

Public Document Pack



Date: 14/11/2016
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Direct Dial: (01843) 577046
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LICENSING SUB COMMITTEE

22 NOVEMBER 2016

A meeting of the Licensing Sub Committee will be held at **11.00 am on Tuesday, 22 November 2016** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillors: K Coleman-Cooke, Connor and R Potts

A G E N D A

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **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.'

3. **APPLICATION FOR PREMISES LICENCE - VICTORIA RESTAURANT, 5 HARDRES STREET, RAMSGATE** (Pages 1 - 18)

4. **APPLICATIONS FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE - WESTWOOD CROSS** (Pages 19 - 40)

5. **APPLICATION FOR VARIATION OF PREMISES LICENCE - THE ARCH, 9 MILITARY ROAD, RAMSGATE** (Pages 41 - 68)

6. **APPLICATION FOR VARIATION OF PREMISES LICENCE - COCO LATINO, 19 MILITARY ROAD, RAMSGATE** (Pages 69 - 90)

Declaration of Interests Form

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**APPLICATION FOR PREMISES LICENCE – VICTORIA
RESTAURANT 5 HARDRES STREET
RAMSGATE**

Licensing Sub-Committee – 22nd November 2016 at 11 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 this application for a premises licence in respect of Victoria Restaurant, 5 Hardres Sreet, Ramsgate in the light of representations received.

Recommendation(s):

The instructions of the Sub-Committee are requested

CORPORATE IMPLICATIONS

Financial and Value for Money	None
Legal	<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>
Corporate	None.
Equalities Act 2010 & Public Sector Equality Duty	<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 & maternity. Only</p>

1.0 Introduction and Background

- 1.1 Application has been made by Iva Novakova for a premises licence which includes the supply of alcohol on 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. No public objections have been received.
- 2.2 The applicant is further required to give notice of the application to responsible authorities. Kent Police have made representations which are appended at Annex 3. 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 irresponsible drink promotions, free water, smaller measures available, 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 2nd November.

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 Iva Novakova.
- 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>	Police representations
<i>Annex 4</i>	Planning representations

Background Papers

Title	Details of where to access copy
N/A	

Corporate Consultation

Finance	N/A
Legal	N/A

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

- Yes
- No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	[REDACTED]
Street	Conrwall Gardens
District	
City or town	Margate
County or administrative area	Kent
Postcode	CT9 2JE
Country	United Kingdom

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes
- No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	[REDACTED].co.uk
Telephone number	0184 [REDACTED]
Other telephone number	

Add another applicant

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

The premises used to be a club but subsequently was converted into a retail shop of used goods. I intend to open a licenced restaurant here to serve food and drinks (both alcoholic and non-alcoholic). The premises already have a kitchen and an open plan bar with enough space to change the layout suitable for a restaurant.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

Section 13 of 19

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

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the day
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

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

Name

First name	<input type="text" value="Iva"/>
Family name	<input type="text" value="Novakova"/>

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text" value="Conrwall Gardens"/>
District	<input type="text"/>
City or town	<input type="text" value="Margate"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="CT9 2JE"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

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

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 etc gambling machines etc.

Section 17 of 19

OURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the day of the week when you intend the premises to be open for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

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

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

Section 18 of 19

LICENSING OBJECTIVES

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

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

Continued from previous page...

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

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- / no selling of alcohol to underage people
- / no drunk and disorderly behavior on the premises area
- / vigilance in preventing the use and sale of illegal drugs at the retail area
- / no violent and anti-social behaviour
- / no any harm to children

Operating Schedule providing the hours of operation and licensable activities during those hours.

Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale

Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.

CCTV system installed with recording option available

Roller metal exterior window shutter will be fixed to ensure that shop front is safe and secure at all times

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures including staff training and qualifications, policies, and strategic partnerships with other agencies).

1) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

Clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use at the retail unit area.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer)

2) Public safety

Internal and external lighting fixed to promote the public safety objective.

Well trained staff adherence to environmental health requirements.

Training and implementation of underage ID checks.

Log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air conditioning, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

3) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly

Continued from previous page...

Delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Customers will be asked not to stand around loudly talking in the street outside the premises.

Customers will not be admitted to premises above opening hours.

The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc.

All the details provided in Training Record Book available the retail unit.

Log Book will be kept upon the premises all the time.

Nothing belong existing Health & Safety requirements

Section 19 of 19

PAYMENT DETAILS

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

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

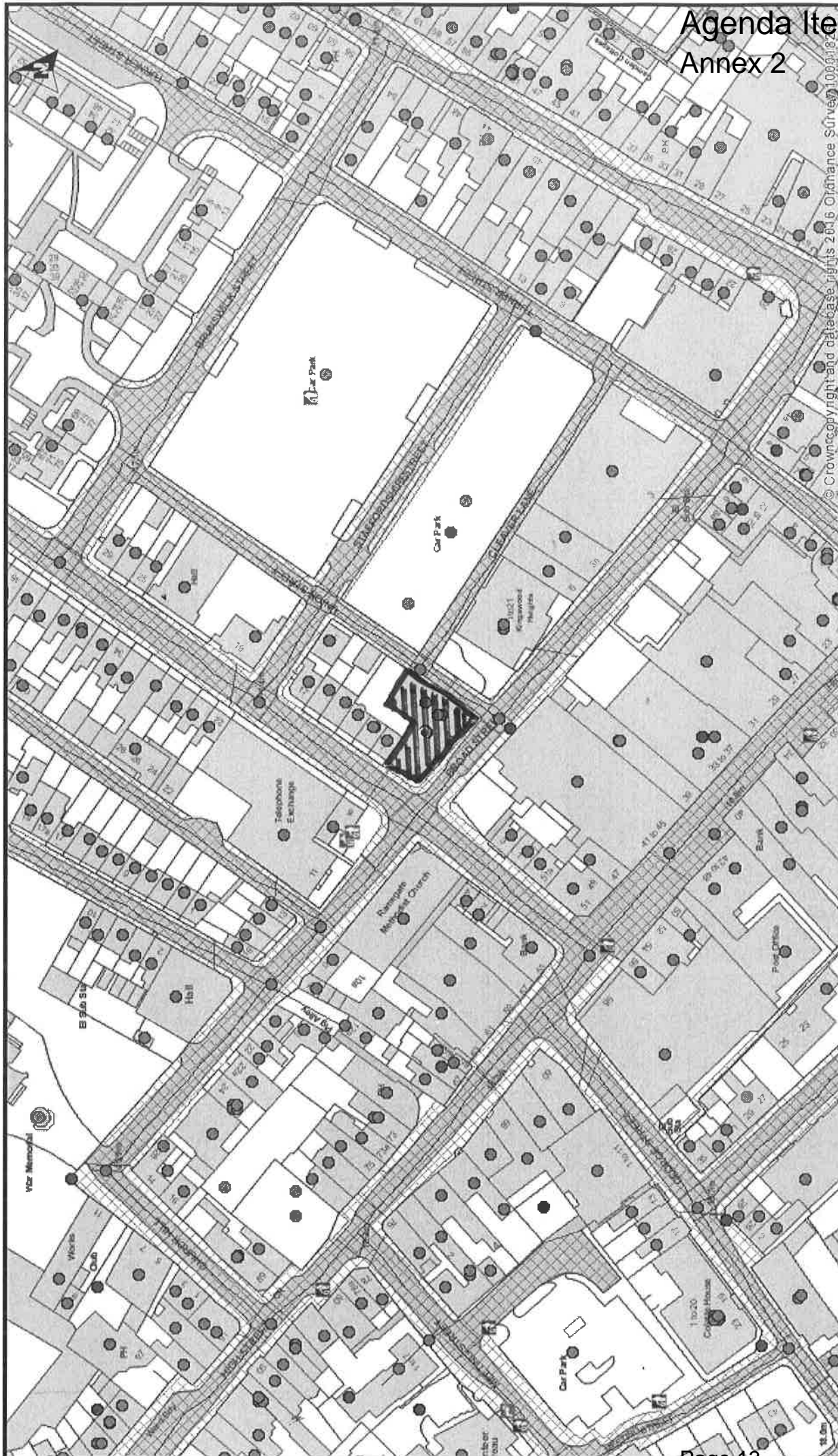
Fee amount (£)

