

# Public Document Pack



Date: 31 October 2016  
Ask For: Emily Kennedy  
Direct Dial: (01843) 577046  
Email: emily.kennedy@thanet.gov.uk

## LICENSING SUB COMMITTEE

**8 NOVEMBER 2016**

A meeting of the Licensing Sub Committee will be held at **10.00 am on Tuesday, 8 November 2016** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillors: Matterface, Tomlinson and Howes

## A G E N D A

Item  
No

Subject

1. **ELECTION OF CHAIRMAN**

2. **APOLOGIES FOR ABSENCE**

3. **DECLARATIONS OF INTEREST**

'To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest Form attached at the back of this Agenda. If a Member declares an interest, they should complete that form and hand it to the Officer clerking the meeting and then take the prescribed course of action.'

4. **APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE** (Pages 1 - 18)

5. **APPLICATION FOR PREMISES LICENCE - 5-7 WEST CLIFF ROAD, RAMSGATE** (Pages 19 - 36)

6. **APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE** (Pages 37 - 54)

**Declaration of Interests Form**

This page is intentionally left blank

**APPLICATION FOR TEMPORARY ACTIVITIES:  
 TEMPORARY EVENT NOTICE APPLICATION  
 BY: Duncan Bayles**

**Licensing Sub-Committee – 8<sup>th</sup> November 2016 at 10 a.m**

Report Author **Philip Bensted Regulatory Services Manager**

Portfolio Holder **Cllr Lin Fairbrass Community Services**

Status **For Decision**

Classification: **Unrestricted**

Ward: **Margate Central**

**Executive Summary:**

To consider this application for temporary activities in the light of objections made by Kent Police and Environmental Health

**Recommendation(s):**

The instructions of the Sub-Committee are requested

**CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	None
<b>Legal</b>	<p>There is a right of appeal to a Magistrates' Court within 21 days of the date of the decision of the Licensing Sub-Committee with regard to the grant/refusal of a licence or any of the conditions attached to it.</p> <p>The Licensing Sub-Committee must pay proper attention to the applicant's rights under the provisions of the Human Rights Act 1998, which gives further effect in the United Kingdom to the fundamental rights and freedoms contained in the European Convention on Human Rights. The Licensing Sub-Committee must have proper regard to the rights of the individual applicant when making decisions that affect them. However, it also has to have regard to the safety and protection of the public and therefore to ensure that the right balance is found and think hard about how it can cause the least possible harm to individuals, bearing in mind its duty to ensure the protection of the public.</p>
<b>Corporate</b>	None.
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only</p>

	aim (i) of the Duty applies to Marriage & civil partnership.
--	--

## 1.0 Introduction and Background

- 1.1 A temporary event notice has been received from Duncan Bayles of Albert Terrace, Margate. The event is described as a 'New Years Eve Party'. There will be the following licensable activities, the sale by retail of alcohol, regulated entertainment and late night refreshment. It is intended that it will take place on the 31<sup>st</sup> December between 7 p.m and 5 a.m. The maximum number of people to be present will be 150. The applicant is the holder of a personal licence.
- 1.2 Part 5 of the 2003 Licensing Act provides a system of permitted temporary activities, under which licensable activities can be carried out on a temporary basis (for a period not exceeding 7 days) without the need for a premises licence or a club premises certificate. A copy of the notice is appended at Annex 1.

## 2.0 General Points

- 2.1 The Act provides for periods of notice and the number of events that may be held. Notice must be given to the Licensing Authority, Police and Environmental Protection ten working days before the beginning of the event period. The Police and Environmental Protection then have three working days to lodge objections with the Licensing Authority and Applicant. A copy of the Police and Environmental Health objections are appended at Annex 2.
- 2.2 Objections must relate to the undermining of the licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance, the protection of children from harm.
- 2.3 A copy of the premises licence for the Sundowners with times and conditions is attached at Annex 3.

## 3.0 Options

- 3.1 Grant the application.
- 3.2 Refuse the application.
- 3.3 Grant the application with the conditions attached to the premises licence.

Contact Officer:	Philip Bensted, Regulatory Services Manager, ext 7630
Reporting to:	Penny Button, Head of Neighbourhood Services, ext 7425

## Annex List

<i>Annex 1</i>	Temporary event notice
<i>Annex 2</i>	Police and Environmental Health objections
<i>Annex 3</i>	Premises licence

## Background Papers

Title	Details of where to access copy
N/A	

**Corporate Consultation**

<b>Finance</b>	N/A
<b>Legal</b>	N/A



# Agenda Item 4

## Annex 1

*Continued from previous page...*

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

Bar & Restaurant serving food and drink

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

New Years Eve Party, entry by ticket only, live entertainment and disco requesting a extension to the existing premises license (3am to 5am).

### Section 4 of 9

#### LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises ([see also guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 7\).](#)

#### Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 8\)](#)

Event start date      

31	/	12	/	2016
dd		mm		yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date      

01	/	01	/	2017
dd		mm		yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

19:00 - 05:00

(see also guidance on completing the form, note 9)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (see also guidance on completing the form, note 10)

150

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both (see also guidance on completing the form, note 11):

- On the premises only
- Off the premises only
- Both

**Section 5 of 9**

**RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 12)**

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 13)**

Do you currently hold a valid personal licence?  Yes  No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue  /  /   
dd mm yyyy

Date of expiry  /  /   
dd mm yyyy





# Kent Police

**Chief Officer of Police Objection Notice** in relation to a  
**Temporary Event Notice** given under Part 5 Section 100  
Licensing Act 2003 (S104 Licensing Act 2003)

