



Date: 31/07/2017  
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## LICENSING SUB COMMITTEE

8 AUGUST 2017

A meeting of the Licensing Sub Committee will be held at **10.00 am on Tuesday, 8 August 2017** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillors: Rogers, Tomlinson and Dellar

## A G E N D A

Item  
No

Subject

1. **ELECTION OF CHAIRMAN**

2. **APOLOGIES FOR ABSENCE**

3. **DECLARATIONS OF INTEREST**

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

4. **APPLICATION FOR VARIATION OF PREMISES LICENCE - MCDONALD'S RESTAURANTS, TOTHILL STREET, MINSTER** (Pages 3 - 52)

5. **APPLICATION FOR PREMISES LICENCE - HOME BARGAINS, UNITS 1 & 2 WESTWOOD INDUSTRIAL ESTATE, RAMSGATE ROAD, MARGATE** (Pages 53 - 68)

**Declaration of Interests Form**

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**APPLICATION FOR VARIATION OF PREMISES LICENCE –  
McDONALD’S RESTAURANTS TOTHILL  
STREET MINSTER**

**Licensing Sub-Committee – 8<sup>th</sup> August 2017 at 10 a.m**

Report Author **Philip Bensted Regulatory Services Manager**

Portfolio Holder **Cllr Lin Fairbrass Community Services**

Status **For Decision**

Classification: **Unrestricted**

Ward: **Thanet Villages**

**Executive Summary:**

To consider this application for variation of a premises licence by McDonald’s Restaurants Tothill Street Minster in the light of representations received.

**Recommendation(s):**

The instructions of the Sub-Committee are requested

**CORPORATE IMPLICATIONS**

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

	gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.
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## **1.0 Introduction and Background**

- 1.1 Application has been made by P A Crocker Limited for variation of a premises licence as described in the application at Annex 1.
- 1.2 The application showing the proposed variation is appended at Annex 1.
- 1.3 These premises were granted a premises licence in January 2012 which remains in force. A copy of that licence and conditions are appended at Annex 2.

## **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. Twenty six public objections have been received which are appended at Annex 3. Minster Parish Council have lodged an objection which is appended at Annex 4.
- 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 5. Environmental Protection have made no representations.
- 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 13<sup>th</sup> July.

## **3.0 Options**

- 3.1 Grant the application with conditions consistent with the application.
- 3.2 Grant the application with different conditions.
- 3.3 Refuse the application.

Contact Officer:	Philip Bensted, Regulatory Services Manager, ext 7630
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# Agenda Item 4

Reporting to:	Penny Button, Head of Neighbourhood Services, ext 7425
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## Annex List

<i>Annex 1</i>	Application to vary premises licence
<i>Annex 2</i>	Premises licence
<i>Annex 3</i>	Public representations
<i>Annex 4</i>	Parish Council representations
<i>Annex 5</i>	Police representations

## Background Papers

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

## Corporate Consultation

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



**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

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Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

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

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

The premises currently have a premises licence which allows the provision of late night refreshment on Mondays to Sundays from 23:00 until 05:00 (outdoors only).

The proposed variation is to remove the "outdoors only" restriction stated within the licensable activity / opening hours to allow the in-store restaurant to trade 24/7 in line with the Drive-Thru.

The application is also to update the plans currently attached to the Premises Licence to show a change of layout following a refurbishment at the restaurant.

**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)

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

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

# Agenda Item 4

## Annex 1

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<u>Will the provision of late night refreshment take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	05:00	<p><u>Please give further details here</u> (please read guidance note 4)</p> <p>The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption on and off the premises.</p> <p><u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)</p> <p><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 6)</p>	Both	<input type="checkbox"/>
Tue	23:00	05:00			
Wed	23:00	05:00			
Thur	23:00	05:00			
Fri	23:00	05:00			
Sat	23:00	05:00			
Sun	23:00	05:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption - please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon			<p><u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)</p> <p><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 6)</p>	Both	<input type="checkbox"/>
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					



**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

The premises will operate as an outlet of food and non-alcoholic drink and does not provide any adult entertainment or service that gives rise to a concern in respect of children

**L**

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	05:00	05:00	<p><u>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</u> (please read guidance note 6)</p>
Tue	05:00	05:00	
Wed	05:00	05:00	
Thur	05:00	05:00	
Fri	05:00	05:00	
Sat	05:00	05:00	
Sun	05:00	05:00	

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.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

**Reasons why I have not enclosed the premises licence or relevant part of premises licence.**

### M

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

**a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10)**

Please see attached Operating Schedule.

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

Please see attached Operating Schedule.

**c) Public safety**

Please see attached Operating Schedule.

**d) The prevention of public nuisance**

Please see attached Operating Schedule.