450.00

DECLARATION



Thanet District Council
Cecil Street
Margate
Kent
CT19 1XZ



Title: Thanet District Council
Author: Thanet District Council
Scale 1:1,250
Date: 31/10/2016

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**Kent
Police**

Chief Officer of Police Representation in relation to an application for **grant** of premises licence made under Part 3 **Section 17** Licensing Act 2003 (S18 Licensing Act 2003)

Details of person making representation	
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 ████████

Details of premises representation is about	
Name of Premises:	Victoria Restaurant 5 Hardres Street Ramsgate Kent CT11 8QD
Date application received by police	29/09/2016
Date representation sent to Licensing Authority	21/10/2016

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

Please tick one or more of the licensing objectives that the representation relates to:

Prevention of crime and disorder	X
Public Safety	X
Prevention of public nuisance	X
Protection of children from harm	X

Is this a representation regarding the Designation of Premises Supervisor under S18 (9) Licensing Act 2003? /NO

If yes, complete the following statement: -

The relevant representation within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(9) of that Act and are as follows:

Please use separate sheets where necessary

The relevant representations within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(7) of that Act and are as follows:

Please give the reason for the representation and detail the evidence supporting it:

This new application, a premises licence for Victoria Restaurant in Ramsgate is not being supported by the Police.

The main issue is that there are areas of concern which have not been answered by the applicant. The applicant has been emailed numerous times to answer the concerns

The premises is in a location that is not too far from the busiest night time economy in Thanet and this is why the police have concerns.

The hours being requested do not allow a suitable drink up time which the police feel needs addressing. Also due to the location not enough information about the CCTV system installed.

Without these points being covered the police do not believe the licensing objectives are being met.

The police do not support this application.

Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:

Please use separate sheets where necessary

If a licence was to be granted then the following conditions would be strongly recommended.

1. Sale by retail of alcohol to end at 22:30 hours. This is to allow a drinking up period for your customers.
2. I would suggest that all entertainment also ends at this time.
3. CCTV that you have installed has a minimum of a 30 day record function. Cameras to be placed inside and overlooking the entrance to the premises. At least one member of staff on duty to understand how to use the CCTV system. Copies made to the police and local authority upon request.
4. Clear signage that drinks cannot be taken outside as you are only asking for On sales.

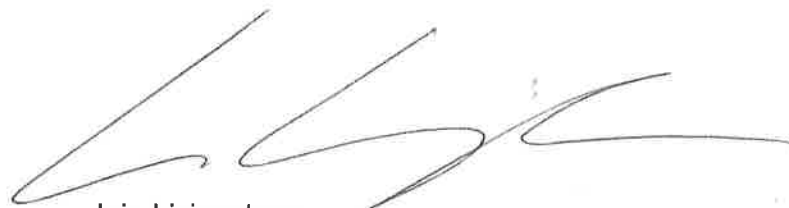
Victoria Restaurant 5 Hardres Street Ramsgate
Application for premises licence

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
1.11.16

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**APPLICATIONS FOR TEMPORARY ACTIVITIES:
TEMPORARY EVENT NOTICE
APPLICATIONS BY: James Johnston**

Licensing Sub-Committee – 22nd November 2016 at 11.15 a.m

Report Author **Philip Bensted Regulatory Services Manager**

Portfolio Holder **Cllr Lin Fairbrass Community Services**

Status **For Decision**

Classification: **Unrestricted**

Ward: **Northwood**

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

CORPORATE IMPLICATIONS	
Financial and Value for Money	None
Legal	<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>
Corporate	None.
Equalities Act 2010 & Public Sector Equality Duty	<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 & maternity. Only</p>

	aim (i) of the Duty applies to Marriage & civil partnership.
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1.0 Introduction and Background

- 1.1 Three temporary event notices have been received from James Johnston of Greenfield Road, Ramsgate. The events are described as 'Mobile bar at Westwood Cross Shopping Centre for the festive season'. There will be the following licensable activities, the sale by retail of alcohol. It is intended that they will take place between 6th and 12th December, 14th and 20th December, 22nd and 28th December, between 9.30 a.m and 7.30 p.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. 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.

3.0 Options

- 3.1 Grant the application or applications.
- 3.2 Refuse the application or applications.

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

Background Papers

Title	Details of where to access copy
N/A	

Corporate Consultation

Finance	N/A
Legal	N/A

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Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

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). (See also guidance on completing the form, note 2)

Does the premises have an address?

- Yes No

Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither Premises licence Club premises certificate

Location Details

Provide further details about the location of the event

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)

Continued from previous page...

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

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

We will have our Mobile Bar at Westwood Cross Shopping Centre for the festive season. We will be selling hot and cold drinks during opening hours of the Shopping Centre. We will also be selling alcoholic drinks which include craft beer, mulled wine and spirits.

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

/ /
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

/ /
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)

09:30 until 19:30

(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

150

(see also guidance on completing the form, note 10)

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

N/A

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

Continued from previous page...

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

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

We will have our Mobile Bar at Westwood Cross Shopping Centre for the festive season. We will be selling hot and cold drinks during opening hours of the Shopping Centre. We will also be selling alcoholic drinks which include craft beer, mulled wine and spirits.

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

14	/	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

20	/	12	/	2016
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)

09:30 until 19:30

(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

150

(see also guidance on completing the form, note 10)

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

N/A

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

Thanet District Council

Licence number

LN120 [REDACTED]

Date of issue

03 / 12 / 2015
dd mm yyyy

Date of expiry

[] / [] / []
dd mm yyyy

Continued from previous page...

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

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

We will have our Mobile Bar at Westwood Cross Shopping Centre for the festive season. We will be selling hot and cold drinks during opening hours of the Shopping Centre. We will also be selling alcoholic drinks which include craft beer, mulled wine and spirits.

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

/ /
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

/ /
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)

09:30 until 19:30

(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

150

(see also guidance on completing the form, note 10)

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

N/A

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

Thanet District Council

Licence number

LN1201 [REDACTED]

Date of issue

03 / 12 / 2015
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)

Details of person 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	██████████@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.