<b>Details of person making objection</b>	
Name of Chief Officer of Police	Sharon Adley
Postal Address: (Area Headquarters)	Margate Police Station Fort Hill Margate CT9 1HL
E-mail address	████████@kent.pnn.police.uk
Telephone Number:	01843 ████████

**The Chief Officer of Police has received a Temporary Event Notice under Section 100 Licensing Act 2003, and under Section 104 of that Act, asks the Licensing Authority to consider this objection in respect of the prevention of crime and disorder objective.**

<b>Details of Temporary Event</b>	
Date(s) of event	31/12/2016 to 01/01/2017
Licensable activities proposed	The sale by retail of alcohol Regulated entertainment Late night refreshments
Hours of licensable activities	1900 – 0500
Name of Premises:	Sundowners
Address of premises:	1 Albert Terrace Margate Kent CT9 1UJ
Date and time TEN received by police	12/10/2016
Date and time objection notice given to Licensing Authority and the premises user	12/10/2016

Due to the circumstances of this case, I am satisfied that allowing the premises to be used in accordance with the notice would undermine the crime prevention objective because .....

The Police are rejecting this application as it does not believe it will cover the following licensing objectives.

The prevention of crime and disorder,  
The prevention of public nuisance.

This event is to take place on New Year's Eve. By allowing alcohol to be purchased in the very early hours for this evening where it is known that people consume more than normal to see in the new year, brings serious concerns for an extended period of time.

Allowing people to leave in the early hours after consuming alcohol on the street to possibly continue the celebration is cause for serious concern. Local residents have previously expressed concerns about the patron noise from this premises in the early hours. To allow this extension is unfair on the local residents trying to sleep.

No premises in Thanet are going to be supported to any extension for any evening past 0300 hours. This will also include New Year's Eve.

The police do not support this notice.

Please use separate sheets where necessary

**Suggested modifications that could be added to the temporary event notice to remedy the objection or other suggestions the Licensing Sub Committee may take into account:**

*Please use separate sheets where necessary. Consider s106 Licensing Act 2003.*

The police do not support alcohol being sold or the premises being open past 0300 hours.

**Signed:**  
**Print name: PC Darren Dennett**  
Pp Chief Officer of Police

**Date: 12/10/2016**  
**Force Number: [REDACTED]**

The Objection notice must be given to the Licensing Authority and copy to the premises user no later than 48 hours after the Chief of Police is given a copy of the temporary event notice - S104 (3) Licensing Act 2003.

This form must be returned within the Statutory Period.

S106 Licensing Act 2003 applies where a chief officer of police has given an objection notice and states that at any time before the hearing is held he may, with the agreement of the premises user, modify the temporary event notice by making changes to the notice returned to the premises user under Section 102.

## Jane Bennett

---

**From:** Amanda Berry  
**Sent:** 12 October 2016 11:11  
**To:** Jane Bennett  
**Cc:** 'duncanbayles [REDACTED]'; Christopher Brown  
**Subject:** TEN Objection

Hi Jane

Environmental Health are objecting to the TEN application to extend activities on NYE until 5am. In Chris' absence I have reviewed our complaints history and note that there have been noise issues with the premises; Chris may subsequently, in the light of additional background information alter our position.

Kind regards

Amanda Berry  
Environmental Health Officer  
Environmental Health | Thanet District Council Offices | Cecil Street | Margate | Kent | CT9 1XZ

☎ 01843 [REDACTED]

✉ [amanda.berry@\[REDACTED\]](mailto:amanda.berry@[REDACTED])

*If you are interested in air quality please visit [www.kentair.org](http://www.kentair.org) for up to date information on latest pollution levels across the county.*





Thanet District Council  
 Part A  
 Premises Licence

Premises licence number

LN/200800097

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Sundowners 1 Albert Terrace	
Post town	Post code
Margate, Kent	CT9 1UJ
Telephone number	
01843 [REDACTED]	

Where the licence is time limited the dates

None

Licensable activities authorised by the licence

- 1) Indoor sporting events, live music (indoors), recorded music (indoors), performances of dance (indoors), anything of a similar description (indoors), making music (indoors), dancing (indoors), entertainment of a similar description (indoors).
- 2) Late night refreshment (indoors/outdoors).
- 3) Supply of alcohol (on and off the premises)

The times the licence authorises the carrying out of licensable activities

- 1) Mon-Sat 10am to 3am, Sun 12 noon to 3am
- 2) 11pm to 3am daily
- 3) Mon-Sat 10.00am to 2.30am, Sun 12 noon to 2.30am

The opening hours of the premises

Mon-Sat 10am to 3am, Sun 12 noon to 3am


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

On and off the premises

## Part 2

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

Mr Duncan Andrew Bayles

 Hatfeild Road, Margate, Kent CT9 5BL


01843 

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 the supply of alcohol

Mr Duncan Andrew Bayles

 Hatfeild Road, Margate, Kent CT9 5BL

01843 

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

LN/201500681

Thanet District Council

**Issued on the 12 October 2016**

**To commence on the 07 April 2008**

**Regulatory Services Manager** 

## **Annex 1 – Mandatory conditions**

**No supply of alcohol may be made under the premises licence:-**

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

**Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**

**Any Door Supervisor employed at the premises will be licensed under the Private Security Industry Act 2001.**

**1. (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).

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

3. (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.

4. 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.”

5. (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 rate 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.