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

Please see attached Operating Schedule.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

### **Operating Schedule**

#### General

This restaurant understands that in extending our opening hours we have a duty to the local community and that we continue to protect our staff and customers from danger and harm. We believe that the systems we have in place are robust, thorough and will, as far as reasonably practicable, secure the promotion of the four licensing objectives. It should be noted that no McDonald's restaurant within the United Kingdom serves alcohol and further none of our drinks or food are served to customers in glass receptacles.

We are eager to work in partnership with all responsible authorities to ensure the promotion of the four licensing objectives. We also seek to work with the local communities, whom we serve, in achieving a successful cohesion between our business operations and our neighbours.

#### Prevention of Crime and Disorder

This restaurant is keen to work in partnership with the local police service to prevent crime and disorder.

#### *CCTV*

McDonald's operates a robust CCTV Policy to ensure compliance with Data Protection Legislation and to assist the Police with the prevention and detection of crime. At all stores where CCTV is in operation appropriate signage reflecting this information is displayed.

McDonald's operate digital motion activated CCTV systems where images are retained on a hard drive system. All CCTV equipment is of a standard suitable to record images of a proper quality, it meets the industry standard and has LGC Forensics or Kalagate Certification. As part of the digital system an alarm will sound if the equipment is faulty or not recording, thereby alerting management for the need to intervene. The CCTV system is regularly serviced by qualified maintenance technicians.

Access to the CCTV system will be provided to Police Officers at their request.

#### *Staffsafe*

A Staffsafe™ system with both audio and visual monitoring capability will be installed in the restaurant, this system, can be activated by either fixed or mobile panic buttons. Once activated the system links the restaurant to an external monitoring centre capable of intervening to resolve crime and disorder issues and/or provide the appropriate advice or instruction to support and protect the restaurant's staff and customers.

At this restaurant all shift managers have safety and security training; including Maybo SIA accredited Conflict Management Training.

#### Public Safety

This restaurant is keen to work in partnership with the local Fire Service and Environmental Health Officer to ensure public safety.

This restaurant has safety systems in place to protect the safety of customers and staff at all times (such as Staffsafe). We work with the local Environmental Health Office and local Fire Service to ensure we are complying, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation. This restaurant is also subject to inspections from our own safety and security teams to ensure our systems are being maintained.

# Agenda Item 4

## Annex 1

All of our restaurant staff receive comprehensive safety training to ensure that safe working methods are adopted and all staff are trained on the restaurant's evacuation procedure in the event of a fire or other dangerous occurrence.

This store operates a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the in-store area.

### Public Nuisance

#### *Litter*

McDonald's were the first company in our sector to introduce litter patrols in the early 1980's. McDonald's is committed to carry out litter patrols collecting both McDonald's packaging and any other litter that has been carelessly discarded. We are happy to act on recommendations from the Environmental Health Officer should they feel that we should extend our patrol to a nearby area, as far as this is reasonably practicable.

All of McDonald's packaging displays the "Bin It" symbol to encourage our customers to deal with their waste responsibly. Further details regarding McDonald's commitment to reducing waste and litter nuisance can be found at the "Our World" section of the McDonald's website:  
<http://www.mcdonalds.co.uk/ourworld/environment/policy.shtml>

#### *Noise*

Where it is practical to do so we are content to put measures in place to limit noise. All McDonald's restaurant doors are self-closing and we try to encourage our customers to be considerate to our neighbours and to limit noise both when ordering their food and on leaving the local area.

### The Protection of Children from Harm

McDonald's do not anticipate that unaccompanied children will use the restaurant in the extended hour's period covered by this licensing application. We do however take their safety extremely seriously and will continue to employ the same practices to ensure that they are protected from harm at all times when visiting the restaurant.





**Thanet District Council  
Part A  
Premises Licence**

**Premises licence number**

LN/201200029

**Part 1 – Premises details**

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

McDonald's Restaurant Limited  
Tothill Street, Minster

Post town  
Ramsgate, Kent

Post code  
CT12 4AU

Telephone number

Where the licence is time limited the dates

None

Licensable activities authorised by the licence

Late night refreshment (outdoors only)

The times the licence authorises the carrying out of licensable activities

11pm – 5am daily

The opening hours of the premises

24 hours a day

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

Not Applicable

**Part 2**

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

P A Crocker Limited  
95-97 High Street, Margate, Kent CT9 1JT

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

03293902

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

Not Applicable

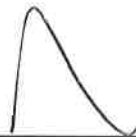
Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Not Applicable

**Issued on the 30 January 2012**

**To commence on the 10 January 2012**

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





**Annex 1 – Mandatory conditions**

**None**

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

**None**

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

**None**

**Annex 4 - Plans**

**Plans considered January 2012**



Jane Bennett

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**From:** [REDACTED]@gmail.com>  
**Sent:** 07 July 2017 07:09  
**To:** TDC Licensing  
**Subject:** McDonald's restriction application

Dear Sir/Madam

Re: P Crocker McDonald's Tothill Street, Minster, Thanet, Kent CT12 4AP  
Remove 'Outdoors Only' restriction for late night refreshments.