Details of Temporary Event	
Date(s) of event	06/12/2016 to 12/12/2016
Licensable activities proposed	The sale by retail of alcohol
Hours of licensable activities	0930 to 1930
Name of Premises:	Westwood Cross
Address of premises:	Margate Road Broadstairs Thanet CT10 2BF
Date and time TEN received by police	01/11/2016
Date and time objection notice given to Licensing Authority and the premises user	02/11/2016

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,
The protection of children from harm.

The temporary event notice's submitted provide very little information on how this temporary event is going to be managed.

The location for this mobile bar is described as outside Primark retail premises.

The notice lists the sale by retail of alcohol for ON sales. However there is no plan on how they are going to manage this. Being a mobile bar for ON sales the drinks will not be able to leave this premise. Is there going to be a fenced off area which they plan to use where the alcohol is to be sold. Has the notice been completed incorrectly and it is for OFF sales which would allow patrons to move freely around Westwood Cross consuming alcohol?

The notice also lists the plan to sell craft beer and spirits. The location and time of year for this mobile bar is a serious concern. High percentage ABV being sold where it is at a location where patrons would most likely have driven to the location. This could then cause an increase in potential drink driving related incidents.

If the plan is to allow the free movement of the alcohol after it has been sold how is the applicant going to protect children from harm? How is proxy selling going to be managed? What if a person purchases alcohol, goes into a shop and leaves the vessel outside. Any person could pick that up and consume it. Possible someone under age.

This location is one of the busiest areas in the run up to Christmas. By allowing the sale of alcohol all day causes the Police concerns against the licensing objectives. The notice is also only for 150 people where during this time thousands could be at the location.

There is limited information about this event at this time and therefore the police do not support this application.

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 feel that if the event went ahead then it should be more controlled.

The Police do not feel it will work as ON sales due to being a mobile bar. A fenced off area where the alcohol is purchased and consumed should be put in place. No alcohol to leave this area. This will protect the free movement of alcohol around Westwood Cross.

Thanet is still covered by a DPPO where alcohol cannot be consumed in a public place.

By have a designated area will assist in allowing the applicant to control the numbers they are requesting. Without this it would be impossible to manage it to 150 people.

Due to the time of year only Mulled wine should be sold. By allowing spirits and craft beer at this location do not support the licensing objectives.

Signed:

Print name: PC Darren Dennett

Pp Chief Officer of Police

Date: 02/11/2016

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

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)

Details of person 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	██████████@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.

Details of Temporary Event	
Date(s) of event	14/12/2016 to 20/12/2016
Licensable activities proposed	The sale by retail of alcohol
Hours of licensable activities	0930 to 1930
Name of Premises:	Westwood Cross
Address of premises:	Margate Road Broadstairs Thanet CT10 2BF
Date and time TEN received by police	01/11/2016
Date and time objection notice given to Licensing Authority and the premises user	02/11/2016

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,
The protection of children from harm.

The temporary event notice's submitted provide very little information on how this temporary event is going to be managed.

The location for this mobile bar is described as outside Primark retail premises.

The notice lists the sale by retail of alcohol for ON sales. However there is no plan on how they are going to manage this. Being a mobile bar for ON sales the drinks will not be able to leave this premise. Is there going to be a fenced off area which they plan to use where the alcohol is to be sold. Has the notice been completed incorrectly and it is for OFF sales which would allow patrons to move freely around Westwood Cross consuming alcohol?

The notice also lists the plan to sell craft beer and spirits. The location and time of year for this mobile bar is a serious concern. High percentage ABV being sold where it is at a location where patrons would most likely have driven to the location. This could then cause an increase in potential drink driving related incidents.

If the plan is to allow the free movement of the alcohol after it has been sold how is the applicant going to protect children from harm? How is proxy selling going to be managed? What if a person purchases alcohol, goes into a shop and leaves the vessel outside. Any person could pick that up and consume it. Possible someone under age.

This location is one of the busiest areas in the run up to Christmas. By allowing the sale of alcohol all day causes the Police concerns against the licensing objectives. The notice is also only for 150 people where during this time thousands could be at the location.

There is limited information about this event at this time and therefore the police do not support this application.

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 feel that if the event went ahead then it should be more controlled.

The Police do not feel it will work as ON sales due to being a mobile bar. A fenced off area where the alcohol is purchased and consumed should be put in place. No alcohol to leave this area. This will protect the free movement of alcohol around Westwood Cross.

Thanet is still covered by a DPPO where alcohol cannot be consumed in a public place.

By have a designated area will assist in allowing the applicant to control the numbers they are requesting. Without this it would be impossible to manage it to 150 people.

Due to the time of year only Mulled wine should be sold. By allowing spirits and craft beer at this location do not support the licensing objectives.

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

Date: 02/11/2016
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

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)

Details of person 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	██████████@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.

Details of Temporary Event

Date(s) of event	22/12/2016 to 28/12/2016
Licensable activities proposed	The sale by retail of alcohol
Hours of licensable activities	0930 to 1930
Name of Premises:	Westwood Cross
Address of premises:	Margate Road Broadstairs Thanet CT10 2BF
Date and time TEN received by police	01/11/2016
Date and time objection notice given to Licensing Authority and the premises user	02/11/2016

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,
The protection of children from harm.

The temporary event notice's submitted provide very little information on how this temporary event is going to be managed.

The location for this mobile bar is described as outside Primark retail premises.

The notice lists the sale by retail of alcohol for ON sales. However there is no plan on how they are going to manage this. Being a mobile bar for ON sales the drinks will not be able to leave this premise. Is there going to be a fenced off area which they plan to use where the alcohol is to be sold. Has the notice been completed incorrectly and it is for OFF sales which would allow patrons to move freely around Westwood Cross consuming alcohol?

The notice also lists the plan to sell craft beer and spirits. The location and time of year for this mobile bar is a serious concern. High percentage ABV being sold where it is at a location where patrons would most likely have driven to the location. This could then cause an increase in potential drink driving related incidents.

If the plan is to allow the free movement of the alcohol after it has been sold how is the applicant going to protect children from harm? How is proxy selling going to be managed? What if a person purchases alcohol, goes into a shop and leaves the vessel outside. Any person could pick that up and consume it. Possible someone under age.

This location is one of the busiest areas in the run up to Christmas. By allowing the sale of alcohol all day causes the Police concerns against the licensing objectives. The notice is also only for 150 people where during this time thousands could be at the location.

There is limited information about this event at this time and therefore the police do not support this application.

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 feel that if the event went ahead then it should be more controlled.

The Police do not feel it will work as ON sales due to being a mobile bar. A fenced off area where the alcohol is purchased and consumed should be put in place. No alcohol to leave this area. This will protect the free movement of alcohol around Westwood Cross.

Thanet is still covered by a DPPO where alcohol cannot be consumed in a public place.

By have a designated area will assist in allowing the applicant to control the numbers they are requesting. Without this it would be impossible to manage it to 150 people.

Due to the time of year only Mulled wine should be sold. By allowing spirits and craft beer at this location do not support the licensing objectives.

Signed:

Print name: PC Darren Dennett

Pp Chief Officer of Police

Date: 02/11/2016

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.

**APPLICATION FOR VARIATION OF PREMISES LICENCE –
THE ARCH 9 MILITARY ROAD RAMSGATE**

Licensing Sub-Committee – 22nd November 2016 at 11.30 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 variation of a premises licence by The Arch Ramsgate in the light of representations received.