## **Annex 2 – Conditions consistent with the operating Schedule**

- 1) The Premises Licence Holder shall ensure that notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.**
- 2) The Premises Licence Holder shall ensure that all staff shall be suitable trained for their job function. The training shall be recorded, ongoing and under constant review, and records must be available to a relevant Responsible Authority when called upon.**
- 3) The Premises Licence Holder shall operate a ‘Challenge 25’, or similar, scheme at the premises whereby anyone who appears to be under the age of 25 shall be asked to provide proof of age that he or she is over 18. Proof of age shall only comprise of a passport, a photo-card driving licence or an industry approved proof of age identity card.**
- 4) The Premises Licence Holder shall ensure that notices shall be prominently displayed in the premises to advise patrons and staff that a ‘Challenge 25’, or similar, scheme operates in the premises.**
- 5) The Premises Licence Holder shall ensure that an ‘Admissions Policy’ is adopted which will be utilised as part of the conditions of entry; such policy to be drafted after consultation with the Police Licensing Officer and not amended without further consultation.**
- 6) The Premises Licence Holder shall ensure that door supervisors, when employed at the premises, are all individually registered with the Security Industry Authority (SIA); the SIA name badge being displayed at all times whilst on duty.**
- 7) The Premises Licence Holder shall ensure that all door supervisors, when employed at the premises, shall enter their full details in a register/log book at the commencement of work. This shall record their full name, home address and contact telephone number, the door supervisor’s SIA registration**

number; the time they commenced and concluded working. If the door supervisor was supplied by an agency, details of that agency will also be recorded including the name of the agency, the registered business address and a contact telephone number.

- 8) The Premises Licence Holder shall ensure that from midnight on any day the premises are open for licensable activities, no drinks will be allowed outside in the smoking area unless in polycarbonate, plastic or similar containers.
- 9) The Premises Licence Holder shall ensure that off-sales after 11pm will be in a sealed container.
- 10) The Premises Licence Holder shall ensure that, with the exception of those patrons exiting the venue to smoke, there will be no re-entry after 1.30am on any day the premises is open for licensable activities.
- 11) The Premises Licence Holder shall ensure that drinks served for consumption after 9pm on any trading day within the designated outside terrace, shall be dispensed in polycarbonate, plastic or similar bottles or glasses.
- 12) All doors and windows to remain closed, except for access and egress, when regulated entertainment is taking place.
- 13) Children shall not be permitted to remain on the premises after 9pm.
- 14) CCTV shall be installed and maintained at the premises. Recordings shall be available to Police and Licensing Authority Officers upon request.

**Annex 3 – Conditions attached after a hearing by the licensing Authority**

**None**

**Annex 4 – Plans**

**Plans considered April 2008**



**APPLICATION FOR PREMISES LICENCE – 5 – 7 WEST  
CLIFF ROAD RAMSGATE**

**Licensing Sub-Committee – 8<sup>th</sup> November 2016 at 10.15 a.m**

Report Author **Philip Bensted Regulatory Services Manager**

Portfolio Holder **Cllr Lin Fairbrass Community Services**

Status **For Decision**

Classification: **Unrestricted**

Ward: **Central Harbour**

**Executive Summary:**

To consider this application for a premises licence in respect of 5 – 7 West Cliff Road Ramsgate in the light of representations received.

**Recommendation(s):**

The instructions of the Sub-Committee are requested

**CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	None
<b>Legal</b>	<p>There is a right of appeal to a Magistrates' Court within 21 days of the date of the decision of the Licensing Sub-Committee with regard to the grant/refusal of a licence or any of the conditions attached to it.</p> <p>The Licensing Sub-Committee must pay proper attention to the applicant's rights under the provisions of the Human Rights Act 1998, which gives further effect in the United Kingdom to the fundamental rights and freedoms contained in the European Convention on Human Rights. The Licensing Sub-Committee must have proper regard to the rights of the individual applicant when making decisions that affect them. However, it also has to have regard to the safety and protection of the public and therefore to ensure that the right balance is found and think hard about how it can cause the least possible harm to individuals, bearing in mind its duty to ensure the protection of the public.</p>
<b>Corporate</b>	None.
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p>

## **1.0 Introduction and Background**

- 1.1 Application has been made by Navaratnam Vanitharan for a premises licence which includes the supply of alcohol off the premises.
- 1.2 The Operating Schedule, showing the proposed licensable activities and hours are appended at Annex 1. A map of the area showing the location of these premises is at Annex 2.

## **2.0 General Points**

- 2.1 Applicants for a premises licence are required, as part of the licensing procedure, to display a public notice which provides information to the public regarding the manner in which objection may be made. Similarly, public notice of the application should be published in a local newspaper circulating in the vicinity of the premises. These requirements appear to have been complied with. Two public objections have been received which are appended at Annex 3.
- 2.2 The applicant is further required to give notice of the application to responsible authorities. Planning have made representations which are appended at Annex 4.
- 2.3 The Licensing Sub-Committee will be aware that it must carry out its functions under the 2003 Licensing Act to take steps which are appropriate for the promotion of the licensing objectives. The Licensing objectives are:- the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. In carrying out its licensing functions, the Licensing Sub-Committee must also have regard to its statement of licensing policy and the Guidance issued under the Act.
- 2.4 The four licensing objectives are the matters the Licensing Sub-Committee must address when considering whether to grant or refuse the application. Each application should be considered on its merits. Reasons must be given for any decision made by the Sub-Committee.
- 2.5 Where a premises licence is granted mandatory conditions will apply under Sections 19- 21 of the Act. These refer to an age verification policy, the sale of alcohol below cost, and, designated premises supervisor.
- 2.6 The application should be determined within twenty working days beginning with the day after the end of the period during which representations may be made. Representations had to be made by the 11<sup>th</sup> October.

