

Report No.
ES 19097

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: LICENSING SUB-COMMITTEE

Date: 14th Jan 2020

Decision Type: Non-Urgent Non-Executive Non-Key

Title: APPLICATION FOR THE VARIATION OF THE PREMISES LICENCE AT THE WHITE HART 106 HIGH STREET ORPINGTON BR6 0JY

Contact Officer: Steve Phillips, Licensing Officer
Tel: 020 8313 4659 E-mail: steve.phillips@bromley.gov.uk

Chief Officer: Colin Brand Director: Environment and Community Services

Ward: PETTS WOOD AND KNOLL

1. Reason for report

- 1.1 To provide the Licensing Sub-Committee with information supporting them to determine this licence application.
-

2. RECOMMENDATIONS

- 2.1 The Licensing Sub-Committee asked to determine this application having taken into account the Council's Statement of Licensing Policy 2016 to 2021 and written and oral representations by the applicant and objectors.

Members can

1. Grant the application
2. Grant the application but impose restrictions and conditions
3. Refuse the application.

Impact on Vulnerable Adults and Children

1. Summary of Impact:

When making decisions under the Licensing Act 2003 the Council is required to promote the licensing objectives, one of which is the protection of children from harm.

Corporate Policy

1. Policy Status: Existing Policy:

The Council has adopted a statement of its licensing policy under the Licensing Act 2003 for the period 2016 to 2021.

2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres Healthy Bromley Regeneration

Financial

1. Cost of proposal: Licensing statutes allow for an appeal to the Magistrates Court against the Council's decision. Should an appeal be made, costs are likely to be incurred but it is not possible to quantify these.
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Public Protection & Enforcement Portfolio Budget
 4. Total current budget for this head: £2.103m
 5. Source of funding: Revenue Budget 2019/2020
-

Personnel

1. Number of staff (current and additional): 2 Licensing Officers supported by 5 FTE admin
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

1. Legal Requirement: Statutory Requirement: The Council is the Licensing Authority for the Licensing Act 2003. This is a Non-Executive function and is delegated to the General Purposes and Licensing Committee. Where representations are received about a licence application, it is referred to the Licensing Sub Committee for a hearing and decision.
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: Not applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): If this application is granted, the applicant Mr Mustafa Tary will be the sole users and beneficiary of the licence. Once a licence has been granted it can be transferred by the holders to other people or businesses. When determining this application Members will also need to balance the benefits of holding the licence against any adverse effects to local residents and businesses by considering the impact on the licensing objectives

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes. Ward Members were notified about the application by e-mail on 14th Nov 19
2. Summary of Ward Councillors' comments: Cllr Tony Owen emailed a letter of objection. This is contained in appendix 3

Responsible Authorities Views

The following Responsible Authorities were notified about this application and their views sought

Responsible Authority	Date Notified	Comments (further details in Appendix 3)
Metropolitan Police	14 th Nov 19	No Objection
Planning Authority	14 th Nov 19	No Objection
Trading Standards Service	14 th Nov 19	No Objection
Public Health Nuisance Team	14 th Nov 19	No Objection
Health & Safety Team	14 th Nov 19	No Objection
Child Protection Team	14 th Nov 19	No Objection
Fire Authority	14 th Nov 19	No Objection
Public Health	14 th Nov 19	No Objection
Licensing Authority	14 th Nov 19	No Objection

Residents and interested Parties

Ten (10) representations were placed by local residents to the application these are contained in appendix 3

3. COMMENTARY**3.1.Licensing Act 2003.**

The Licensing Act 2003 states that any premises require a licence/certificate issued by the Council (premises licence/club premises certificate) where the following activities occur:-

Provision of regulated entertainment

- a) Plays. (Where the audience exceeds 500 people)
- b) Films.

- c) Indoor sporting events. (Where the audience exceeds 1000 people)
- d) Boxing or wrestling entertainment.
- e) Live music. (Subject to the Live Music Act 2013 exemptions)
- f) Recorded music.
- g) Performances of dance. (Where the audience exceeds 500 people)

Provision of late night refreshment (between 2300hrs and 0500hrs).

Supply of alcohol (on and off sales).

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place.

Licences/Certificates may be issued subject to any terms, conditions or restrictions the Council feels are appropriate to address any or all of the four licensing objectives.

The Council has previously agreed Bromley's Statement of Licensing Policy for the Period 2016 – 2021.

The Licensing Sub-Committee must consider the Statement of Licensing Policy and any Special Policy of Cumulative Impact currently in force when making any decisions in respect of these applications.

Members' attention is drawn to the following parts of the policy which are relevant to this application

Not Applicable

Description of the Premises / Nature of the Proposed Application

From the application form directly as follows:

These premises are a town centre public house, which has a current Premises Licence. Having consulted the Metropolitan Police and the other Responsible Authorities, the applicant proposes to increase the Authorised Hours for the Sale of Alcohol to 08:00hrs to Midnight. This change is to facilitate sports coverage when broadcast in the early morning and also to allow some flexibility at the end of Authorised hours to improve customer service and customer dispersal. At this time, the Premises Licence Holder believes that this application will not adversely affect the Licensing Objectives in the Licensing Act 2003.

Licensing History

The Licensing History shows there have been no issues raised with the Licensing Team for over three years. From a Public Nuisance perspective there was a single complaint mid 2018 but nothing further recorded. They have not applied for any Temporary Events Notices this year. The premises licence had a change of DPS in January 2019 to Mr D Burton. The current licence and plan are shown in appendix 2

Details of the Application

The application is to extend the hours of opening from 0800hrs to 0030hrs seven days a week
And extend the retail sale of alcohol from 0800hrs to 0000hrs seven days a week.

Representations

During the public consultation period the Council received a total of 11 representations against the application. Comprising 1 Ward Cllr and 10 residents all are contained in appendix 3

Map and Photos

Are contained in appendix 4

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Licensing regimes provide for additional controls through specific permissions to undertake activities. Both the Licensing Act 2003 and Gambling Act 2005 contain licensing objectives which seek to protect particular vulnerable groups. In the case of the Licensing Act 2003 it seeks to protect children from harm whereas the licensing objectives under the Gambling Act 2005 are wider and seek to protect children and vulnerable adults from being harmed or exploited.
- 4.2 Businesses and the Council are required to promote these objectives in the way they operate or make decisions.
- 4.3 Details of applications under both Acts are referred to the appropriate safeguarding teams for comment.