Recommendation(s):

The instructions of the Sub-Committee are requested

CORPORATE IMPLICATIONS

Financial and Value for Money	None
Legal	<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>
Corporate	None.
Equalities Act 2010 & Public Sector Equality Duty	<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 & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p>

1.0 Introduction and Background

- 1.1 Application has been made by Miles Robert Wiseman for variation of a premises licence described as 'at present the licence runs till 3 a.m with the building being empty by 3.30 a.m. The variation would move the 3 a.m to 4 a.m for food and drink sales with the premises being empty at 4.30 a.m. The music will revert to background music from 3 a.m till 4.30 a.m so there is a wind down/slow down place for the more mature customer to go in Thanet. The reasons are delivered by an older large population in Ramsgate of 'DFL's' who expect a more varied timed evening previously had in London'.
- 1.2 The Operating Schedule, showing the proposed variation to hours is appended at Annex 1.
- 1.3 These premises were granted a premises licence in May 2014 which remains in force. This licence was last varied in March 2016. A copy of that licence and conditions are appended at Annex 2. The designated premises supervisor is Miles Robert Wiseman.

2.0 General Points

- 2.1 Applicants for variation of 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. No public objections have been received.
- 2.2 The applicant is further required to give notice of the application to responsible authorities. Kent Police and Environmental Health have made representations which are appended at Annex's 3 and 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 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 6th November.

3.0 Options

- 3.1 Grant the application with conditions consistent with the Operating Schedule accompanying the application.
- 3.2 Grant the application with different conditions.

3.3 Refuse the application.

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>	Premises licence
<i>Annex 3</i>	Police representations
<i>Annex 4</i>	Environmental Health representations

Background Papers

Title	Details of where to access copy
N/A	

Corporate Consultation

Finance	N/A
Legal	N/A

Agenda Item 5 Annex 1

Part 3 - Variation

Please tick as appropriate

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

Yes

No

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

DD MM YYYY
07 11 2016

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

As present the licence runs till 3.00 AM with the building being empty by 3.30 AM, the variation would move the 3.00 AM → 4.00 AM for food and drink sales with the premises being empty at 4.30 AM:

The music will revert to background music from 3.00 AM till 4.30 AM so there is a wind down / slow down place for the more mature customer to go in tranquil. The reasons are delivered by an older larger population in Ramsgate of 'DFL's' who expect a more varied timeo evening previously

Man in London.

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:

N/A

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

Please tick all 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)

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

In all cases complete boxes K, L and M

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) <i>TRADITIONAL FILMS SHOWN THROUGHOUT THE YEAR -</i>		
Mon	11.00	03.00			
Tue	11.00	03.00	State any seasonal variations for the exhibition of films (please read guidance note 4) <i>N/A.</i>		
Wed	11.00	03.00			
Thur	11.00	03.00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) <i>EXTENDED ON CHRISTMAS EVE, NEW YEARS EVE BANK HOLIDAYS FRIDAYS, SATURDAYS AND SUNDAYS TILL 04.00 AM.</i>		
Fri	11.00	03.00			
Sat	11.00	03.00			
Sun	11.00	03.00			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>								
				Outdoors	<input type="checkbox"/>								
Day	Start	Finish		Both	<input checked="" type="checkbox"/>								
Mon			IN 08.00 → 04.15 OUT 11.00 → 21.00	Please give further details here (please read guidance note 3) THE CONCERNS OF ALL ARE THE OUTSIDE MUSIC. PIANO / JAZZ SINGER / GROOMER / GUITAR / SAX ALL OVER PREFER ACTS TO LIVE AND ENCOURAGE TRADE TO AREAS									
IN	08.00	04.15											
OUT	11.00	21.00											
Tue						State any seasonal variations for the performance of live music (please read guidance note 4) EXTENDED ON CHRISTMAS EVE, BOXING DAY AND NYE ALSO ON FRI, SAT, SUNDAY ON THE NATIONAL BANK HOLIDAYS TO 05.15							
IN	08.00	04.15											
OUT	11.00	21.00											
Wed								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) EXTENDED ON CHRISTMAS EVE, BOXING DAY AND NYE ALSO ON FRI, SAT, SUNDAY ON THE NATIONAL BANK HOLIDAYS TO 05.15					
IN	08.00	04.15											
OUT	11.00	21.00											
Thur										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) EXTENDED ON CHRISTMAS EVE, BOXING DAY AND NYE ALSO ON FRI, SAT, SUNDAY ON THE NATIONAL BANK HOLIDAYS TO 05.15			
IN	08.00	04.15											
OUT	11.00	21.00											
Fri												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) EXTENDED ON CHRISTMAS EVE, BOXING DAY AND NYE ALSO ON FRI, SAT, SUNDAY ON THE NATIONAL BANK HOLIDAYS TO 05.15	
IN	08.00	04.15											
OUT	11.00	21.00											
Sat				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) EXTENDED ON CHRISTMAS EVE, BOXING DAY AND NYE ALSO ON FRI, SAT, SUNDAY ON THE NATIONAL BANK HOLIDAYS TO 05.15									
IN	08.00	04.15											
OUT	11.00	21.00											
Sun						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) EXTENDED ON CHRISTMAS EVE, BOXING DAY AND NYE ALSO ON FRI, SAT, SUNDAY ON THE NATIONAL BANK HOLIDAYS TO 05.15							
IN	08.00	04.15											
OUT	11.00	21.00											

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
Day	Start	Finish		Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Mon IN	08.00	04.15	IN 08.00 → 04.15 OUT 09.00 → 23.00	Please give further details here (please read guidance note 3) WHEN WE TALK ABOUT RECORDED MUSIC WE TALK ABOUT MUSIC YOU CAN TALK OVER OR LESS. THE IDEA IS TO HAVE THE AREA AS A TALK/CHAT FOOD AND DRINK TILL LATE NOT A DISCO.
OUT	09.00	23.00		
Tue IN	08.00	04.15	State any seasonal variations for the playing of recorded music (please read guidance note 4) AS TO LEFT. BUT CHRISTMAS EVE, BOXING DAY AND NYR ALSO FRI SAT SUN BANK HOLIDAY TILL 05.15	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) EXTENDED ON CHRISTMAS EVE, NEW YEARS EVE BANK HOLIDAYS FRI, SAT, SUN TILL 00.00 'OUTSIDE ONLY' INSIDE TO STAY AS 05.15. ONE HOUR AHEAD OF NORMAL.
OUT	09.00	23.00		
Wed IN	08.00	04.15	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)	
OUT	09.00	23.00		
Thur IN	08.00	04.15		
OUT	09.00	23.00		
Fri IN	08.00	04.15		
OUT	09.00	23.00		
Sat IN	08.00	04.15		
OUT	09.00	23.00		
Sun IN	08.00	04.15		
OUT	09.00	23.00		

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	03.00	<u>Please give further details here</u> (please read guidance note 3) VERY FEW TIMES IN THE PAST TWO YEARS HAVE WE HAD TO DANCE BUT IT WOULD BE EASIER TO APPLY IT TO THE LICENCE TO AVOID TROUBLES.	Both	<input type="checkbox"/>
Tue	11.00	03.00			
Wed	11.00	03.00		<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) N/A.	
Thur	11.00	03.00			
Fri	11.00	03.00		<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat	11.00	03.00		EXTENSION ON CHRISTMAS EVE, BOXING NIGHT AND NYE TILL 06.00 AM WITH STANDARD BANK HOLIDAYS FRI/SAT/SUNDAY TILL 04-15.	
Sun	11.00	03.00			