## **3.0 Options**

- 3.1 Grant the application with conditions consistent with the Operating Schedule accompanying the application and the conditions mentioned at paragraphs 2.5.
- 3.2 Exclude from the scope of the licence any of the licensable activities to which the application relates.
- 3.3 Refuse the application.
- 3.4 Refuse to specify a person in the licence as the designated premises supervisor. The proposed designated premises supervisor is Navaratnam Vanitharan.

3.5 Grant the application subject to different conditions in respect of different parts of the premises or different licensable activities.

Contact Officer:	Philip Bensted, Regulatory Services Manager, ext 7630
Reporting to:	Penny Button, Head of Neighbourhood Services, ext 7425

**Annex List**

<i>Annex 1</i>	Operating Schedule
<i>Annex 2</i>	Map of the area
<i>Annex 3</i>	Two public objections
<i>Annex 4</i>	Planning objection

**Background Papers**

<b>Title</b>	<b>Details of where to access copy</b>
N/A	

**Corporate Consultation**

<b>Finance</b>	N/A
<b>Legal</b>	N/A





# Agenda Item 5

## Annex 1

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	1	0	2	0	1	6

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

DD		MM		YYYY			
N	/	A					

Please give a general description of the premises (please read guidance note 1)

1. Please see attached plan with details of Situation & Layout;
2. Commercial Shop Premises;
3. No areas of premises are intended for the consumption of alcohol;
4. No music will be amplified.

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

N/A

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

**A**

Plays 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 tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	<input type="checkbox"/>
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</u></b> (please read guidance note 5)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  N/A       <b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)  I wish for the times specified to also apply on Public & Festive Holidays i.e. Bank Holidays, Christmas Eve & New Years Eve.		
Mon	06:00	23:00			
Tue	06:00	23:00			
Wed	06:00	23:00			
Thur	06:00	23:00			
Fri	06:00	23:00			
Sat	06:00	23:00			
Sun	06:00	23:00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name Navaratnam Vanitharan	
Address  Broadstairs	
Postcode	CT10 2LG
Personal licence number (if known)  	
Issuing licensing authority (if known) Ealing Council	

K

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

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)  N/A
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)  I wish for the times specified to also apply on Public & Festive Holidays i.e. Bank Holidays, Christmas Eve & New Years Eve.
Mon	06:00	23:00	
Tue	06:00	23:00	
Wed	06:00	23:00	
Thur	06:00	23:00	
Fri	06:00	23:00	
Sat	06:00	23:00	
Sun	06:00	23:00	

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

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

- Installation of CCTV Cameras to the interior & exterior of the premises
- To ensure that there will be more than one member of staff present at any given time
- Not to serve alcohol to any persons who are excessively under the influence of alcohol
- Any persons who look to be under the age of 25 must produce their ID prior to the purchase of any age restricted items i.e. alcohol

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

**c) Public safety**

**d) The prevention of public nuisance**

- Not to allow the consumption of alcohol on and/or immediately outside the premises

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

- Any persons who look to be under the age of 25 must produce their ID prior to the purchase of any age restricted items i.e. alcohol

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated 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.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

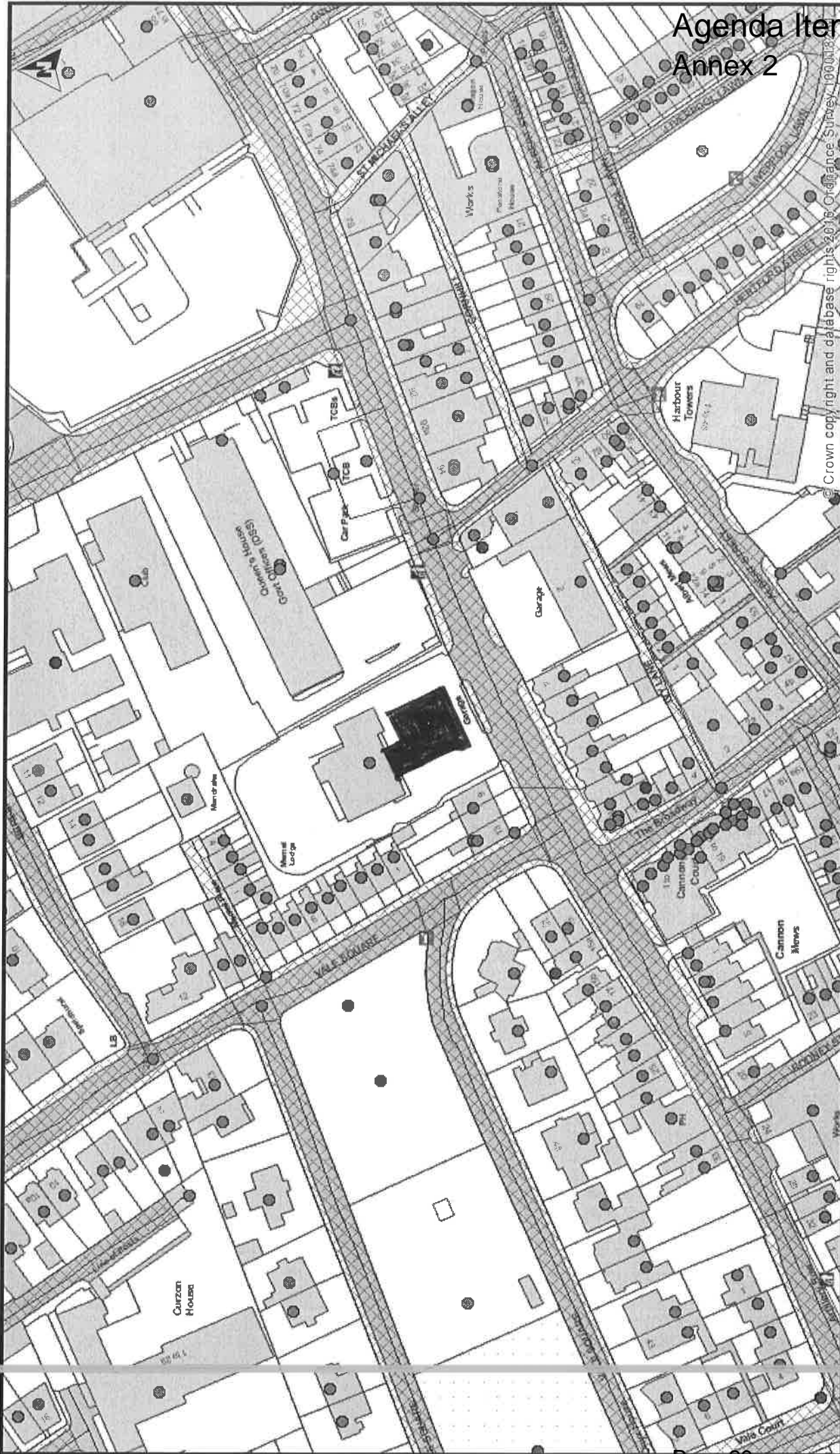
Signature	<i>B. S. - [handwritten signature]</i>
Date	<i>2.09.2016</i>
Capacity	Applicant’s solicitor