5. POLICY IMPLICATIONS

- 5.1 Both the Licensing Act 2003 and the Gambling Act 2005 require the Council to prepare, consult on and publish statements of their licensing policy. These must be reviewed at least every 5 years under the Licensing Act and 3 years under the Gambling Act.
- 5.2 Members should make decisions in accordance with these policies but are free to depart from them with good reason.
- 5.3 The current policies are -
 - Statement of Licensing Policy 2016 – 2021
http://www.bromley.gov.uk/downloads/file/226/statement_of_licensing_policy_2016-2021
 - Statement of Gambling Policy 2016-2019
http://www.bromley.gov.uk/downloads/file/325/gambling_policy

6. FINANCIAL & LEGAL IMPLICATIONS

- 6.1 There are rights of appeal to the Magistrates Court against the decision of the Sub-Committee under both the Licensing and Gambling Acts. If an appeal were to be lodged there are costs associated with defending it. These are difficult to quantify and the Courts can award costs. In the event of a successful appeal we could pay the costs of the appellant as well as our own. Equally if we successfully defended an appeal, it is open to the Court to order our costs to be paid by the appellant.

- 6.2 Parties involved in a hearing before a Sub-Committee can also seek a Judicial Review if the Local Authority has failed to administer the hearing in accordance with proper procedures.
- 6.3 The Council has adopted a procedure for the conduct of hearings.

Non-Applicable Sections:	Personnel and Procurement implications
Background Documents: (Access via Contact Officer)	Soft File Computer based records

Appendix 1

Application Form



Bromley
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@bromley.gov.uk
 Telephone: 0208 313 4218

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

C3C - M Tary - Orp

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Mustafa

* Family name

Tary

* E-mail

geoff.cooper@c3c.co.uk

Main telephone number

07926 804433

Include country code.

Other telephone number

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name	<input type="text" value="106"/>
* Street	<input type="text" value="High Street"/>
District	<input type="text"/>
* City or town	<input type="text" value="Orpington"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="BR6 0JY"/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="Geoffrey"/>
* Family name	<input type="text" value="Cooper"/>
* E-mail	<input type="text" value="geoff.cooper@c3c.co.uk"/>
Main telephone number	<input type="text" value="07926 804433"/>
Other telephone number	<input type="text"/>

Include country code.

 Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number	<input type="text" value="10006908"/>
Business name	<input type="text" value="Compliance Advisory t/a C3C"/>
VAT number	<input type="text" value="GB"/> <input type="text" value="235914794"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="Consultant"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

*Continued from previous page...***Agent Registered Address**

Address registered with Companies House.

Building number or name	<input type="text" value="Podium House"/>
Street	<input type="text" value="61 Chapel Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Worthing"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="BN11 1HR"/>
Country	<input type="text" value="United Kingdom"/>

Section 2 of 18**APPLICATION DETAILS**

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="106"/>
Street	<input type="text" value="High Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Orpington"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="BR6 0JY"/>
Country	<input type="text" value="United Kingdom"/>

Premises Contact Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="24,500"/>

Section 3 of 18**VARIATION**

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

- Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

- Yes No

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 to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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.

These premises are a town centre public house, which has a current Premises Licence.

Having consulted the Metropolitan Police and the other Responsible Authorities, the applicant proposes to increase the Authorised Hours for the Sale of Alcohol to 08:00hrs to Midnight.

This change is to facilitate sports coverage when broadcast in the early morning and also to allow some flexibility at the end of Authorised hours to improve customer service and customer dispersal.

At this time, the Premises Licence Holder believes that this application will not adversely effect the Licensing Objectives in the Licensing Act 2003.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

- Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

- Yes No

Continued from previous page...

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Continued from previous page...

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

- On the premises
 Off the premises
 Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

N/A

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

WEDNESDAY

Start End
 Start End

THURSDAY

Start End
 Start End

FRIDAY

Start End
 Start End

SATURDAY

Start End
 Start End

SUNDAY

Start End
 Start End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

N/A

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

The Premises Licence Holder will return the Premises Licence to the Licensing Authority.

Section 16 of 18

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The Premises Licence Holder has consulted the Responsible Authorities in advance of this application and at this time no further steps are considered appropriate.
The Premises Licence Holder would welcome the views of all parties to the licensing process during the application period.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 18 of 18**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the

Continued from previous page...

* licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/bromley/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

Appendix 2

Current Licence & Plan

LICENSING ACT 2003

**Premises Licence
London Borough of Bromley**

Premises licence number

14/00067/LMPRE

Signed

Joanne Stowell
Assistant Director of Public Protection

Licence Granted 24th November 2005

Issue Number **020**

This licence consists of **11** pages (Including Licence Summary)

Part 1 – Premises Details

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

White Hart
106 High Street,
Orpington
Kent,
BR6 0JY

Where the licence is time limited the dates

Not Applicable.

Licensable activities authorised by the licence

Sale or Supply of Alcohol
Alcohol Off Sales
Late Night Refreshment
Live Music
Recorded Music
Similar to Live, Recorded Music

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

Both On and Off Supplies

The opening hours of the premises

From the start of permitted hours until 30 minutes after the end of permitted hours

The time the licence authorises the carrying out of licensable activities.

Sale or Supply of Alcohol on Monday-Thursday from 10:00 to 23:00

Sale or Supply of Alcohol on Friday and Saturday from 10:00 to 23:30

Sale or Supply of Alcohol on Sunday from 10:00 to 23:00

Alcohol off Sales Timings as above

Late Night Refreshment Monday -Thursday from 23:00 to 23:30 (Subject to Condition 9)

Late Night Refreshment Friday and Saturday from 23:00 to 00:00 (Subject to Condition 9)

Live Music Timings as per alcohol sales above

Recorded Music Timings as per alcohol sales above

Similar to Live, Recorded Music as per alcohol sales above

Part 2

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

Mr Mustafa Tary
of
White Hart
106 High Street
Orpington
BR6 0JY

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

Full Name: Dave Burton

Address: 40 Bournemouth Road Orpington BR5 4JL

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

DPS Licence Ref: 18/00693/LAPER Issued by London Borough of Bromley

Mandatory Conditions

1. Supply of Alcohol:

(1). No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or the personal licence has been suspended.

(2). Every sale of alcohol under the premises licence must be authorised by a personal licence holder.

2. 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). 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 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).

3. Free Potable Water

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

4. 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.

5. Minimum Measures:

(1). 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.

6. 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 paragraph 1 -

(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) "value 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). (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.

7. Films:

(1). The admission of children must be restricted in accordance with the recommendations laid down by the British Board of Film Classification.

OR

(2). In circumstances where the licensing authority has reclassified a film. Then access of children should be restricted to meet this reclassification standard.

Note:- "Children" means any person under 18 years of age.

8. Door Supervision:

(1). Any individual employed at the premises as a door supervisor 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 that Act.

Conditions consistent with the Operating Schedule

As held by the Licensing Authority ref number 14/00067/LMPRE

General

This premises is licensed to operate as a public house

9. The sale and consumption of Late Night Refreshment shall finish at the time stated on the Licence and shall not have a further 30 minutes consumption time.

