



**LICENSING AUTHORITY: SWALE BOROUGH COUNCIL**

**LICENSING ACT 2003  
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**

**NOTICE OF DETERMINATION**

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Applicant: Time and Tide Taphouse Limited

Regarding **44-45 Court Street, Faversham, Kent ME13 7AP**

Date of hearing: 31 July 2025

Date of determination: 31 July 2025

Committee Members: Councillor Derek Carnell (Chair)  
Councillor Carole Jackson  
Councillor Tony Winckless

Legal Advisor in attendance at hearing: Helen Ward, Senior Lawyer, MKLS

Licensing Officer in attendance at hearing: Mohammad Bauluck

Democratic Services Officer in attendance at hearing: Philippa Richardson

**This was an application for Grant of a Premises Licence, s.18 Licensing Act 2003**

**A: Representations, evidence and submissions:**

The Sub-Committee considered the representations, evidence and submissions of the following parties:

**Applicant**

- Paul Campling
- Campbell Forsyth
- Mark Rose

**Responsible Authorities**

None

**Interested Parties**

- Dawn Pollard

**Representations considered in the absence of a party to the hearing:**

Those contained within the Report prepared for the Licensing Sub Committee

**B: Consideration of the Licensing Act 2003, the Guidance under s. 182 of the Act and the Statement of Licensing Policy of Swale Borough Council**

The Sub-Committee has taken into account the Licensing Act 2003 and the Regulations thereto.

The Sub-Committee has taken into account the Guidance under section 182 of the Act:

The Sub-Committee has taken into account its Statement of Licensing Policy:

**C: Determination:**

**The Sub-Committee has decided to:**

Grant the application as applied for and amended, as follows:

- 1) Sale of Alcohol, for consumption on and off the premises, from 12:00 hours to 23:00 hours Monday to Saturday inclusive; and from 12:00 hours to 22:30 hours on Sunday
- 2) Opening hours from 08:00 hours to 23:00 hours Monday to Saturday inclusive; and from 09:00 hours to 22:30 hours on Sunday
- 3) Conditions to apply set out in **section E** of this Decision.

## **Reasons for determination:**

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

Reasons (state in full):

The Licensing Sub Committee considered the application and the evidence provided by the applicant. They heard evidence that the premises would provide a premium food and drink offer, focussing on quality ingredients and responsible retailing. The applicant described their experience of operating a site in Sandwich without concern. The Licensing Sub Committee noted that conditions for the Faversham premises had been agreed with the Police, who were not objecting to the application. In addition, the applicant had proposed conditions to deal with this licensing objective, including staff training and dispersal.

The Licensing Sub Committee considered the concerns raised regarding the use of the passageway immediately adjacent to the premises. The applicant explained that they were considering improving lighting and CCTV in this area, along with increased supervision and customer management. The Licensing Sub Committee were satisfied that these steps would reduce the risk of anti social behaviour in this area and did not consider it appropriate or proportionate for any further steps to be endorsed as conditions of the licence.

The Licensing Sub Committee were satisfied that the operating schedule proposed, along with the additional conditions agreed with the Police, would be appropriate and proportionate to promote this licensing objective.

### ■ **Public Safety**

Reasons (state in full):

The Licensing Sub Committee were satisfied that the operating schedule was appropriate and proportionate to promote this licensing objective.

### ■ **Prevention of nuisance**

Reasons (state in full):

The Licensing Sub Committee considered the concerns raised in particular regarding noise caused by customers. They noted the evidence provided of the site in Sandwich which indicated that there were no concerns relating to noise nuisance. The applicant explained that they intended to operate a calm, welcoming and food led establishment with a premium offer. They had not applied for any regulated entertainment and would take steps to improve sound insulation at the premises.

The applicant had proposed conditions relating to keeping doors and windows closed except where necessary and in the hearing explained that they did not intend to open

the windows facing the rear of the premises. The Licensing Sub Committee were accordingly satisfied that these steps would reduce the risk of disturbance.

The Licensing Sub Committee also heard evidence regarding the style of operation, the location of external areas to the front of the premises only and the staff training and supervision that would be put into place. Accordingly they were satisfied that no further intervention, other than the proposed conditions, would be appropriate or proportionate to promote this licensing objective.

■ **Protection of children from harm**

Reasons (state in full):

The Licensing Sub-Committee noted that the applicant would operate a Challenge 25 Policy. Subject to conditions confirming the operation of this policy, they were satisfied that the operating schedule was sufficient to promote this licensing objective.

**D: Appeal**

Entitlements to appeal for parties aggrieved by the decisions of the Licensing Authority are set out in Schedule 5 to the Licensing Act 2003. An appeal has to be commenced by the giving of a notice of appeal to the Magistrates' Court within a period of 21 days beginning on the day on which the appellant was notified by the licensing authority of the decision to be appealed against. Parties should be aware that the Magistrates Court may make an Order as to costs in any Appeal.