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	



Thanet District Council  
Cecil Street  
Margate  
Kent  
CT19 1XZ



Crown copyright and database rights 2016 Ordnance Survey 100019328

Title: Thanet District Council  
Author: Thanet District Council  
Scale: 1:250  
Date: 13/10/2016

This page is intentionally left blank



Jane Bennett

**From:** [redacted]@btinternet.com>  
**Sent:** 06 October 2016 08:05  
**To:** TDC Licensing  
**Subject:** Re Objection to An Application for New Premises Licence - 5-7 West Cliff Road CT11 9JW

Dear Sir or Madam

The site notice fails to state that the applicant is requesting permission to sell alcohol during the hours 6.00 am to 11.00 pm.

West Cliff Road is a relatively quiet road for much of the day. There is an increase in the volume of both vehicular and pedestrian traffic during the periods when people are travelling to and from work or school i.e. between the hours of 8.00 am and 6.00 pm. Acceleration and deceleration from the garage between 6.00 - 8.00 am and between 8.00 - 11.00 pm would constitute a nuisance to residents of properties adjacent to and facing the site.

The proposed hours of operation would constitute a public nuisance not just for occupants of nearby houses but for other residents of West Cliff Road and adjoining roads, particularly those where Ramsgate's tunnel system exacerbates noise from road traffic. The presence of two pedestrian crossings within a short distance of each other indicates the level of pedestrian traffic and highlights road safety concerns around the existing levels of road traffic.

The site lies within Central Harbour ward, one of the areas with very high levels of anti-social behaviour. It is on a route used by a large number of both primary and secondary school children every weekday, both those walking to and from school and those using the bus service. Levels of staffing outlined in planning application F/TH/16/0908 give rise to concern about how well the sale of alcohol could be controlled. The surrounding area is already troubled by problem drinkers. Ivy Lane, an alleyway parallel to West Cliff Road and close to the site, is much used for substance abuse.

I have already lodged an objection to with the Planning Department. A copy is attached below.

[redacted]  
[redacted] West Cliff Road CT11 9JW

**From:** [redacted]  
**To:** TDC Planning Services <[planning.services@thanet.gov.uk](mailto:planning.services@thanet.gov.uk)>  
**Sent:** Tuesday, 23 August 2016, 10:28  
**Subject:** F/TH/16/0908 5-7 West Cliff Road CT11 9JW

Dear Sir or Madam

The applicant has either failed to answer some of the questions or responded misleadingly.

**Q3 Description of the Proposal**

The applicant claims work has not started. Work actually started before the application was submitted and now looks close to completion.

**Q20 Hours of Opening**

None shown.

This is of particular concern to anyone living close to the site. West Cliff Road carries local traffic. Through traffic is routed along the B2054 to the east. While it can be reasonably busy during normal working hours (8.00-18.00), outside these hours it is quiet.

Any increase in either vehicular or pedestrian traffic resulting from a filling station and shop operating outside normal working hours would constitute a considerable nuisance, not just for residents adjacent to or opposite the site but for anyone living in West Cliff Road.

For residents adjacent to and opposite the site, light pollution would also constitute a nuisance outside the normal working day.

The proposed layout for the shop suggests extended opening hours and gives rise to concern. I would strenuously object to a proposal for a filling station and shop operating late into the evening. This would most certainly constitute a considerable nuisance for those of us living close to the site and cause disturbance for other residents of West Cliff Road.

Q23 Hazardous Substances

The applicant has indicated that no hazardous waste is involved in the proposal and has not completed part C.

Petrol is a hazardous substance.

I understand special regulations relate to the licensing of filling stations and that there are technical requirements concerning installations, drainage etc. No technical information has been supplied.

In conclusion I would point out that there is no evidence of local demand for either a filling station or convenience store. A 24-hour shop in Queen Street, a few hundred yards from this site, opened recently and closed after only a few months of trading. Ramsgate is well served by out-of town filling stations and by existing sites on Canterbury Road East (A299), High Street St Lawrence (A255) and Hereson Road (A255).