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon IN	08.00	04.00	<u>Please give further details here</u> (please read guidance note 3) AT PRESENT OUTSIDE SHUTS AT 02.00 LATE ENOUGH SO FOOD TILL 01.30 INSIDE WILL CLOSE AT 04.30 SO FOOD TILL 04.00		
OUT	08.00	01.30			
Tue IN	08.00	04.00			
OUT	08.00	01.30			
Wed IN	08.00	04.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) EXTENDED TO 05.00 CHRISTMAS EVE, BOXING DAY AND NYE. FRI, SAT, AND BANK HOLIDAYS FRI, SAT, SUN TILL 2.30 OUT AND 05.00 IN		
OUT	08.00	01.30			
Thur IN	08.00	04.00			
OUT	08.00	01.30			
Fri IN	08.00	04.00	<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</u> (please read guidance note 5) EXTENDED ON CHRISTMAS EVE, BOXING DAY, NYE AND BANK HOLIDAYS FRI/SAT/SUNDAY TILL 02.30 OUT AND 05.00 INSIDE.		
OUT	08.00	01.30			
Sat IN	08.00	04.00			
OUT	08.00	01.30			
Sun IN	08.00	04.00			
OUT	08.00	01.30			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon IN	08.00	04.00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) AT PRESENT THE OUTSIDE SHUTS AT 02.00 SO DRINK IS STOPPED AT 01.30 AND INSIDE WILL BE 04.30 SO DRINK TILL 04.00 INSIDE. FOR OFF SALES AWAY FROM THE PREMISES NORMALLY BACK TO BOATS / CARAVANS OFF SALES TILL 04.00 <u>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</u> (please read guidance note 5) CHRISTMAS EVE, BOXING NIGHT AND NYE, FRIDAY SAT AND SUNDAY BANK HOLIDAYS WILL BE 05.00 IN AND 02.30 OUT WITH OFF SALES TILL 05.00. AGAIN IT MUST BE STRESSED THAT THIS AREA IS A PLACE TO RELAX AND NOT HAVE MAD AND NOISY PEOPLE AROUND.		
OUT	08.00	01.30			
Tue IN	08.00	04.00			
OUT	08.00	01.30			
Wed IN	08.00	04.00			
OUT	08.00	01.30			
Thur IN	08.00	04.00			
OUT	08.00	01.30			
Fri IN	08.00	04.00			
OUT	08.00	01.30			
Sat IN	08.00	04.00			
OUT	08.00	01.30			
Sun IN	08.00	04.00			
OUT	08.00	01.30			

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).

CHILDREN ARE ALWAYS A CONCERN DURING THE DAY WE ACCEPT CHILDREN AND PROVIDE BABY SEATS ETC. AT NIGHT WE ARE LESS TOLERABLE ONLY ALLOWING THE CHILDREN IN TO 19.00. AFTER THIS I EXPECT PARENTS TO SIT WITH CHILDREN, ACCOMPANY THEM TO TOILETS ETC. ALL STAFF ARE AWARE OF CHILDREN AND TRAINED IN SUCH

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 IN	07.00	04.30	<p>CHRISTMAS EVE, BOXING DAY, NYE, FRIDAY SAT. SUNDAY OVER BANK HOLIDAYS</p> <p>INSIDE 07.00 → 05.30 OUTSIDE 07.00 → 03.00</p>
OUT	07.00	02.30	
Tue IN	07.00	04.30	
OUT	07.00	02.30	
Wed IN	07.00	04.30	
OUT	07.00	02.30	
Thur IN	07.00	04.30	
OUT	07.00	02.30	
Fri IN	07.00	04.30	
OUT	07.00	02.30	
Sat IN	07.00	04.30	
OUT	07.00	02.30	
Sun IN	07.00	04.30	
OUT	07.00	02.30	

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 (please read guidance note 5)

CHRISTMAS EVE, BOXING DAY, NYE, FRIDAY
SATURDAY, SUNDAY OVER BANK HOLIDAYS
INSIDE 07.00 → 05.30
OUTSIDE 07.00 → 03.00

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.

No Bus Access that on late nights a
SIA Person will be required; along with
an CCTV system

M

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

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

Aim to keep all safe on and off the premises. To ensure single females are offered taxis home.

b) The prevention of crime and disorder

CCTV - Knowledgeable Staff - Taxi firms use. The prevention of crime & encourage by allowing police coffee, teas etc. I find that the uniform aids the prevention cause, ^{CCTV} SIA +

c) Public safety

Aware staff are where it is at, keep staff on their brakes, ensure no over drinking. Strong policy on drugs etc

d) The prevention of public nuisance

Knowledge of all your guests, take an interest in them. Know their names. You must walk round the premises. The sheer nature of the lounge and the lack of space will prevent most of the problems as it is very hard to fight in a enclosed space.

e) The protection of children from harm

Time of a day but not past 9pm, all children must be with adult. Children kept in sight of bar staff. No children at bar at any time. Only allow soft drinks for children, a space for them



**Thanet District Council
Part A
Premises Licence**

Premises licence number

LN/201400310

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Arch No 9 9 Military Road	
Post town Ramsgate, Kent	Post code CT11 9LG
Telephone number 073 [REDACTED]	

Where the licence is time limited the dates
None

Licensable activities authorised by the licence
<ol style="list-style-type: none"> 1) Plays (indoors/outdoors) 2) Films (indoors), performances of dance (indoors/outdoors) 3) Live music (indoors), anything of a similar description (indoors) 4) Recorded music (indoors) 5) Late night refreshment (indoors/outdoors) 6) Supply of alcohol (on and off the premises)

The times the licence authorises the carrying out of licensable activities
<ol style="list-style-type: none"> 1) 11am to 12.30am daily. Extended on Christmas Eve, New Year's Eve and Bank Holiday Fridays, Saturdays and Sundays until 3am 2) Sun - Wed 8am to 12.30am. Thurs - Sat 8am to 2.30am. Non-standard days and times as at 1) above 3) 8am to 3am daily 4) 8am to 3am daily 5) 11pm to 3.30am daily. Extended on Christmas Eve, New Year's Eve and Bank Holiday Sundays until 4.30am 6) 8am to 3am daily. Extended on Christmas Eve, New Year's Eve and Bank Holiday Fridays, Saturdays and Sundays until 4am <u>INDOORS</u> and 2am <u>OUTDOORS</u>

The opening hours of the premises

8am to 3.30am daily
Extended on Christmas Eve, New Year's Eve and Bank Holiday Fridays,
Saturdays and Sundays until 4.30am

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 Miles Robert Wiseman
Minnis Road, Birchington, Kent CT7 9SE
077 [REDACTED]

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 Miles Robert Wiseman
Minnis Road, Birchington, Kent CT7 9SE
077 [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

LN/200500990

Thanet District Council

Issued on the 14 March 2016

To commence on the 21 May 2014

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.

Films

The admission of children (persons under 18 years) to the exhibition of any film is restricted in accordance with any recommendation of the British Board of Film Classification (BBFC) or the Licensing Authority.

Where a film exhibition has not been classified, the licence holder will certify to the Licensing Authority that an assessment of the suitability of the film for exhibition to children, in accordance with the BBFC Guidelines has been carried out, and that this has been confirmed by the Licensing Authority, in writing, prior to public viewing.

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. A comprehensive CCTV system shall be installed at the premises. This shall include the inside of the premises and the outside seating area. The images shall be of evidential quality and the data will be retained for a minimum of 28 days. Downloads shall be made available to the Police and authorised officers of the Council upon reasonable request if not immediately within 24 hours.
2. A minimum of one Security Industry Approved door supervisor shall be employed at the premises from 11pm until close of trading on Friday and Saturday.
3. Live music shall be indoors only and unamplified.
4. Recorded music shall be indoors only.

Annex 3 – Conditions attached after a hearing by the Licensing Authority

None

Annex 4 - Plans

Plans considered July 2014 and March 2016



Kent Police

Chief Officer of Police Representation in relation to an application for **grant** of premises licence made under Part 3 **Section 17** Licensing Act 2003 (S18 Licensing Act 2003)

Details of person making representation	
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 ██████████

Details of premises representation is about	
Name of Premises:	The Arch #9 9 Military Road, Ramsgate, Kent. CT11 9LG
Date application received by police	30 TH September 2016
Date representation sent to Licensing Authority	18 th October 2016

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

Please tick one or more of the licensing objectives that the representation relates to:

Prevention of crime and disorder	X
Public Safety	X
Prevention of public nuisance	X
Protection of children from harm	

Is this a representation regarding the Designation of Premises Supervisor under S18 (9) Licensing Act 2003? /NO

If yes, complete the following statement: -

The relevant representation within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(9) of that Act and are as follows:

Please use separate sheets where necessary

The relevant representations within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(7) of that Act and are as follows:

Please give the reason for the representation and detail the evidence supporting it:

This application to vary the premises licence for The Arch #9 is not supported by the Police.

The Premises is seeking to increase the hours in which it would like to sell alcohol.

Currently the hours to sell alcohol are to 0300 hours and are looking to extend to 0400 hours and to close at 0430 hours.

Also looking to increase the hours on Christmas Eve, Boxing Day, New Year's Eve and the Friday, Saturday and Sunday of national bank holidays to 0500 hours and close 0530 hours. Currently they already have sale by retail of alcohol to 0400 hours on these key dates.

The concern for this application is not only the possible increase of footfall in the area as it would be the latest opening premises in the area. This could cause further crime and disorder or noise complaints to local residents.

There are many incidents and complaints that occur around this location. Incidents are not connected to this premise however this location is around the busiest and most problematic area for the night time economy in Thanet.

If this licence was to be granted it could cause an increase in incidents, connected to noise complaints, drunkenness and ASB.

A domino effect is also a strong possibility with other premises keen to adapt to similar hours if granted. This would first start with premises that sell alcohol and would then be premises with late night refreshments. In turn keeping a number of people who have mostly been consuming alcohol in a high residential area later at night. This is already a serious concern due to the number of incidents and complaints.

The police do not feel this application will support the licensing objectives.

The police do not support this application.

Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:

Please use separate sheets where necessary

No alternative will be offered as the Police feel that due to the constant on-going issues in the geographical location in the busiest night time economy any increase would only support the problems in getting more problematic.

Signed:

Date: 18/10/2016

Print name: PC Darren Dennett

Force Number: [REDACTED]

Pp Chief Officer of Police of Police for the Police Area in which the licensed premises are situated.

Representation may be made at any time during the 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant.

Please return this form along with any additional sheets to the Licensing Authority.

This form must be returned within the Statutory Period.

Memo



Date: 5th October 2016
To: Philip Bensted, Licensing and Land Charges Manager.
Re: Variation of Premises Licence – Arch No9 Military Road Ramsgate
From: Amanda Berry, Environmental Health Officer

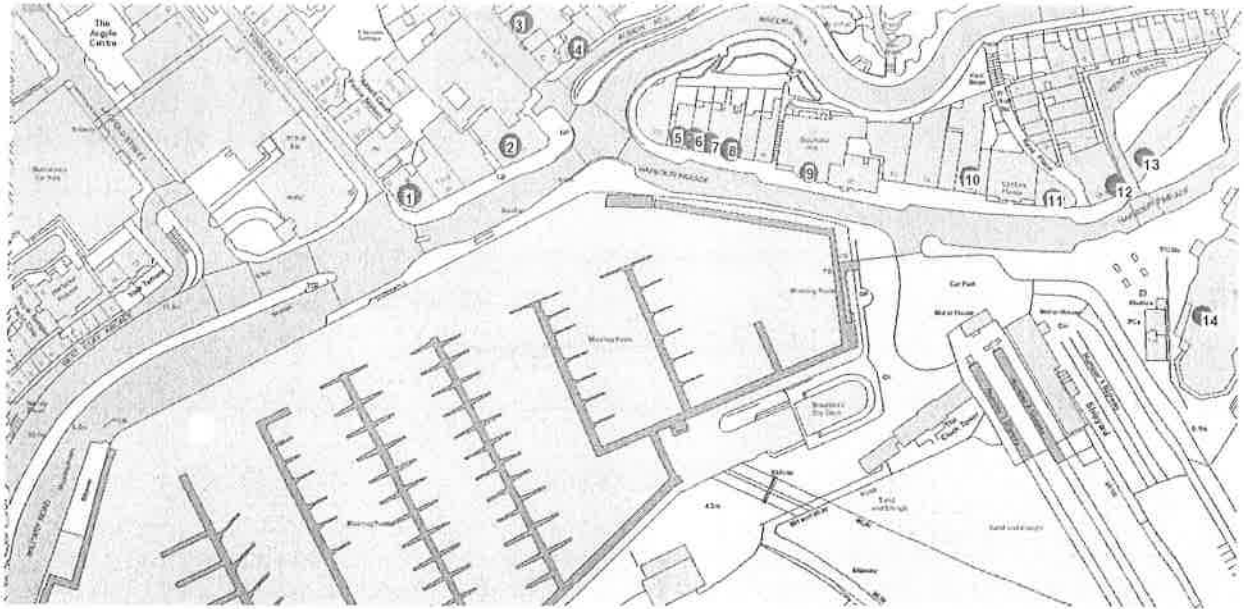
Background

- 1.1 Environmental Health have attempted to call Mr Wiseman to advise our position regarding his proposed variation to increase live and recorded music until 4.15am and consumption of alcohol to 4am – both being extended further on Christmas Eve, Boxing day, New Year's Eve and Fri, Sat, Sunday every Bank Holiday weekend to 5.15am. Currently these activities are permitted until 3am.
- 1.2 Recently, licence applications and enquiries to extend operating hours beyond 3am have been received from The Goose, Clique Bar and Rokka. All application were subsequently retracted following discussions with EH and the police or refused.
- 1.3 Environmental Health are concerned about the potential for noise outbreak and noise from patrons causing a public nuisance to residents in the local vicinity and would not support any extension beyond 3am, particularly in this location which is already saturated with licensed premises and would increase the potential for public nuisance over a wider area.
- 1.4 Ramsgate seafront has numerous licensed premises, all of which are licensed to supply alcohol after midnight (Appendix 1) contributing to a vibrant night time economy. Although this brings benefits to our local economy but at the same time generates additional costs for the council, police and other partners.
- 1.5 Environmental Health is mindful of the balance between the competing needs of our residents and those of our business community. However it is essential to ensure our residents are not unreasonably impacted by public nuisance and can enjoy their homes and environment. As there is little separation of commercial and residential areas in much of Ramsgate, this often means that our residents suffer the impacts of the late night economy, particularly in the radiating residential roads which take the brunt of local residents returning home from a night out. Also there are 21 residential boats residing within the harbour and benefit from very little sound insulation or separating distance.
- 1.6 Environmental Health is unable to suggest conditions to mitigate against public disturbance. The only effective control is through premise closure times.
- 1.7 It is clear that residents in Ramsgate are already impacted significantly and that the Council already supports the night time economy. It is our view that no further increases to opening times or encouragement through increasing regulated entertainment should be permitted.