I write to **heavily** reject the above proposal primarily because:

- 1) of the trouble with anti social behaviour that we have recently from youths congregating at the site, who then wander down into the village causing damage and noise in the early hours of the morning. 101 has been called on numerous occasions by residents. We need a discouragement not an encouragement.
- 2) Rubbish is a problem along the neighbouring roads and along the dual carriageway where McDonalds packaging is just left or thrown out of the windows. We are always having some form of packaging thrown over into our garden.
- 3) In an ideal world McDonald's should be shut per-se at night all the time to discourage youths and at least stop some of the pollution for our environment even it's its overnight.

McDonald's really shouldn't have been given the go ahead in the first place with two healthy schools in the villages we should be discouraging fast food for the next generation and the obesity crisis, let alone encouraging night time feasting there.

We oppose the application.

Mr and Mrs [REDACTED]  
Tothill Street  
MINSTER.

Jane Bennett

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**From:** [REDACTED]@gmail.com>  
**Sent:** 07 July 2017 10:19  
**To:** TDC Licensing  
**Subject:** Objection: Variation to Licence McDonalds, Tothill Street

Dear Sirs

Would be grateful if you would consider this objection on the following grounds:

- potential increase in late night anti social behaviour in Minster (already a problem)
- no apparent commercial (or other) demand exists to justify this variation
- this is a rural location unsuited to this type of 24 hour operation
- excessive litter from this McDonalds branch is found along adjacent dual carriageway and local roads; this will only increase
- Minster Parish Council regularly deal with complaints arising from this McDonalds branch and its negative impact on the local community. An extension is likely to worsen the situation.

Please refuse this application.

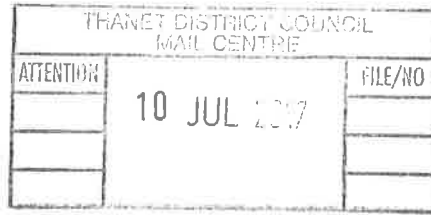
Yours sincerely

[REDACTED]  
[REDACTED] Monkton Street  
Monkton, Kent

# Agenda Item 4 Annex 3

Mr [REDACTED]  
[REDACTED] Monkton Manor  
Monkton Street  
Monkton  
Kent  
CT124JT

Thanet District Council  
Licencing Department  
P O Box 9  
Cecil Street  
Margate  
Kent  
CT91XZ



## OBJECTIONS TO PROPOSED PLANNING ALTERATIONS MCDONALDS DRIVE THROUGH RESTAURANT TOTHILL STREET, ,MINSTER

Dear Sirs,

I refer to the above premises and the proposed application for a 24 hour sit down restaurant to be included within the premises.

I strongly object to this application for the following reasons: -

1. The proposed restaurant will attract numerous HGV type vehicles and there are insufficient facilities in being to cater for such an increase. Rubbish dumped at the side of the road and car park will increase.  
There is already a rubbish problem within the area and adjacent villages with regards to rubbish from McDonalds being strewn all over the main and side roads. This even includes the far western end of Monkton Street.
2. There will be a greater increase in local traffic, even more 'boy racer' types racing up and down the adjacent main roads in addition to the associated anti-social behaviour. This type of behaviour will now be experienced on a regular 24-hour basis and is unacceptable especially to those resident in the nearby roads. The extra noise will be particularly bad during late evenings and night time.
3. There is another dimension to consider, in the nearby village of Monkton we periodically find evidence of drug abuse and sexual activity in our car parks. So much so that we have taken steps to close such areas after dusk. If this restaurant were permitted to remain open for 24 hours daily there is every chance it will attract these types of persons and their associated antisocial behaviour as they no longer frequent Monkton.

I give my full support to Minster Parish Council in their efforts to object to this application and sincerely hope that the application will be refused.

Yours sincerely,

[REDACTED]  
Monkton Parish Council

MR + MRS. [REDACTED]

[REDACTED] TOTHILL STREET

MINSTER.

THANET DISTRICT COUNCIL	
7 - MAIL CENTRE	
ATTENTION	FILE/NO
10 JUL 2017	

NR RAMSGATE

KENT

CT12 4AP

Dear Sir,

Concerning the 24 hour opening of McDonalds in Minster, we do not want it there is enough noise & trouble in the village now, so please don't grant them the license as well as all the Litter everywhere

Yours Faithfully

[REDACTED]

[REDACTED]

Agenda Item 4  
Annex 3

THANET DISTRICT COUNCIL MAIL CENTRE		
ATTENTION	10 JUL 2017	FILE/NO

Greenhill Gardens  
Minster  
Kent  
CT12 4EP

5<sup>th</sup> July 2017

Dear Sir/Madam

Re McDonalds Application to open mail restaurant 24 hours

I would like to object to this application due to the increase it will cause in anti-social behaviour late at night, litter and damage caused to cars.