  
● West Cliff Road CT11 9JW

**Jane Bennett**

---

**From:** [REDACTED]@[REDACTED].com>  
**Sent:** 30 September 2016 17:37  
**To:** TDC Licensing  
**Subject:** Petrol Filling Station 5- 7 West Cliff Road Ramsgate Kent CT11 9JW

Dear Mr Bensted,

Further to a recent telephone call to your department I was made aware that the premises at 5- 7 West Cliff Road Ramsgate CT11 9JW are applying to be open from 0600 – 2300 daily. While this is still subject to planning approval, and it should be noted that no hours of trading were included in said planning application, I must strenuously object to the proposed hours of business .

A 12 Hour day, such as from 0800 - 2000 is a long enough day for any unit on the edge of residential areas such as this is.

There is already a significant problem within this area of drinking and drug taking in some of the alleys and public spaces close to the proposed place of business. Inevitably this unit will be selling alcohol and as is common at all of the shop/petrol stores through out the district it will be "cut price". I have concerns that this will serve to exacerbate what is already a well documented problem within Thanet.

Previously when this site was occupied by a Petrol Forecourt/Convenience store it had that effect upon the area, and it was noticeable, when the unit closed as to what a difference in terms of litter and street drinking that it made. Despite the local constabulary turning a blind eye to casual drug taking on the streets it is still illegal, the most popular places where street drinking is prevalent end up littered with empty can of cheap European lager and discarded drug paraphernalia

I feel the only way to avoid escalating this situation would be limit the hours of opening.

Yours Faithfully

[REDACTED]  
West Cliff Road  
Ramsgate  
Kent  
CT11 9JW  
T: [REDACTED]

[REDACTED]  
Skype: [REDACTED]



**5-7 West Cliff Road, Ramsgate**  
Application for premises licence

The Planning Department makes representations on the following grounds:-

**Grounds**

Prevention of crime and disorder/public nuisance/public safety

1. The site needs planning consent. An application has been submitted but has yet to be determined.
2. Paragraph 1.14 of the Thanet statement of licensing policy states that 'it will be expected in general that the grant or variation of planning permission would be resolved before a licence application is made.'

Iain Livingstone  
Planning Applications Manager  
11.10.16

This page is intentionally left blank

**APPLICATIONS FOR TEMPORARY ACTIVITIES:  
TEMPORARY EVENT NOTICE  
APPLICATIONS BY: Nicholas Panteli**

**Licensing Sub-Committee – 8<sup>th</sup> November 2016 at 10.30 a.m**

Report Author **Philip Bensted Regulatory Services Manager**

Portfolio Holder **Cllr Lin Fairbrass Community Services**

Status **For Decision**

Classification: **Unrestricted**

Ward: **Eastcliff**

**Executive Summary:**

To consider these applications for temporary activities in the light of objections made by Kent Police

**Recommendation(s):**

The instructions of the Sub-Committee are requested

<b>CORPORATE IMPLICATIONS</b>	
<b>Financial and Value for Money</b>	None
<b>Legal</b>	<p>There is a right of appeal to a Magistrates' Court within 21 days of the date of the decision of the Licensing Sub-Committee with regard to the grant/refusal of a licence or any of the conditions attached to it.</p> <p>The Licensing Sub-Committee must pay proper attention to the applicant's rights under the provisions of the Human Rights Act 1998, which gives further effect in the United Kingdom to the fundamental rights and freedoms contained in the European Convention on Human Rights. The Licensing Sub-Committee must have proper regard to the rights of the individual applicant when making decisions that affect them. However, it also has to have regard to the safety and protection of the public and therefore to ensure that the right balance is found and think hard about how it can cause the least possible harm to individuals, bearing in mind its duty to ensure the protection of the public.</p>
<b>Corporate</b>	None.
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only</p>

	aim (i) of the Duty applies to Marriage & civil partnership.
--	--

## 1.0 Introduction and Background

- 1.1 Two temporary event notices have been received from Nicholas Panteli of Harbour Parade, Ramsgate. The events are described as 'Christmas parties'. There will be the following licensable activities, the sale by retail of alcohol, regulated entertainment and late night refreshment. It is intended that they will take place on the 11<sup>th</sup> and 18th December between 3 a.m and 4.30 a.m. The maximum number of people to be present will be 250. The applicant is the holder of a personal licence.
- 1.2 Part 5 of the 2003 Licensing Act provides a system of permitted temporary activities, under which licensable activities can be carried out on a temporary basis (for a period not exceeding 7 days) without the need for a premises licence or a club premises certificate. Copies of the notices are appended at Annex 1.

## 2.0 General Points

- 2.1 The Act provides for periods of notice and the number of events that may be held. Notice must be given to the Licensing Authority, Police and Environmental Protection ten working days before the beginning of the event period. The Police and Environmental Protection then have three working days to lodge objections with the Licensing Authority and Applicant. Copies of the Police objections are appended at Annex 2.
- 2.2 Objections must relate to the undermining of the licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance, the protection of children from harm.
- 2.3 A copy of the premises licence for Rokka with times and conditions is attached at Annex 3.

## 3.0 Options

- 3.1 Grant the application or applications.
- 3.2 Refuse the application or applications.
- 3.3 Grant the application or applications with the conditions attached to the premises licence.