10. Non Standard Timings listed below are allowed in addition to the normal permitted hours of this licence: -

That the sale of and supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment be allowed until 00.00 on 24th December every year.

11. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (New Year's Day)

12. All staff to receive company training licensing matters as commensurate with their job. Such training records to be kept and shall be produced upon request to an authorised officer under the Licensing Act 2003.

Crime and Disorder

13. Functions, sporting events, or entertainments that are likely to attract increased numbers of customers shall be subject to a risk assessment by the management. If deemed necessary, the management will put in place measures to negate any risk. Considerations to include, but not limited to – appropriate number of door staff, the use of Polycarbonate glasses for all drinks, bottled drinks supplied in PET bottles or de-cantered into Polycarbonate drinking vessels by staff, control of customer numbers. If these or any other measures deemed necessary by the risk assessment are not employed for the event in question, the management of the premises shall record the reason(s). The risk assessment will be filed at the premises and made available to the Police and Council officers on request.

14. The premises shall have the CCTV System approved by an NS1-Nacoss Gold Standard/SSAIB Registered installer in accordance with NACP 20 which shall be capable of supplying images in all lighting conditions. The installed system shall comply with the requirements of the Data Protection Act 1998.

15. The system installed shall be subject to a regular maintenance contract, have the capacity to download images on request of a Police Officer or an authorised person acting on behalf of a responsible authority as detailed with s.13 of the Licensing Act 2003 by a responsible staff member. A responsible staff member must be present at all times the premises are open to the public to be able to provide to any relevant authority on request images necessary for investigating or preventing crime or apprehending or prosecuting an offender.

16. All images shall be kept on secure database for a minimum of 31 days.

Public Safety

None

Prevention of Public Nuisance

17. All doors and windows are to be kept closed when regulated entertainment is taking place except for access and egress. **(Attached at hearing)**

18. The upstairs function room shall be connected to the existing noise limitation device in the premises and set and sealed to the satisfaction of the Environmental Health Division of the Council. **(Attached at hearing)**

19. Signs must be displayed on all exits requesting that the public should leave quietly. **(Attached at hearing)**

20. The external drinking area shall not be used after 23.00 hours on any night. **(Attached at hearing)**

Protection of Children from Harm

21. A "Challenge 25" Scheme shall be implemented at the premises.

22. Where it is necessary to request proof of age it shall be proven by either the production of a passport, driving licence or Government approved PASS (Proof of Age Standards Scheme) Accredited cards.

23. A refusals log to be maintained at all times and shall be produced upon request to an authorised officer under the Licensing Act 2003.

24. The premises must operate in accordance with the submitted application form and is subject to additional conditions as specified within, Part 3 (Operating Schedule) of the Form, held by the Licensing Authority.
Stamped Reference Number: 05/01878/LAPRE Date: 16th June 2006.

Conditions attached after a hearing by the Licensing Authority

See conditions 17 - 20 above

Plans

Held by the Licensing Authority Ref Number: 05/01878/LAPRE Date: 16th June 2006.

LICENSING ACT 2003

Premises Licence Summary

Premises licence number

14/00067/LMPRE

Signed

Joanne Stowell
Assistant Director of Public Protection

Licence Granted 24th November 2005 Issue Number **020**

This licence summary consists of **2** pages

Premises Details

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

White Hart
106 High Street,
Orpington,
BR6 0JY

Where the licence is time limited the dates

Not Applicable.

Licensable activities authorised by the licence

Sale or Supply of Alcohol
Alcohol Off Sales
Late Night Refreshment
Live Music
Recorded Music
Similar to Live, Recorded Music

The opening hours of the premises

From the start of permitted hours until 30 minutes after the end of permitted hours

Where the licence authorises supplies of alcohol whether these are on and/or off sales

Both On and Off Supplies

The times the licence authorises the carrying out of licensable activities

Sale or Supply of Alcohol. on Monday-Thursday from 10:00 to 23:00
Sale or Supply of Alcohol on Monday-Thursday from 10:00 to 23:00
Sale or Supply of Alcohol on Friday and Saturday from 10:00 to 23:30
Sale or Supply of Alcohol on Sunday from 10:00 to 23:00
Alcohol Off Sales Timings as above
Late Night Refreshment. Monday -Thursday from 23:00 to 23:30 (Subject to Condition 9)
Late Night Refreshment. Friday and Saturday from 23:00 to 00:00 (Subject to Condition 9)
Live Music Timings as per alcohol sales above
Recorded Music Timings as per alcohol sales above
Similar to Live, Recorded Music as per alcohol sales above

Name, (registered) address of holder of premises licence

Mr Mustafa Tary
of
White Hart 106 High Street Orpington BR6 0JY

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

Not Applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Full Name: Dave Burton

State whether access to the premises by children is restricted or prohibited

As specified in the Operating Schedule held by the Licensing Authority
05/01878/LAPRE Date: 16th June 2006.

Copyright. This drawing and design and all the information contained therein is the sole copyright of The Ideas Company, and reproduction in any form is forbidden unless permission is obtained in writing.

LEGEND :-

-  Illuminated EXIT sign.
-  Emergency light.
-  Break Glass Fire Alarm Call Point.
-  Electronic Fire Alarm Sounder (24v DC).
-  Ionisation Smoke Detector.
-  Heat Detector.
-  AFFF Extinguisher - 6 litre capacity.
-  Co2 Extinguisher - 2 kg capacity.
-  Dry Powder Extinguisher - 2.25 kg or 4.5 kg capacity.
-  Water Extinguisher - 9 litre capacity.
-  Fire Blanket - 1.2m x 1.2m.
-  . Half hour fire resisting self-closing door & frame, with combined intumescent fire & smoke seals. Door to have 'Fire Door - Keep Shut' notices to both sides unless otherwise indicated.
-  .. One hour fire resisting door & frame, with combined intumescent fire & smoke seals. Door to have 'Fire Door - Keep Locked' notice to external face unless otherwise indicated.
-  PBTO Door fitted with Panic Bar & 'PUSH BAR TO OPEN' Notice.
-   Fire Exit Door - Clear opening width. e.g. 800mm
-   SWP/AWP machine
-   Dartboard
-   TV monitor
-   Big screen projector
-   Pool / Snooker Table

EXISTING FLOOR AREA	sq.m.
EDA - Drinking area less servery & entrance lobbies	176
Gross Floor Area - Everything less licensee's accommodation	231
Kitchen Floor Area -	24
Dining Covers - where pub is food house. e.g. Two for One / All Day Family Feast / Oak Inn	N/A

LONDON BOROUGH OF BROMLEY
 LICENSING 1 of 1
 PLAN REF. 05/161878/LABE
 DATE 16.06.2006
 OFFICER DAE

Revision: _____ Date: _____

All public areas of the premises can be used for recorded music, late refreshment and for the supply and consumption of alcohol. The same areas can be used for private entertainment, which is licensable if the local authority have adopted the Private Places of Entertainment (Licensing) Act 1987.



