area Commander**

**Date:** 27<sup>th</sup> February 2020

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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Statement of:	<b>Christopher Hill PC 12000</b>		
Age if under 18:	<b>Over 18</b>	(if over 18 insert 'over 18')	Occupation: <b>Police Constable</b>

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

Signature: **Christopher Hill**Date: **26/03/2020**

Signature witnessed by

Tick if witness evidence is visually recorded  (supply witness details on rear)

I have been a police officer for 15 years during which time I have undertaken a number of roles. For the last 7 years I have worked as part of the Community Safety Unit at Medway Police Station, specialising as a Police Licensing Officer. This role primarily entails the application and enforcement of the Licensing Act 2003.

On Friday 22<sup>nd</sup> November 2019 I was on duty in uniform working in the Medway area as part of Operation Pilot. The intention of Operation Pilot is to provide reassurance to those socialising in the night time economy. The aim is to prevent incidence of violence and disorder through high profile policing, whilst identifying those involved in the supply and use of illegal drugs in licensed premises.

Around 22:30 hours on Friday 22<sup>nd</sup> November 2019, I entered the Bounty Public House, Bligh Way, Strood, Rochester along with a number of other officers including one passive police dog. As we approached the front of the premises a couple of customer who were stood directly outside the main door ran back into the pub, shouting "POLICE, POLICE". The alarm was also activated, which in my opinion and experience was done to warn those inside the venue of the immediate presence of police and the dog.

It was apparent that a wake was taking place at the premises, although not all those present were there for that reason. The passive police dog indicated on a number of people inside the pub. All of these were searched and two were found to be in possession of illegal drugs. One person was dealt with for possession of cannabis, whilst the other was arrested on suspicion of being in possession with the intent to supply class A drugs. In general the atmosphere inside the pub was fairly hostile, with the majority of customers and staff present not happy to police officers there.

One area of particular interest to the police dog was the smoking area located to the rear of the pub. As a result of this I requested that staff grant me access to the unused garden area of the pub which this smoking area backs onto. I searched the area around the smoking shelter and found 7 individual wraps of white powder (likely cocaine) in clear deal bags. These were located on the floor directed at the base of the smoking area.


Signature: **Christopher Hill**

Signature witnessed by:

Continuation page 2

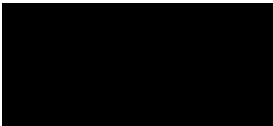
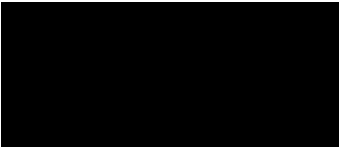
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Continuation statement of: **Christopher Hill PC 12000**

Non were wet or discoloured leading me to believe that they had not been there very long at all and were likely to have been thrown over the fence or passed through the gaps in the smoking area when people realised police were entering the premises. All these items of drugs were pointed out to Designated Premises Supervisor

I entered both the male and female toilet areas of the pub along with the Designated Premises Supervisor. In the bins of the both toilets were empty clear drug packets. I used a cocaine wipe on the toilet seats and in both the male and female toilets both changed colour indicated the presence of cocaine. Again, this was shown to Designated Premises Supervisor who was provided with verbal drug prevention advice.

It is my professional opinion that management and staff at the premises were not sufficiently taking measures to stop or limit the use of illegal substances in the public house.



Signature: **Christopher Hill**

Signature witnessed by: