

## The Licensing Partnership

### Application to vary a Premises Licence

Sevenoaks District Council, Tunbridge Wells Borough Council, Maidstone Borough Council and London Borough of Bexley have a Licensing Partnership to process and issue licensing applications.

Licensing Officers are located at each local licensing authority, together with admin support to deal with people visiting the Gateways and Tunbridge Wells Town Hall.

Thank you for using the Licensing Partnership self service. Before completing the form, please be aware of the following information:

#### Form Submission:-

When you have completed the application form please submit it. When you submit the application, you will receive an electronic response which will be sent directly to the email address provided in the application.

#### Payment:-

If you are submitting an application which requires a payment, please have your credit or debit card to hand as payment can be made upon submitting your application form. Applications requiring a payment will only be validated once payment is confirmed.

#### General Information:-

If you have any problems with completing the form please contact [licensing@sevenoaks.gov.uk](mailto:licensing@sevenoaks.gov.uk)

#### For Official Use Only

Title	Customer Name	Form Filename	<input type="text"/>
<input type="text"/>	Richard Balfour- Lynn	Form Reference	Richard Balfour- Lynn/
DOB	NINO	Notes	Caps Reference
<input type="text"/>	<input type="text"/>		<input type="text"/>
TEL	<input type="text"/>		
Email	<input type="text"/>		
Customer Address	<input type="text"/>		
Hush Heath Winery Hush Heath Estate Five Oak Lane Staplehurst Tonbridge Kent TN12 0HX			
Date Form Started	27/02/2023 12:47:05		
Date of E-signing	<input type="text"/>		
Date Submitted	<input type="text"/>		
Validation Ref	<input type="text"/>		
Occupancy type	<input type="text"/>		
Advisor Name (who started form)	<input type="text"/>		
Advisor Department	Self-Service		

Licensing Authority:

Ref:

### Application to vary a Premises Licence under the Licensing Act 2003

#### Please read the following instructions first

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

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

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

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

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

I/We **Richard Balfour-Lynn** being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

**Maidstone Borough Council**

[Click here for licence lookup](#)

Premises licence number

20/01678/LAPRE

#### Part 1 - Premises Details

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

Hush Heath Winery  
Hush Heath Estate  
Five Oak Lane  
Staplehurst  
Tonbridge  
Kent TN12 0HX

Post code

Telephone number at premises (if any)

01622832794

Non-domestic rateable value of premises

£ .00

#### Part 2 - Applicant Details

Title

Mr

Surname

Balfouer-Lynn

Firstnames

Richard

Daytime contact telephone number

01622832794

Email address (optional)

Current postal address if different from premises address

Balfour Winery  
Five Oak Lane  
Staplehurst  
Kent

Post Town

Postcode

TN12 0HT

**Part 3 - Variation**

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

If not do you want the variation to take effect from

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

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

**We wish to remove the reference to the word "restaurant" in the following condition:**

**Annex 4. Condition 1.**  
**"The premises shall not be operated as a public house, restaurant, drinking establishment, nightclub, wedding or events venue (other than events ancillary to the winery use)."**

**All other conditions to remain.**

**Part 4 - Operating Schedule**

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

**Provision of regulated entertainment**

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

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

**Sale by retail of alcohol** (if ticking yes, fill in box J)

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

**To complete this part, choose this option on Page 4**

## A

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u></b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)</u></b>		
Sat					
Sun					

## B

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u></b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</u></b>		
Sat					
Sun					

To complete this part, choose this option on Page 4

### C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

### D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)	
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

**To complete this part, choose this option on Page 4**

## E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u></b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	
Tue					
Wed			<b><u>State any seasonal variations for performance of live music</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)</u></b>		
Sat					
Sun					

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u></b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	
Tue					
Wed			<b><u>State any seasonal variations for playing recorded music</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u></b>		
Sat					
Sun					

**To complete this part, choose this option on Page 4**

**G**

Performance of dance Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u></b>	Indoors		
Day	Start	Finish		Outdoors		
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both		
Tue						
Wed				<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur						
Fri				<b><u>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat						
Sun						

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment you will be providing</u></b>		
Day	Start	Finish	<b><u>Will the entertainment take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u></b>	Indoors	
Mon				<b><u>Please give further details here</u></b> (please read guidance note 3)	Outdoors
Tue			Both		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					



To complete this part, choose this option on Page 4

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment be <u>indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	
Tue					
Wed			<b><u>State any seasonal variations for provision of late night refreshment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)</u></b>		
Sat					
Sun					

## J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption please make selection with an "x" (please read guidance note 7).	On the premises	
Day	Start	Finish		Off the premises	
Mon					
Tue			<b>State any proposed seasonal variations for the</b> supply of alcohol (please read guidance note 4)		
Wed					
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Sat					
Sun					

## K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

## L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			

L

Wed			<b>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

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

**We wish to amend the condition within: annex 4. Condition 1. The premises will not be operated as a public house, restaurant, drinking establishment, nightclub, wedding venue or events venue (other than events ancillary to the winery use) .**

**The amendment would be to remove the word "restaurant" only.**

*Please make selection with an "x"*

I will enclose the premises licence with the declaration

I will enclose the relevant part of the premises licence with the declaration

Neither of above

If checking this box please fill in reasons for not sending the licence, or part of it, below

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

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

**a) General - all four licensing objectives (b,c,d,e) (please read guidance note 9)**

Balfour Winery has had a premises licence since 20th March 2013 and has received no complaints from Responsible Authorities or any other person or organisation and throughout that period has maintained the highest standards having regard to the four licensing objectives.  
The removal of the word "restaurant" from annex 4, condition 1. will have no adverse effect in relation to any of the licensing objectives.

The principles of security and safety will continue to be extended in all dealings with the public as our staff are well trained as detailed in b), c), d) & e) below.

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

Balfour Winery continue to have good security, alarms and CCTV cameras. There will be no unsupervised access. Staff are well trained and ensure that a refusal recording system is in operation and all staff involved in the sale of alcohol are fully trained in the system.

CCTV Equipment is well maintained and in good working order, correctly time and date stamped, recordings are kept on the hard drive for a period of 31 days and can be handed to Police upon reasonable request. The DPS or appointed members of staff are capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.

**c) Public safety**

The Winery forms part of Hush Heath Estate which carries out HACCP thus ensuring public safety, and our staff are trained in this. Staff are also First Aid trained and we have a designated first aid area should an event occur. All staff involved in the sale or supply of alcohol are trained in the "Challenge 25" Scheme, and such training is recorded. All guests are supervised and we can confirm that there have been no instances of problems at the winery or indeed externally.

From the beginning of May until the end of September (our busy period) we will run an hourly transportation service using our electric 8 seater mini van between the winery and Marden train station. This will reduce the number of vehicles on the road from non-local visitors.

**d) The prevention of public nuisance**

As above, we follow the Challenge 25 rules and our staff are trained in the safe serving of alcohol and do not serve anyone who has had too much to drink. All staff involved in the sale or supply of alcohol are trained in the "Challenge 25" Scheme and such training is recorded.

All customers are requested to leave the premises quietly as per our signage on exit.

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

The typical visitor is 35 years of age plus, although children are allowed under parental or adult supervision during the day and must at all times be accompanied. Hazardous materials located on the premises are kept under child proof lock.

No children under 10 are allowed on the premises during our evening opening hours. i.e 19.00-23.00 Friday & Saturday.

Please make selection with an "x"

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

**I/WE UNDERSTAND THAT 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 AMMOUNT**

**Part 5 - Declaration** (please read guidance note 10)

**Confirmation of applicant or applicant's solicitor or other duly authorised agent.** (See guidance note 11) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation

Name  Date

Capacity

**For joint applications confirmation of 2nd applicant or 2nd applicant's solicitor or other authorised agent.** (please read guidance note 12) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation

Name  Date

Capacity

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 13)

Name

Address

Post Town

Postcode

Telephone number (if any)

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

**For Official Use Only**

Form Filename:

Submission Ref:

Applicant Name: **Richard Balfour- Lynn/**

Date Submitted:

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

Under our current licence we are allowed to serve food during our permitted opening hours. We have no wish to change our opening hours. The reason for the removal of the word restaurant is that there is no clear definition of what a restaurant is and therefore we are concerned that this restriction is confusing and potentially may lead to challenge from external parties. Our food offering only accounts for 3- 4 % of our annual turnover and the removal of the word restaurant will not change this. Our food offering is ancillary to the main business of the winery and will remain so. This amendment will have no negative impact on the four licencing objectives, the same practices will remain in place as described on page 12 to keep the public safe, prevent crime, disorder and public nuisance and protect children from harm. Our intention is to provide a few more options for customers visiting the winery. Wine tours and tastings still remain at the heart of our cellar door offering and the increased food offering will not change this.

## Notes for Guidance

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

## Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.