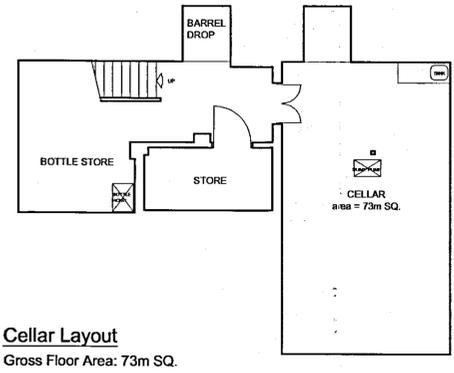
Burley Hall, Cardigan Lane, Leeds, LS4 2LE.
 T: 0113 274 5577 F: 0113 274 6268

The Ideas Company
 ARCHITECTURAL &
 INTERIOR DESIGN CONSULTANTS

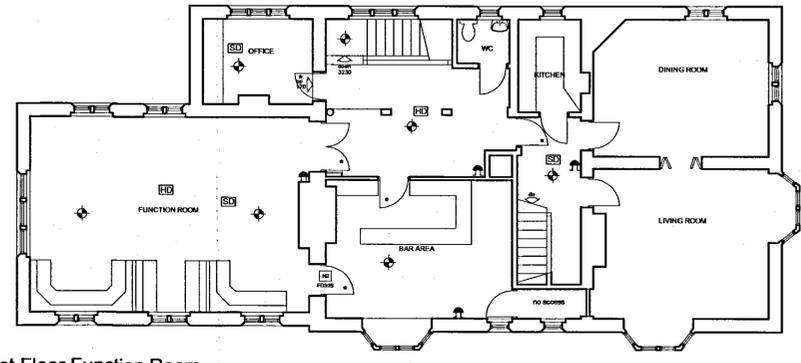
Job title **White Hart,**
 106 High Street, Orpington,
 Kent. BR6 0JY

Drawing title
Licensing Layout

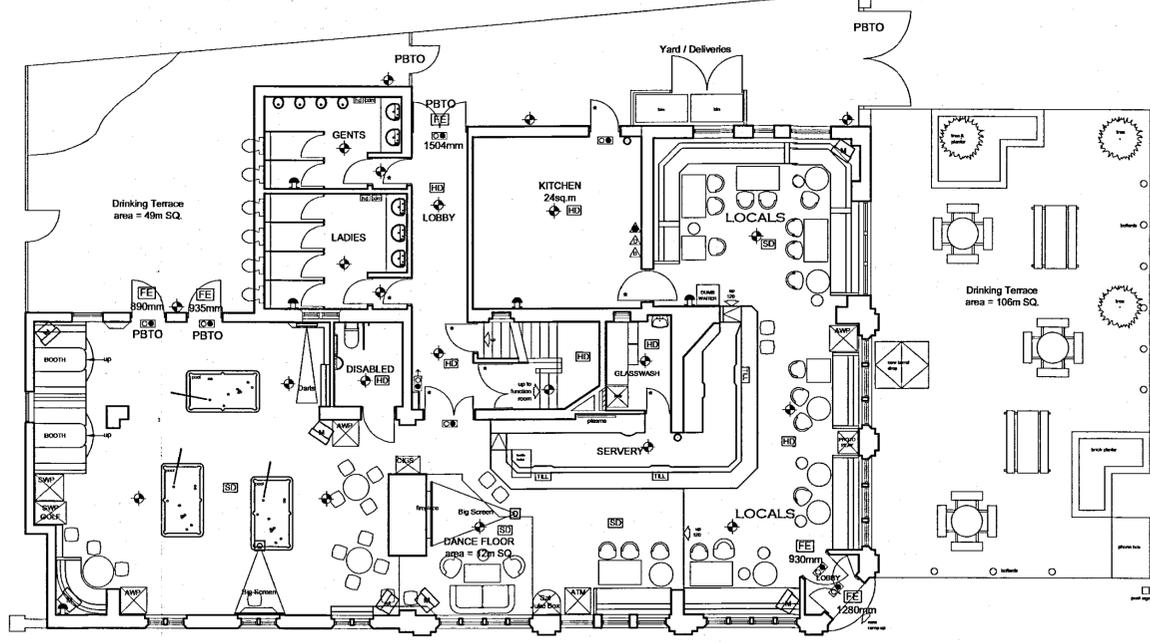
Scale 1:100 (A1)	Drawing No. M3499
1:200 (A3)	
Date Oct 03	
Drawn by TIC / DC	



Cellar Layout
 Gross Floor Area: 73m SQ.



First Floor Function Room Layout



Ground Floor Layout
 EDA Area: 176m SQ
 Gross Floor Area: 231m SQ



All internal steps to raised areas will comply with The Building Regulations applicable at the time of construction, with a maximum rise of 190mm.

Appendix 3

Objections

Double, Paul

Subject: FW: Comments for Licensing Application 19/00794/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 4:57 PM on 22 Nov 2019 from.

Application Summary

Address: White Hart 106 High Street Orpington BR6 OJY

Proposal: Premises Licence

Case Officer:

[Click for further information](#)

Customer Details

Name:

Email:

Address: Broomhill Road Orpington

Comments Details

Commenter Type: Local Resident

Stance: Customer objects to the Licensing Application

Reasons for comment: - Noise Disturbance
- Public Nuisance

Comments: 4:57 PM on 22 Nov 2019 If the White Hart is open beyond the hours of other drinking establishments it will entice people to change venue and carry on drinking there. This will lead to higher levels of noise and disturbance later into the night.

BR6

Members Room
c/o Bromley Civic Centre
Stockwell Centre
Bromley
BR1 3UH

2nd December 2019

Dear Mr Double

RE: Variation of hours to the White Hart Pub Orpington BR6 OJY

I write to oppose the above ludicrous application to extend the opening hours of the above public house. As it stands this pub is unable to adhere to its current regulations so I cannot believe their request to the extend their hours is even being considered. As requested, I will take each licensing objective in turn and express my objections.

The prevention of crime and disorder:

Regularly there are fights outside the White Hart which require police assistance. These physical brawls fall out on to the streets and the screaming, shouting and explicit language is horrendous. The people involved are intoxicated beyond the point of being in control, the bouncers are clearly unable to control those involved and often the residents of White Hart Road are woken up and end up calling the police. A responsible establishment would stop serving those individuals alcohol before the situation escalated but this one continues to service them until the police have to be called. Why should our tax paying money be used to stop fights which are caused by mismanagement of the cliental in the pursuit of profit?