Conclusion

Environmental Health would request that Members refuse any extension to current premise licence because of concerns that patrons congregating outside and on dispersal could cause a public nuisance to many people residing in the area.

Closing times



1. Mariners	Sun-Thurs 12:30pm & Fri-Sat 1:30am
2. The Royal	4:30am daily
3. The Goose	Sun-Wed 12:30pm Thurs – Sat 2:30am
4. Port & Anchor	1:30am daily
5. Miles Café	Sun – Wed 2am
6. Clique Bar	Mon -Wed 1:30am, Thurs-Sat 3:30am & Sun 1:30am
7. Enoteca	2:30am daily
8. Rokka	3:30am daily (3am alcohol)
9. Oak Hotel	1:30am daily
10. Queens Head	Mon – Sat 1:30am & Sun 12:30am
11. The Belgium Bar	Sun-Thurs 2:30am; Fri – Sat 3am
12. The Waterfront	Sun-Wed 2am (1am alcohol), Thurs 3am (2am alcohol) & Fri / Sat 4am (3am alcohol)
13. Bench Wine Bar	Sun-Thurs Midnight, Fri / Sat 2am
14. Wetherspoons	Sun – Wed 12:30pm

**APPLICATION FOR VARIATION OF PREMISES LICENCE –
COCO LATINO 19 MILITARY ROAD
RAMSGATE**

Licensing Sub-Committee – 22nd November 2016 at 12 noon

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 variation of a premises licence by Coco Latino Ramsgate in the light of representations received.

Recommendation(s):

The instructions of the Sub-Committee are requested

CORPORATE IMPLICATIONS

Financial and Value for Money	None
Legal	<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>
Corporate	None.
Equalities Act 2010 & Public Sector Equality Duty	<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 & maternity. Only</p>

1.0 Introduction and Background

- 1.1 Application has been made by Clare Amanda Cook for variation of a premises licence described as 'to vary our opening times and sale of alcohol along with the times of recorded music. Premises has not changed. We are a café bar that serves food, hot & cold drinks and alcohol. The sale of alcohol off the premises is for customers that wish to buy our wine to take home to consume. Our clientel is age 35+'.
- 1.2 The Operating Schedule, showing the proposed variation to hours is appended at Annex 1.
- 1.3 These premises were granted a premises licence in December 2013 which remains in force. This licence was last varied in June 2014. A copy of that licence and conditions are appended at Annex 2. The designated premises supervisor is Clare Amanda Cook.

2.0 General Points

- 2.1 Applicants for variation of 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. No public objections have been received.
- 2.2 The applicant is further required to give notice of the application to responsible authorities. Environmental Health have agreed a number of matters with the applicant which are set out in an email which is appended at Annex 3. 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 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 7th November.

3.0 Options

- 3.1 Grant the application with conditions consistent with the Operating Schedule accompanying the application.
- 3.2 Grant the application with different conditions.

3.3 Refuse the application.

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>	Premises licence
<i>Annex 3</i>	Environmental Health agreed matters
<i>Annex 4</i>	Planning representations

Background Papers

Title	Details of where to access copy
N/A	

Corporate Consultation

Finance	N/A
Legal	N/A

Agenda Item 6

Annex 1

Part 3 - Variation

Please tick as appropriate

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

Yes

No

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

DD		MM		YYYY			

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

TO VARY OUR OPENING TIMES AND SALE OF ALCOHOL
ALONG WITH THE TIMES OF RECORDED MUSIC.

PREMISES HAS NOT CHANGED. WE ARE A CAFÉ BAR
THAT SERVES FOOD, HOT + COLD DRINKS AND ALCOHOL.
THE SALE OF ALCOHOL OFF THE PREMISES IS FOR
CUSTOMERS THAT WISH TO BUY OUR WINE TO TAKE
HOME TO CONSUME.

OUR CLIENTEL IS AGE 35+

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

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick all 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)

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

In all cases complete boxes K, L and M

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)</u> Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Day	Start	Finish	
Mon	1200	0100	
Tue	1200	0100	<u>Please give further details here (please read guidance note 3)</u> TO HAVE A BAND PLAYING AT A TIME WITHIN THE TIMES STATED OPPOSITE. WE WILL NOT HAVE LIVE MUSIC PLAYING THE WHOLE OF THESE TIMES.
Wed	1200	0100	
Thur	1200	0100	<u>State any seasonal variations for the performance of live music (please read guidance note 4)</u> NONE
Fri	1200	0200	
Sat	1200	0200	<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> NONE
Sun	1200	0100	

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	0900	0100	Please give further details here (please read guidance note 3) AN EXTENSION TO OUR CURRENT HOURS HOWEVER RECORDED MUSIC WILL NOT BE PLAYED ALL OFF THESE TIMES AND WILL BE UNAMPLIFIED .		
Tue	0900	0100			
Wed	0900	0100	State any seasonal variations for the playing of recorded music (please read guidance note 4) NONE		
Thur	0900	0200			
Fri	0900	0200	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) NONE		
Sat	0900	0200			
Sun	0900	0100			

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	2300	0100	<u>Please give further details here</u> (please read guidance note 3) JUST A VARIATION OF TIMES .		
Tue	2300	0100			
Wed	2300	0100	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) NONE		
Thur	2300	0200			
Fri	2300	0200	<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</u> (please read guidance note 5) NONE		
Sat	2300	0200			
Sun	2300	0100			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption -- please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	0900	0100	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)	NONE	
Tue	0900	0100			
Wed	0900	0100			
Thur	0900	0200	<u>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</u> (please read guidance note 5)	NONE	
Fri	0900	0200			
Sat	0900	0200			
Sun	0900	0100			

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).

NONE

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	NONE
Mon	0900	0130	
Tue	0900	0130	
Wed	0900	0130	
Thur	0900	0230	
Fri	0900	0230	
Sat	0900	0230	
Sun	0900	0130	
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 (please read guidance note 5)			NONE

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.

REMOVAL OF DOOR PERSON FROM 2300.

WE ARE A LICENCED CAFÉ WITH A CUENTEL OF AGED 35+. WE HAVE NEVER HAD ANY SECURITY ISSUES SINCE OPENING IN 2013. WE HAVE A COMPLETE CCTV SYSTEM INSTALLED AND WE DO NOT ALLOW ANY PERSON UNDER 18 YEARS INTO THE PREMISES AT ANYTIME AFTER 8PM.