Contact Officer:	Philip Bensted, Regulatory Services Manager, ext 7630
Reporting to:	Penny Button, Head of Neighbourhood Services, ext 7425

## Annex List

<i>Annex 1</i>	Temporary event notices
<i>Annex 2</i>	Police objections
<i>Annex 3</i>	Premises licence

## Background Papers

Title	Details of where to access copy
N/A	



**Corporate Consultation**

<b>Finance</b>	N/A
<b>Legal</b>	N/A



# Agenda Item 6 Annex 1

Post town	Post code
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
ROKKA 64 HARBOUR PARADE RAMSGATE CT11 8LN	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	LN/200501196
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
CAFÉ / BAR	
Please describe the nature of the event below. (Please read note 5)	
SATURDAY 10 <sup>TH</sup> DECEMBER - CHRISTMAS PARTIES	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
SUNDAY 11 <sup>TH</sup> DECEMBER		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 9)		
<p>EXTEND SALE BY RETAIL OF ALCOHOL AND REGULATED ENTERTAINMENT BY 1 HOUR FROM 0300 TO 0400</p> <p>EXTEND LATE NIGHT REFRESHMENT AND OPENING HOURS BY 1 HOUR FROM 0330 TO 0430</p> <p>WITH ONE EXTRA SIA DOOR SUPERVISOR FROM 0300 UNTIL CLOSE</p> <p>HEAD DOORMAN TO USE BODY WORN CAMERA</p>		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)	250	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

4. Personal licence holders (Please read note 12)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes	No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	LEWISHAM	

Post town	Post code
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
ROKKA 64 HARBOUR PARADE RAMSGATE CT11 8LN	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	LN/200501196
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
CAFÉ / BAR	
Please describe the nature of the event below. (Please read note 5)	
SATURDAY 17 <sup>TH</sup> DECEMBER - CHRISTMAS PARTIES	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
SUNDAY 18 <sup>TH</sup> DECEMBER		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 9)		
<p>EXTEND SALE BY RETAIL OF ALCOHOL AND REGULATED ENTERTAINMENT BY 1 HOUR FROM 0300 TO 0400</p> <p>EXTEND LATE NIGHT REFRESHMENT AND OPENING HOURS BY 1 HOUR FROM 0330 TO 0430</p> <p>WITH ONE EXTRA SIA DOOR SUPERVISOR FROM 0300 UNTIL CLOSE</p> <p>HEAD DOORMAN TO USE BODY WORN CAMERA</p>		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)	250	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

4. Personal licence holders (Please read note 12)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes	No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	LEWISHAM	



**Kent  
Police**

**Police Objection Notice** in relation to a **Temporary Event**  
 Part 5 Section 100 Licensing Act 2003 (S104 Licensing Act 2003)

**Making objection**

Name of Chief Officer of Police	Sharon Adley
Postal Address: (Area Headquarters)	Margate Police Station Fort Hill Margate CT9 1HL
E-mail address	[REDACTED]@kent.pnn.police.uk
Telephone Number:	01843 [REDACTED]

**The Chief Officer of Police has received a Temporary Event Notice under Section 100 Licensing Act 2003, and under Section 104 of that Act, asks the Licensing Authority to consider this objection in respect of the prevention of crime and disorder objective.**

<b>Details of Temporary Event</b>	
Date(s) of event	11 <sup>th</sup> December 2016
Licensable activities proposed	The provision of late night refreshment The sale by retail of alcohol The provision of regulated entertainment
Hours of licensable activities	0300 – 0400 hours sale by retail of alcohol / regulated entertainment 0330 – 0430 hours close
Name of Premises:	Rokka
Address of premises:	64 Harbour Parade Ramsgate Kent CT11 8LN
Date and time TEN received by police	25 <sup>th</sup> October 2016  <small>Must be at least 10 working days before the day of the event – S104 (1) Licensing Act 2003</small>
Date and time objection notice given to Licensing Authority and the premises user	26 <sup>th</sup> October 2016

Due to the circumstances of this case, I am satisfied that allowing the premises to be used in accordance with the notice would undermine the crime prevention objective because .....

The Police have concerns that the event notice does not support the licensing objectives. The premise is in a residential and high crime area.

This location has the busiest night time economy in Thanet.

The Police feel that the premises already have sufficient hours to trade. By extending the hours could result in further issues in the area during the time being request.

If this is granted it could then cause the domino effect with other premises looking to extend hours during December.

The police do not support this application at this time.

Please use separate sheets where necessary

**Suggested modifications that could be added to the temporary event notice to remedy the objection or other suggestions the Licensing Sub Committee may take into account:**

*Please use separate sheets where necessary. Consider s106 Licensing Act 2003.*

No alternative is being offered.

**Signed:**  
**Print name: PC Darren Dennett**  
Pp Chief Officer of Police

**Date: 26/10/2016**  
**Force Number: [REDACTED]**

The Objection notice must be given to the Licensing Authority and copy to the premises user no later than 48 hours after the Chief of Police is given a copy of the temporary event notice - S104 (3) Licensing Act 2003.

This form must be returned within the Statutory Period.

S106 Licensing Act 2003 applies where a chief officer of police has given an objection notice and states that at any time before the hearing is held he may, with the agreement of the premises user, modify the temporary event notice by making changes to the notice returned to the premises user under Section 102.