Fights happen most weekends with or without the assistance of the police and even with the windows closed we can still hear the shouting and screaming, as can our children! If this kind of behaviour was happening in our home and our children were witnessing it or hearing it, we would be on the child protection register yet it is ok for random members of the public to act this way and for my children to be woken up and hear this kind of behaviour. Not acceptable!!! This is with the licensing hours as they currently stand at 11.30/midnight and now we are being asked to put up with this until 12.30 am. What about the poor overcrowded families that live above the White Hart in rented rooms? Do these children deserve to see, hear and witness this kind of behaviour? Investigations should be carried out into whether the previous extension they received to 11.30 and midnight is working because I can assure you they are not.

Drunken behaviour, urinating on private property (by our garages) and obscenities are the norm at the weekend which I believe are also acts that people can be cautioned and arrested for. These should also be taken into account if the licensing laws are extended- do we really need to put up with this for even longer?

Currently none of the residents are able to have their windows open during the evenings on weekend nights due to the music that is played at an unbearable level. Even with the windows closed you can still hear the music and sing it word for word on karaoke nights. A number of our residents in the street work nights or start early shift patterns and have to go to bed early, this is difficult to do because of the noise of the music and the shouting of the clientele. I believe their music licence states that the windows in the pub need to be closed to minimise noise- they do not do this and now they want us to listen to this noise for even longer!! This is against our own human rights as we are entitled to sleep so that we can go to work and function in order to for us to pay the taxes that fund the police call outs they so regularly require.

Public Safety

Most pubs have signs outside stating that after a certain time drinks are not to be taken outside. These notes are up but are ignored and the clientele go outside shouting and throwing their glasses around. Most mornings when you walk past there is glass on the pavements where irresponsible drinkers have discarded their glasses. Often these beer bottles are thrown in the road and before we can move our cars to go to work, we need to clear up the glass so that we drive to work without damaging our tyres. Extending the licence just encourages more noise, more glass and more opportunities for our children to hurt themselves on other people's waste.

At the weekends and evenings cars park in our road as the yellow lines are out of hours, making it incredible tight to get a car down our road let alone an ambulance or fire engine. We have raised this with the council before and asked for double yellows to stop this problem but was told there was no money to do so. On one particular time in August this year I was unable to get up the road back to my house due to the irresponsible parking- I had to get residents to move their cars to gain access to the road. Cars park on the corner of Broomhill making it dangerous as you take the corner, they go up the road the wrong way to park outside the pub and even the wrong way around the one-way part of the road. These are the people we are trusting to drink responsibly when they are not even driving responsibly.

The slamming of doors, loud radio music and shouting is now taken as the norm when it should not be. This extension to the hours would mean we would have to be disturbed even later than we are currently.

The prevention of public nuisance

As mentioned above the anti-social behaviour, blaring music and fighting is a real problem as it stands. Increasing the hours will only make this ordeal last for longer. Why should this be seen as acceptable?

The protection of children from harm

I do not swear, shout or fight in front of my children and they should not have to witness that behaviour from others they do not know. If the pub is unable to serve alcohol responsibly now, I do not understand how extending the hours will make this better. Every Saturday and Sunday we have to take care as we walk pass the pub due to the broken glass, we would walk on the other side of the pavement but then we are choked out by the constant smell of cannabis from the barbers opposite the pub. I should not have to explain to my children what cannabis is or try to explain why people are acting/speaking in a particular way. They should not have to be exposed to it.

I oppose the extension to the licensing hours on all four areas as above. I do not see how selling alcohol at 8am in the morning over a bowl of Frosties is going to make much difference to the income of the pub, however to the residents and their mental wellbeing it makes a massive difference. Extending the hours will not regulate the drinking so how much more drunk do these people need to get? As it stands at the moment, they are hurting each other in brawls do we need to fuel them more to take it even further? A respectable establishment would not even be asking to extend given the trouble they have, but instead ensure they follow the rules they have already in place. As the White Hart has proved many times before it is unable to do this I do not see how extending their licence will make them any more responsible.

I really hope these concerns are truly taken into account. The White Hart has already had its licence extended in the past despite objections so I am hoping that this letter will be but one of many opposing the change to licenced hours.

Yours sincerely

Double, Paul

Subject: FW: White hart pub

Sent: 02 December 2019 21:43

To: Double, Paul

Subject: White hart pub

Dear Mr double

I wish to oppose the new extended hours that the white hart pub are proposing, as a resident in white hart Rd, I have witnessed the roads becoming busier and busier, with the many restaurants in the high St, not just with the very inconsiderate parking, being hemmed in on your drive, or unable to get onto your drive, from people that are just popping into the pub for a quick drink, (as we are aware of this) we also see many gatherings in our small no through road once the pub empties at night, with rows and late drinking and car music very loud, often waking us up, my concern is that at 12.30pm all year round it will be just awful and unbearable to be woken in the small hours, over a drunken argument, or car doors slamming while johney shouts he's goodbyes to Billy whilst throwing he's half eaten kebab in my front garden, please please its a resounding no from my household

Yours sincerely
BR6

Double, Paul

Subject: FW: Variation of License at White Hart Public House Orpington

Sent: 04 December 2019 15:40

To: Double, Paul

Cc: Owen, Tony, Cllr

Subject: Re: Variation of License at White Hart Public House Orpington

Paul.

Thanks for your reply, and I appreciate you can only place specific objections in a format that can be presented at the appropriate planning committee meeting. However based on my comments I would have thought that in relation to the specific issues I have highlighted it is fairly obvious under which of the criteria headings they should reside.

For instance, driving the wrong way up a one way road in contravention of appropriate signage is clearly an offence under the road traffic act.

The breaking of glassware and bottles on a public footway is surely in contravention of local byelaws. I would therefore suggest that in relation to the headings provided my objections are under public nuisance, law and disorder, and child protection.

As I stated in my original Email this has been an ongoing issue over a considerable number of years, and there should be significant paperwork relating to license applications for this establishment in your archives, and the objections which have been raised in the past by myself and many other residents remain as valid today as in the past.

Should you require any additional background information relating to this matter, can I ask you to talk with Tony, as he has a wealth of knowledge about the licence application history of this establishment, and can provide letter and verse in relation to all the issues.

Thanks

Paul.

The request to vary the opening hours at the White Hart has been a constant over the years, and no doubt you will have reams of letters from the residents with their objections, and concerns from previous occasions.

Tony Owen has been a stalwart supporter of the residents of White Hart and the surrounding roads over the years in relation to requests to extend the opening hours of this establishment in what is basically a residential area.

Examples of what currently occurs are,

Vehicles driving the wrong way up White Hart road from the high street
Broken glasses and bottles on the pavement and in the road
Occasional pools of Vomit on the pavement
etc

Due to the nature of the pub (sports Bar) it tends to attract younger patrons who use the pool tables and machines, and gather to watch football matches which are screened on large wall mounted monitors.