**E: Conditions Imposed by the Licensing Sub-Committee (Full list of conditions which will apply to this premises licence).**

Staff Training

1. Staff will receive full training on health and safety procedures, emergency protocols, and safeguarding responsibilities.
2. Staff will be trained to respond effectively in emergency situations and to carry out their duties in line with health and safety best practice. This includes training in the licensing objectives and the implementation of a challenge 25 policy to help prevent the sale of alcohol to underage persons.

Noise

3. A considered approach to noise management will be adopted. The venue is designed to encourage conversation and social interaction; as such, music will be played at background levels that complement the atmosphere without competing

with speech. Staff will monitor sound levels regularly to ensure they remain appropriate throughout opening hours.

4. A clear policy on customer conduct will be implemented and enforced to prevent nuisance outside the premises.
5. At closing time, staff will assist with the orderly exit and dispersal of customers from the premises, including any outdoor areas, to minimise disruption to neighbouring properties and the local community.
6. Windows and doors will be kept closed where necessary to limit noise escaping from the premises, and prominent, clear notices will be displayed at exit points asking customers to leave quietly and to respect neighbouring residents.
7. Staff will monitor outside activity to prevent excessive noise, obstruction, or littering. Signage will remind customers to be respectful of neighbours and the public while outside the premises.
8. Deliveries will be made at socially acceptable times, coordinated with any highways plan and in accordance with local parking restrictions.
9. Clear signage will be displayed indicating the hours during which licensable activities may take place under the terms of the premises licence.
10. Staff will be trained to identify intoxication and handle such situations safely and professionally.
11. No personal solicitation or active touting of customers will occur outside or in the vicinity of the premises.
12. Staff will remain vigilant in identifying and discouraging any use or supply of illegal drugs on the premises. Any suspicious activity will be reported promptly and dealt with in line with appropriate procedures.
13. Customers will not be permitted to enter the premises outside of opening hours.
14. Refuse will be stored in enclosed, secure bins on the premises. Collection will be arranged via a licensed commercial waste contractor, with collection times scheduled to avoid early mornings, late evenings, or weekends where possible. Waste will only be presented shortly before the agreed collection time to avoid street clutter, pests, or odour.

#### Challenge 25

15. A challenge 25 policy will be in operation at all times. This retailing strategy encourages anyone who is over 18 but looks under 25 to provide acceptable identification before being served alcohol. Acceptable forms of id will include a card bearing the pass hologram, a photographic driving licence, or a valid passport.

16. Clear and prominent signage supporting the challenge 25 policy will be displayed at points of sale to inform customers of this requirement.
17. All staff authorised to sell alcohol will receive training on the law relating to alcohol sales, the premises' policy on challenge 25, how to recognise acceptable forms of id, and the steps to take when refusing service. This training will be documented in a training record book, which will be kept on the premises and made available for inspection by authorised officers.
18. A refusals logbook will also be maintained to record occasions where service has been refused due to age concerns or insufficient identification. This will be regularly monitored by management as part of our commitment to responsible retailing.
19. Staff will be trained in safeguarding and the legal obligations around the sale of alcohol to minors.
20. All staff training will include procedures for identifying and appropriately responding to situations involving children and vulnerable persons.

## 21. CCTV:

- CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.
- Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.
- Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 31 days and handed to Police upon reasonable request.
- The premises licence holder must ensure at all times a DPS or appointed member of staff is on the premises and capable of a competent download of CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.
- In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer within 24 hours unless the CCTV will be repaired before that time ([licensing.north.division@kent.police.uk](mailto:licensing.north.division@kent.police.uk))

## 22. Training:

- All persons who sell or supply alcohol to customers must receive licensing training.
- Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place.
- Refresher training should be repeated annually or earlier if required due to changes of legislation.
- Training records must be kept on the premises and shall contain the nature, content and frequency of all training.
- Records must be made available for inspection by Police and authorised officers from the Local Authority upon request either electronically or hard copy.

### 23. Incident log:

An incident log shall be kept at the premises, and made available on request to a police officer, police licensing officer or Council authorised licensing officer. It must be completed within 24 hours of the incident and will record the following:

1. All crimes reported to the venue.
2. All ejections of patrons.
3. Any complaints received concerning crime and disorder.
4. Any incidents of disorder.
5. All seizures of drugs or offensive weapons.
6. Any faults in the CCTV system, searching equipment or scanning equipment.
7. Any refusal of the sale of alcohol.
8. Any visit by a relevant authority or emergency service.

### 24. Security assessment:

For any special events, including the Hop Festival, a risk assessment is to be documented regarding the need for SIA registered security staff. If security is deemed necessary a minimum of two SIA registered staff members to be employed for the duration of the event.

Signed:   
Cllr Derek Carnell (CHAIR):

Date: 1 August 2025