IF REMOVAL IS NOT PERMITTED THEN PERTAPS A LATER REQUIRED TIME OF 00:00

M

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

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

WE ARE A SMALL CAFE BAR AND DO NOT INTEND TO OPEN AS A DRINKING ESTABLISHMENT + ATTRACT THE WRONG CROWD. WE WILL CONTINUALLY MONITOR ALCOHOL LEVELS ON INDIVIDUALS + REFUSE SERVING ALCOHOL IF WE FEEL A CUSTOMER HAS EXCEEDED SAFE LIMITATIONS. ANYONE WHO LOOKS UNDER THE AGE OF 25 YEARS WILL BE ASKED TO PROVIDE A VALID FORM OF ID. SMALLER ALCOHOL MEASURES WILL BE AVAILABLE AND WILL BE ADVERTISED AS BEING AVAILABLE. FREE TAP WATER WILL ALWAYS BE AVAILABLE.

b) The prevention of crime and disorder

WE HAVE A COMPLETE CCTV SYSTEM AND WE ENSURE THAT NO PERSON LINGERS OUTSIDE THE PREMISES CAUSING ANTI-SOCIAL BEHAVIOR. WE WILL WORK CLOSELY WITH THE LOCAL AUTHORITIES TO ENSURE NO CRIME AND DISORDER TAKES PLACE.

c) Public safety

WE HAVE FULL FIRE PROTECTION WITHIN OUR BUILDING AND WE WORK CLOSELY WITH THE LOCAL AUTHORITIES TO ENSURE EVERYONE IS KEPT SAFE. WE HAVE A COMPLETE CCTV SYSTEM INSTALLED. WE ARE INSPECTED BY ENVIRONMENTAL HEALTH. WE HAVE FULL DISABLED FACILITIES. OUR PREMISES IS EASY AND CLEAR TO EXIT IN CASE OF AN EMERGENCY.

d) The prevention of public nuisance

THE LOCATION OF OUR PREMISES IS WITHIN THE INDUSTRIAL PART OF THE ROYAL HARBOUR AND NOT A RESIDENTIAL AREA. WE WILL CONTINUALLY MONITOR THE OUTSIDE OF OUR PREMISES AND ANYONE SEEING TO BE A NUISANCE OR CAUSING A NUISANCE WILL BE ASKED TO LEAVE THE AREA POLITELY. IF ANY PERSONS CONTINUE TO BE A NUISANCE OR CAUSE A NUISANCE THEN THE LOCAL POLICE DEPARTMENT WILL BE CONTACTED.

e) The protection of children from harm

NO ALCOHOLIC DRINKS ARE SERVED TO ANYONE UNDER THE AGE OF 18 YEARS OLD. CHILDREN ARE ABLE TO ENTER THE PREMISES DURING THE DAY WITH AN ACCOMPANIED ADULT. STRICTLY NO UNDER 18 YEAR OLDS ARE ALLOWED IN THE PREMISES AFTER 8PM. THERE ARE NO GAMBLING MACHINES IN THE PREMISES AND NO FORM OF ADULT ENTERTAINMENT TAKES PLACE.



**Thanet District Council
Part A
Premises Licence**

Premises licence number

LN/201300798

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Harbour Chocolate Lounge 19 Military Road	
Post town Ramsgate, Kent	Post code CT11 9LG
Telephone number 01843 [REDACTED]	

Where the licence is time limited the dates
None

Licensable activities authorised by the licence
<ul style="list-style-type: none"> 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
<ul style="list-style-type: none"> 1) Thurs – Sat 4pm to 1am, Sun 4pm to 10pm. Bank Holidays, Christmas Eve and New Year’s Eve extended to 1am 2) Sun – Wed 6pm to 10pm, Thurs – Sat 6pm to 1am. Bank Holidays, Christmas Eve and New Year’s Eve extended to 1am 3) Thurs – Sat 11pm to 1am 4) Sun – Wed 9am to 9.30pm, Thurs – Sat 9am – 12.30am. Bank Holidays, Christmas Eve and New Year’s Eve extended to 12.30am

The opening hours of the premises
<p>Sun – Wed 7am – 10pm, Thurs – Sat 7am – 1am Bank Holidays, Christmas Eve and New Year’s Eve extended to 1am</p>

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

Miss Clare Amanda Cook

La Belle Alliance Square, Ramsgate, Kent CT11 8HU

0 [REDACTED]

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

Miss Clare Amanda Cook

La Belle Alliance Square, Ramsgate, Kent CT11 8HU

[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

LN/201300782

Thanet District Council

Issued on the 06 June 2014

To commence on the 16 December 2013

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 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.

4.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

5. The responsible person shall 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: half pint;

ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

iii) still wine in a glass: 125 ml; and

b) customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the operating Schedule

1. CCTV to be fitted to a standard agreed to by the police that complies with The CCTV Code of Practice (2008 edition) produced by the Information Commissioners Office, with all public areas, including all access and egress points covered.

The CCTV system will be maintained and serviced on a regular basis and records kept to that effect.

CCTV shall be operational at all time that members of the public and/or staff are on the premises.

Images will be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate.

The Police or Local Authority will have access to these images at any reasonable time.

The Police or Local Authority will be allowed to take a recording by way of tape, CD Rom or any other means immediately on the request being made.

Staff will be fully trained in the CCTV system and there will be at least one member of staff on duty during trading hours who is able to provide a recording of any incident at the request of police or local authority.

2. A minimum of one Security Industry Approved door supervisor will be employed at the premises from 11pm until close of trading on Thursdays, Fridays and Saturdays.

Annex 3 – Conditions attached after a hearing by the Licensing Authority

None

Annex 4 - Plans

Plans considered December 2013

Philip Bensted

From: Amanda Berry
Sent: 13 October 2016 11:57
To: Philip Bensted
Cc: 'Info Coco Latino'
Subject: Variation to Premises Licence: Coco Latino 19 Military Road Ramsgate

Dear Phil

Following a site visit this morning and a discussion with the applicant around Environmental Health concerns of potential for public nuisance; the applicant has agreed to the following:

- To remove live music from Section E provision of regulated entertainment. This enables the applicant to have live music internally until 11pm in accordance with the Live Music Act. In the summer I understand that the applicant may want acoustic / duets externally and I have explained that to avoid potential for nuisance this must be unamplified.
- To remove 'both' from Section F Recorded Music and replace with 'indoors'. Advice has been given to the applicant that background music is not a licensable activity; background is accepted by acoustic consultants as not exceeding a music noise level of 5dB LAeq(5mins) above background L90 when music is off in Laymen's terms a person should not need to raise their voice to be heard above the music.

Given that the venue is not adjoined to any residential property, has air condition already in place and door closures fitted and with the attachment of the following agreed condition EH have no objection to the proposed application.

Condition:

1. All windows and doors to be kept closed during regulated entertainment; other than for access and egress.

Kind regards

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

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Coco Latino Ramsgate

Application for variation of 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. A change of use may have occurred from the approved café (A3 use class) to drinking establishment (A4 use class). A full Planning application will be required.
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
7.11.16

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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.