At closing time there are always people congregated outside, prior to generally going on to get food from the various local eateries on the high street. Whilst I wouldn't say the noise was excessive at closing times it can be heard in the road, and I fully accept this is normal at closing time outside a public house, but extending the hours and therefore the noise to later at night would have a detrimental impact on the residents of the area. Additionally extending the hours of the White Hart will mean Patrons will come from the Wetherspoons to continue drinking after it closes.

There are a number of School age children who live in the road, along with some fairly elderly residents, and a block of retirement flats directly opposite the pub and as such extending the hours of opening will have a detrimental effect on these people.

Should you wish to contact me further about this matter please respond to this Email.

Thanks

Double, Paul

Subject: FW: White Hart 106 High St. Orpington, licencing hours.

Sent: 04 December 2019 14:57

To: Double, Paul

Subject: White Hart 106 High St. Orpington, licencing hours.

Dear Paul

This is on behalf of the residents of Hart House, which is directly opposite the White Hart, I/we witness drink driving, drug driving on a daily basis, there have also been numerous scuffles which are not reported, we think increasing the hours will only add to the problems of local residents, we understand the early opening hours for breakfasts etc but the extended evening hours including Sunday we feel are not acceptable and will add to the anti social behaviour.

Double, Paul

Subject: RE: Variation of hours: White Hart, 106 High Street, Orpington, Kent BR6 0JY

Sent: 06 December 2019 12:25

To: Double, Paul

Cc: Fawthrop, Simon, Cllr; Owen, Tony, Cllr; Onslow, Keith, CLLR

Subject: FW: Variation of hours: White Hart, 106 High Street, Orpington, Kent BR6 0JY

Further to your letter dated 1st December 19 (see copy attached), I am writing to confirm that I don't have any objections with the proposed earlier opening time of 8am.

I do however strongly object to the proposed extension of the closing times to 12:30am.

The surrounding areas to this pub are residential in nature with the number of residential properties increasing due to new developments. I feel these revised hours are more in keeping with a city centre rather than a residential area.

We are consistently having issues of patrons of the pub parking their vehicles down White Hart Road and Broomhill, who are quite noisy when they leave the pub and return to their vehicles.

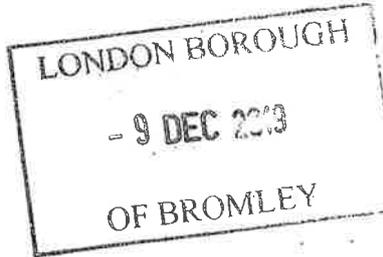
Also the pub can be quite noisy during opening hours due to the rear and front beer gardens. I accept the noise up to midnight but should not have to deal with this any later.

Having to get up early to go to work and children having to go to school I feel having to deal the above noise and disturbance until 12:30am – 1am is unacceptable.

Kind regards

Paul Double

Licencing Department
Bromley Council
Bromley Civic Centre
Stockwell Close
Bromley
BR1 3UH



BR6 0HD

5th of December 2019

Dear Paul/Licensing Department, Bromley Council/

Firstly, I would like to say Thank you for approaching us with the proper department to send our issues and many unpleasant situations regarding our neighbours, **the White Heart Pub.** Meaning that we all have been wondering to whom to address our worries and to explain how the pub is already bothering us and our quality of life. The pub goes with very loud outside music, even live sometimes and with very noisy and fighting customers far beyond midnight. For instance, Friday and Saturday every week.

Secondly, the letter from you, please, see the attached picture, proposed to extend the hours for sale of alcohol and to extend the closing time to 30 minutes after midnight.

It looks like the White Hart Pub will become a night club and it will, even more, disturb our hours for rest, our safety and our quality of life will go down tremendously. Could you, please, let us know what are the government/council regulations about the existence of such night pubs and how you will work for our wellbeing and prevention of rows and fights between the drunk customers. Also, do you think that you may initiate a meeting between the neighbourhood/neighbours of the pub and the pub owners/representative to sort our problems?

Finally, I would like to underline that we expect the Council to work not only in the interest of the business but in our interest as well.

Looking forward to having your response and truly expect you to help us in a civilised way.

Regards,



Sorry for the intervals, the printer does not cope with the software. Thanks.

Double, Paul

Subject: FW: Variation of hours: White Hart, Orpington

Cc: Licensing; Fawthrop, Simon, Cllr; Onslow, Keith, CLLR; Owen, Tony, Cllr
Subject: Variation of hours: White Hart, Orpington

Dear Mr Double

I have received a letter from my ward councillors (copied) in relation to the application by the White Hart to extend both its opening hours and the hours during which it sells alcohol.

I live within 30 seconds walk of the pub, as do many Orpington residents. Although the White Hart is on the High St, it is also in and around a highly residential area. I oppose the application for the reasons below.

1. It is hard to think of a justification for starting to sell alcohol at 8am in any circumstances, other than perhaps limited specific one-off occasions, let alone every day of the week. There are local schools nearby (eg Perry Hall is 5 minutes walk) and the pub is opposite a bus station often used by children on route to school. From Monday to Friday, the extended hours could increase the likelihood of children being put in harm's way.

2. At the opposite end, increasing the late opening hours and time of selling alcohol threatens public safety at night. My fiancée (who is resident with me) works most evenings, including Saturdays, and often returns home between 11.30 and midnight. She and others like her will feel less safe knowing the pub hours are extended.

3. With highly residential areas nearby, any extension to the opening hours will cause public nuisance and the potential for crime and disorder. There is currently already noticeably more disruption on my street on Fridays and Saturdays with later hours. That would only increase.

Please reject this application.

Kind regards

Local resident
Orpington

Double, Paul

Subject: FW: Complaint RE variation to hours of the White Hart Pub

Sent: 10 December 2019 16:24

To: Double, Paul; Fawthrop, Simon, Cllr; Onslow, Keith, CLLR; Owen, Tony, Cllr

Subject: Complaint RE variation to hours of the White Hart Pub

Dear Paul,

I am writing to appeal against the variation to the opening hours for the White Hart pub. I own one of the flats in the block next door to the pub (Hart Road). I will begin my appeal by covering off the points listed in your letter;

1. The prevention of crime and disorder

This pub currently has a bad reputation for drugs and fighting. Police have been called many times and I have made various calls to crime stoppers along with the others in our block as well as those in the retirement block of flats opposite. People are often lurking around the side of the pub, in cars, perching on our wall either on the phone, smoking or doing drug deals (a camera was installed on the wall of Hart House to capture this). It is very intimidating when entering our block of flats and I don't feel comfortable or safe walking past these groups by myself. Last September I was burgled and I can't help thinking that the burglary was related to the pub due to the number of people it attracts who needlessly hang around outside looking into our block of flats and acting suspiciously. On the odd occasion I have asked people to move from sitting on our wall, only to be confronted with rude comments and spitting on the ground.