# Kent Police

**Police Objection Notice** in relation to a **Temporary Event**  
Part 5 Section 100 Licensing Act 2003 (S104 Licensing Act 2003)

## Making objection

Name of Chief Officer of Police	Sharon Adley
Postal Address: (Area Headquarters)	Margate Police Station Fort Hill Margate CT9 1HL
E-mail address	[REDACTED]@kent.pnn.police.uk
Telephone Number:	01843 [REDACTED]

**The Chief Officer of Police has received a Temporary Event Notice under Section 100 Licensing Act 2003, and under Section 104 of that Act, asks the Licensing Authority to consider this objection in respect of the prevention of crime and disorder objective.**

<b>Details of Temporary Event</b>	
Date(s) of event	18 <sup>th</sup> December 2016
Licensable activities proposed	The provision of late night refreshment The sale by retail of alcohol The provision of regulated entertainment
Hours of licensable activities	0300 – 0400 hours sale by retail of alcohol / regulated entertainment 0330 – 0430 hours close
Name of Premises:	Rokka
Address of premises:	64 Harbour Parade Ramsgate Kent CT11 8LN
Date and time TEN received by police	25 <sup>th</sup> October 2016 <small>Must be at least 10 working days before the day of the event – S104 (1) Licensing Act 2003</small>
Date and time objection notice given to Licensing Authority and the premises user	26 <sup>th</sup> October 2016

Due to the circumstances of this case, I am satisfied that allowing the premises to be used in accordance with the notice would undermine the crime prevention objective because .....

The Police have concerns that the event notice does not support the licensing objectives. The premise is in a residential and high crime area.

This location has the busiest night time economy in Thanet.

The Police feel that the premises already have sufficient hours to trade. By extending the hours could result in further issues in the area during the time being request.

If this is granted it could then cause the domino effect with other premises looking to extend hours during December.

The police do not support this application at this time.

Please use separate sheets where necessary

**Suggested modifications that could be added to the temporary event notice to remedy the objection or other suggestions the Licensing Sub Committee may take into account:**

*Please use separate sheets where necessary. Consider s106 Licensing Act 2003.*

No alternative is being offered.

**Signed:**

**Print name: PC Darren Dennett**

Pp Chief Officer of Police

**Date: 26/10/2016**

**Force Number: [REDACTED]**

The Objection notice must be given to the Licensing Authority and copy to the premises user no later than 48 hours after the Chief of Police is given a copy of the temporary event notice - S104 (3) Licensing Act 2003.

This form must be returned within the Statutory Period.

S106 Licensing Act 2003 applies where a chief officer of police has given an objection notice and states that at any time before the hearing is held he may, with the agreement of the premises user, modify the temporary event notice by making changes to the notice returned to the premises user under Section 102.



**Thanet District Council  
Part A  
Premises Licence**

**Premises licence number**

LN/200501196

**Part 1 – Premises details**

Postal address of premises, or if none, ordnance survey map reference or description	
Rokka 64 Harbour Parade	
Post town Ramsgate, Kent	Post code CT11 8LN
Telephone number 01843 [REDACTED]	

Where the licence is time limited the dates

None

Licensable activities authorised by the licence

- 1) Live music (indoors)
- 2) Recorded music (indoors)
- 3) Late night refreshment (indoors/outdoors)
- 4) Supply of alcohol (on and off the premises)

The times the licence authorises the carrying out of licensable activities

- 1) Fridays and Saturdays only between 7.00pm and midnight
- 2) 7.00am to 3.00am – daily
- 3) 11.00pm to 3.30am – daily
- 4) 10.00am to 3.00am – daily

The opening hours of the premises

7.00am to 3.30am – daily

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

On and off only subject to mandatory conditions

**Part 2**

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

Mr Nicholas Panteli  
[REDACTED], 64 Harbour Parade, Ramsgate, Kent CT11 8LN  
01843 [REDACTED]

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

None

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

Mr Nicholas Panteli  
[REDACTED], 64 Harbour Parade, Ramsgate, Kent CT11 8LN  
01843 [REDACTED]

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

LEW [REDACTED]

Lewisham Borough Council

**Issued on the 12 March 2012**

**To commence on the 24 November 2005**

**Regulatory Services Manager** \_\_\_\_\_



## **Annex 1 – Mandatory conditions**

**No supply of alcohol may be made under the premises licence: -**

**At a time when there is no designated premises supervisor in respect of the premises licence, or**

**At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.**

**Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**

**1.—(1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—**

**(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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);**

**(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;**

**(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–**

**(i) the outcome of a race, competition or other event or process, or**

**(ii) the likelihood of anything occurring or not occurring;**

**(e) 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.**

**2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).**

**3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.**

#### **Annex 2 – Conditions consistent with the operating Schedule**

**None**

#### **Annex 3 – Conditions attached after a hearing by the licensing Authority**

**1. A sound limiter should be fitted and set by a fully qualified sound engineer, at a level agreed in consultation with the Council's Environmental Health Department. The limiter should be secured so that the levels are not altered. All sound amplification systems should be played through this limiting device.**

**2. Windows and doors should be kept closed, during regulated entertainment, other than for access or egress and all doors should be fitted with door closures.**

**3. Speakers should not be positioned near to openings such as doors or windows and ensure that anti-vibration mountings for speakers are used. The position of speakers to be agreed with Environmental Health Officers.**

**4. Signs to advise patrons and staff to be quiet when leaving the premises should be displayed.**

**5. Doors and windows should be kept closed, in any event, except for access and egress, after 2am until close at 3.30am**

#### **Annex 4 - Plans**

**Plans considered February 2009**





## THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

### Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

### Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
  - exercises functions of a public nature; or
  - is directed to charitable purposes; or
  - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

### **Gifts, Benefits and Hospitality**

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

### **What if I am unsure?**

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services and Scrutiny Manager well in advance of the meeting.

## **DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY**

**MEETING** .....

**DATE**..... **AGENDA ITEM** .....

**DISCRETIONARY PECUNIARY INTEREST**

**SIGNIFICANT INTEREST**

**GIFTS, BENEFITS AND HOSPITALITY**

**THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:**

.....  
.....  
.....

**NAME (PRINT):** .....

**SIGNATURE:** .....

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.