There has also been multiple fights outside due to people getting too drunk from the pub and stumbling towards our flats.

2. Public safety

As mentioned above, the groups of people lurking/hovering outside the pub is very unsettling. The block of flats opposite my block is a retirement block of flats, I have spoken to some of the owners of Hart House (the retirement block) and they have expressed to me how they are scared of the pubs customers and feel like they're being terrorised. Those who book cabs home from the pub often end up walking towards our flats and hanging around, again this is intimidating and disturbing at any time of night.

3. The prevention of public nuisance

I often see piles of sick and smashed glasses each morning on my way to work. This makes our street look awful and is also very dangerous for dog walkers and young children.

The noise that comes from the pub is out of control as it is, I struggle to sleep with the loud chanting, singing and swearing coming from the pubs back garden. Extending the pubs open hours to 00.30am would be completely unacceptable, the surrounding area of the pub is extremely residential (with a new block of flats just built behind the pub also). Most owners/tenants in our block of flats work in London and have to wake up early to get to the train station. If the pub was to close at 00.45am (allowing people to be in cabs and clear of the street), this would mean I would only be getting 5 hours and 15 minutes sleep as I am up at 6am for my commute – this is not enough sleep to function on and definitely would have impacted my decision when deciding to purchase my flat

Please can you let me know what the next steps are to this appeal?

Thank you,

Double, Paul

Subject: FW: Re variation of hours - White Hart.

Sent: 11 December 2019 20:34

To: Double, Paul

Cc: Fawthrop, Simon, Cllr; Onslow, Keith, CLLR; Owen, Tony, Cllr

Subject: Re variation of hours - White Hart.

I am writing with regards to the application by the White Hart public house for a variation of hours.

I understand that they wish to extend the current opening hours and the current hours in which they can sell alcohol.

As a local resident I have significant reservations about this. The White Hart pub, although situated on the High Street, backs onto residential streets and we in those streets often bear the brunt of the noise and rowdiness of pub goers.

Those leaving the pub are often loud and sometimes their language and behaviour can be intimidating and unpleasant. For those families with younger children this is particularly a concern. Bear in mind that if the pub does not actually close until 00.30 then these people will be staggering and shouting in our streets between then and about 1am. The noise from the pub entertainment is frequently quite loud particularly during the summer months when it can be clearly heard not just in our garden but also when we are indoors. Extending their licensing hours will exacerbate what we already have to put up with. Please bear in mind that the White Hart also has an outside area so the noise from this carries significantly into the residential area.

The application appears to be requesting an additional three hours per day where alcohol can be provided and it stands to reason that this can only contribute to the potential of more antisocial behaviour. Whilst there are many people who can enjoy the pub with consideration for residents around them sadly there are many who cannot.

We would be grateful if you could consider the impact on the local residents, the children who live here and the potential for further noise and anti social behaviour.

Yours sincerely

Broomhill Rd residents

Double, Paul

Subject: FW: Variation of hours to the White Hart Pub, Orpington, BR6 0JY

From: Owen, Tony, Cllr
Sent: 11 December 2019 00:58
To: Double, Paul
Cc: Fawthrop, Simon, Cllr; Onslow, Keith, CLLR
Subject: Variation of hours to the White Hart Pub, Orpington, BR6 0JY

Dear Paul,

The Petts Wood & Knoll councillors, Simon Fawthrop, Keith Onslow and Tony Owen, hereby make a formal objection to the proposed variation of hours sought by the White Hart pub in Orpington.

As you know we circulated a letter to nearby residents informing them of the requested change in hours to ask if they had any comments. We deliberately avoided the use of the word object. It appears that nobody was aware of the application.

You have received copies of a number of responses. Although some have not referred specifically to individual licensing objectives all effectively object on Public Nuisance grounds. They give evidence of the problems occurring under existing hours.

Below you will find an email from the leader of the Petts Wood & Knoll Safer Neighbourhood Police Team recording 11 crimes relating to the White Hart over the last 12 months including 9 assaults. These have occurred under existing hours and are contrary to the Public Safety and Crime and Disorder objectives.

The latest application is effectively a re-run of the application when the Licensing Act became law. Although fronting Orpington High Street the White Hart extends away from the High Street into White Hart Road. On the opposite side of the road is a block of old people's flats and in what used to be the White Hart Car park stands another residential flat block immediately behind the pub. You have received evidence of anti social behaviour and public nuisance from residents of both these blocks.

The current hours allowed a modest extension to Friday and Saturday night opening commensurate with being sited in a residential area. The selling off of the pub car park and the later hours have increased the late night noise and public nuisance for residents in White Hart and Broomhill Roads.

In the last year the local Safer Neighbourhood Panel considered whether to call for a review of the White Hart licence in the light of the crime figures. We believe the previous change in hours is the absolute limit tolerable in this residential area. Any further increase in hours will not contribute to the licensing objectives. From a residents' view point public nuisance would be likely to change from barely tolerable to intolerable.

Increased alcohol consumption over a longer period would be likely adversely to affect the Public Safety and Crime & Disorder objectives.

Kind regards,
Tony Owen

Begin forwarded message:

From: <Tajinder.S.Mahil@met.police.uk>
Date: 6 December 2019 14:47:08 GMT

Double, Paul

Subject: FW: Variation of hours to the White Hart Pub, Orpington, BR6 0JY

From: Owen, Tony, Cllr
Sent: 11 December 2019 00:58
To: Double, Paul
Cc: Fawthrop, Simon, Cllr; Onslow, Keith, CLLR
Subject: Variation of hours to the White Hart Pub, Orpington, BR6 0JY

Dear Paul,

The Petts Wood & Knoll councillors, Simon Fawthrop, Keith Onslow and Tony Owen, hereby make a formal objection to the proposed variation of hours sought by the White Hart pub in Orpington.

As you know we circulated a letter to nearby residents informing them of the requested change in hours to ask if they had any comments. We deliberately avoided the use of the word object. It appears that nobody was aware of the application.

You have received copies of a number of responses. Although some have not referred specifically to individual licensing objectives all effectively object on Public Nuisance grounds. They give evidence of the problems occurring under existing hours.

Below you will find an email from the leader of the Petts Wood & Knoll Safer Neighbourhood Police Team recording 11 crimes relating to the White Hart over the last 12 months including 9 assaults. These have occurred under existing hours and are contrary to the Public Safety and Crime and Disorder objectives.

The latest application is effectively a re-run of the application when the Licensing Act became law. Although fronting Orpington High Street the White Hart extends away from the High Street into White Hart Road. On the opposite side of the road is a block of old people's flats and in what used to be the White Hart Car park stands another residential flat block immediately behind the pub. You have received evidence of anti social behaviour and public nuisance from residents of both these blocks.

The current hours allowed a modest extension to Friday and Saturday night opening commensurate with being sited in a residential area. The selling off of the pub car park and the later hours have increased the late night noise and public nuisance for residents in White Hart and Broomhill Roads.

In the last year the local Safer Neighbourhood Panel considered whether to call for a review of the White Hart licence in the light of the crime figures. We believe the previous change in hours is the absolute limit tolerable in this residential area. Any further increase in hours will not contribute to the licensing objectives. From a residents' view point public nuisance would be likely to change from barely tolerable to intolerable.

Increased alcohol consumption over a longer period would be likely adversely to affect the Public Safety and Crime & Disorder objectives.

Kind regards,
Tony Owen

Begin forwarded message:

From: <Tajinder.S.Mahil@met.police.uk>
Date: 6 December 2019 14:47:08 GMT

To: <Simon.Fawthrop@bromley.gov.uk>, <Tony.Owen@bromley.gov.uk>
Cc: <COLIN.D.Bisset@met.police.uk>
Subject: RE: Variation of hours to the White Hart Pub, Orpington, BR6 0JY

Good Afternoon,

Over the last 12 Months there have been 11 Crimes linked to the Public House, 9 Assaults, 1 Drug and 1 criminal damage.

Thanks

Pc Taj Mahil 1561 SN

From: Fawthrop, Simon, Cllr [<mailto:Simon.Fawthrop@bromley.gov.uk>]
Sent: 03 December 2019 15:48
To: ', Paul <Paul.Double@bromley.gov.uk>; Bisset Colin D - SN-CU <COLIN.D.Bisset@met.police.uk>; Mahil Tajinder S - SN-CU <Tajinder.S.Mahil@met.police.uk>
Cc: Onslow, Keith, CLLR <Keith.Onslow@bromley.gov.uk>; Owen, Tony, Cllr <Tony.Owen@bromley.gov.uk>
Subject: RE: Variation of hours to the White Hart Pub, Orpington, BR6 0JY

Dear Mr Double

Can I add that from the Ward Crime map there appear to be incidents of drug taking/selling outside the pub. This must also be a concern to local residents, as it appears the site attracts this type of criminal behaviour.

I would ask that the police forward all the relevant crime statistics for that area of Whit Hart Road and Orpington High Street.

Regards

Simon Fawthrop

Simon Fawthrop
Councillor for Petts Wood & Knoll Ward
London Borough of Bromley

Appendix 4

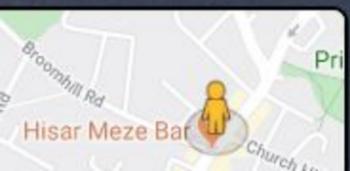
Map and Photos

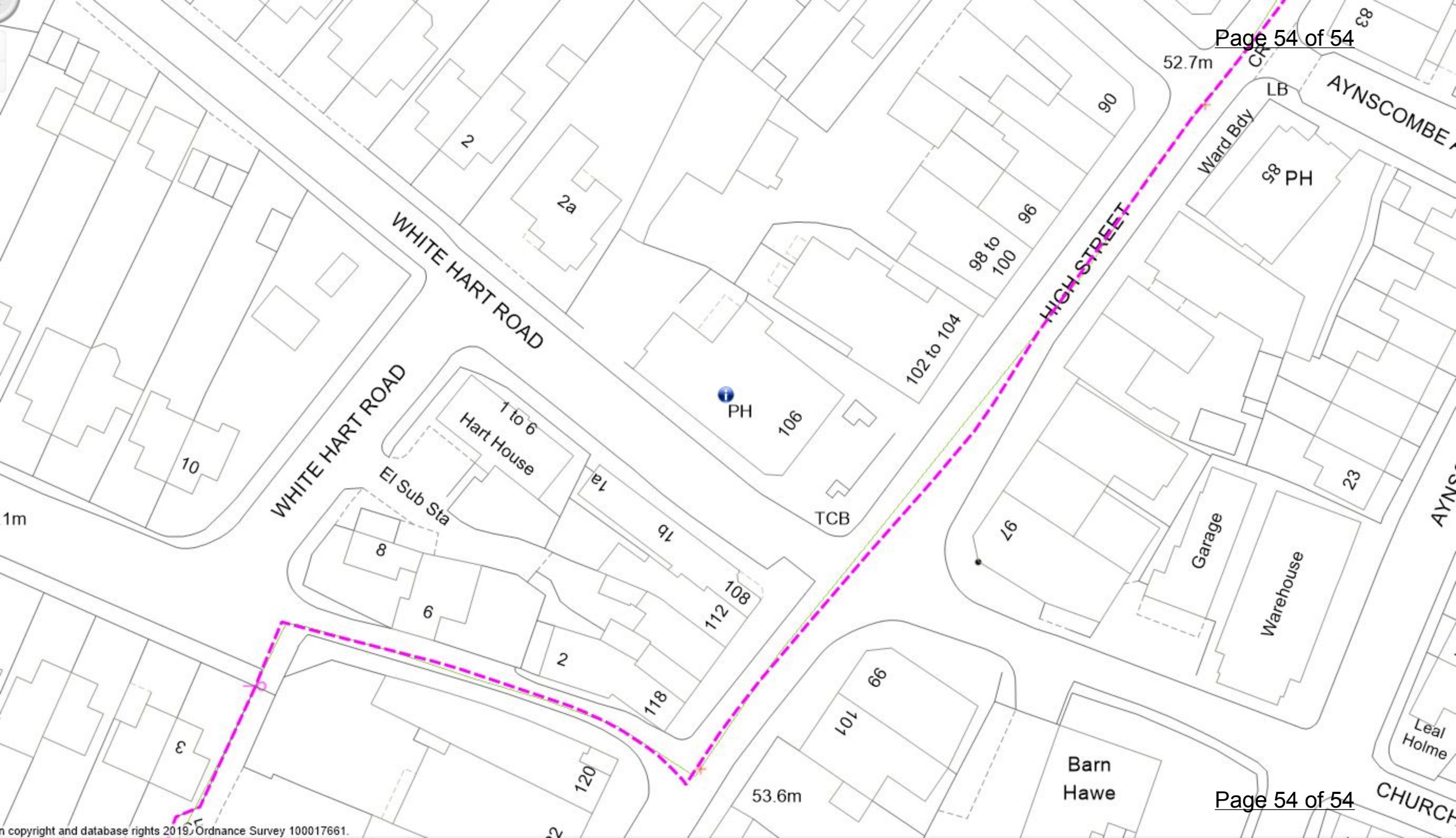


The White Hart • Orpington

FIELD VILLAGE







WHITE HART ROAD

HIGH STREET

PH

PH

Hart House
1 to 6

El Sub Sta

Garage

Warehouse

Barn
Hawe

CHURCH

1m

52.7m

53.6m