We live in Greenhill Gardens a cut through used back to the lower village, I believe by extended the hours the restaurant is open will encourage groups to make this a meeting place late at night, which will mean noisy groups walking pass disturbing us and increase the possibility of damage to cars parked on the road side, this is already happening BUT usually only when the weather is fine as they have nowhere to shelter from bad weather but by opening the restaurant they will have!

Also this will give commercial drivers another place to stop, visit and park up to sleep using the village roads as a free rest stop.

Please consider the residents of this area not just the business!!

Yours sincerely



Mrs [redacted]

Thanet District Council  
Licensing Department  
PO Box 9  
Cecil Street  
Margate  
CT9 1XZ

THANET DISTRICT COUNCIL MAIL CENTRE		FILE/NO
ATTENTION	10 JUL 2017	

Thanet District Council  
 Licencing Department  
 PO Box 9  
 Cecil Street  
 Margate  
 Kent  
 CT9 1XZ

8<sup>th</sup> July 2017

My wife and I understand that McDonalds have applied for an extension of their Licence to 24 hours opening.

As residents of Tothill Street, who's property opens directly on to the pavement, We strongly oppose this application for the following reasons, it is impossible for us to open our bedroom windows at night due to the amount of vehicular and foot traffic that already disturbs our sleep up to and past midnight. It has been particularly difficult during the recent hot weather to have our windows closed.

The acts of vandalism that are becoming commonplace in Tothill Street and the amount of litter which clearly originates from McDonalds just makes matters worse.

~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~



Mrs. [REDACTED]

[REDACTED] Tothill Street

Minster

Ramsgate

Kent

CT12 4AJ

6/07/17

TDC Licensing Department

Dear Mr. Bensted,

**RE: McDONALDS APPLICATION TO OPEN RESTAURANT 24 HOURS**

I very strongly object to McDonalds application to open the restaurant 24 hours in Tothill.

Living in Tothill had become a nightmare with antisocial behaviour, and serious vandalism, particularly to parked cars.

The police have been involved in the past, and requested that the restaurant was locked up at night. This helped a lot, as there are a number of young children in the 14-15 age group encouraged to gather thereabouts.

I enjoyed a good uninterrupted nights sleep while McDonald's was closed down for refurbishment. Since it reopened, already speeding cars race down Tothill late at night, I fear this will cause an increase of unacceptable traffic noise through the night.

I hope the committee will be mindful to reject this application.

Yours Faithfully

[REDACTED]

# Agenda Item 4

## Annex 3

Tothill Street,  
Minster,  
Kent,  
CT12 4AJ.

9<sup>th</sup> July 2017

Thanet District Council  
Licencing Department

Dear Madam / Sir,

I am writing to object to McDonalds, Tothill Street, Minster, application to extend their opening hours to 24 hours a day.

I live on Tothill Street and since the restaurant opening we have been subjected to a never ending series of antisocial behaviour and vandalism of property. We have suffered:-

- Coffee thrown over the house – windows / doors
- Ketch up over the car
- Milkshakes over the house and car
- Burgers through the letterbox
- Shouting, screaming, swearing and generally loud behaviour late at night that disturbs mine and my childrens sleep.
- Smashed car wing mirrors
- Urinating in my drive way
- Rubbish thrown in my garden
- Threats to my wife and myself if we ask them to get out of our drive or not sit on our door step eating their McDonalds food.

I know these behaviours are all carried out by people going up to McDonalds as when it was closed for refurbishment it all stopped and I was able to sleep undisturbed with the windows open. I ask that you do not extend the Licence to open 24 hours and if possible reduce it to 6am – 10 pm with no night services at all. We are village it is not needed or welcome here.

Yours Sincerely



# Agenda Item 4

## Annex 3

Tothill Street,  
Minster,  
Kent,  
CT12 4AJ.

9<sup>th</sup> July 2017

Thanet District Council  
Licencing Department  
PO Box 9  
Cecil Square  
Margate  
Kent  
CT9 1XZ

Dear Chair and Members,

I am writing to object to McDonalds (Minster) application to extend their licence to 24 hour opening of the restaurant. I live on Tothill Street, on the direct route to McDonalds, when I moved here prior to the restaurant being built it was a wonderfully quiet and peaceful place to live. Since the opening of the restaurant I have had to endure countless episodes of antisocial behaviour and threatening behaviour.

I frequently have youths urinating in my driveway, and I know they have been to McDonalds as they are holding the bags / cups and often leave them in my drive after using it as a toilet. Often they are so loud they wake me and my young children up, at times, when I have shouted out the window for them to leave they have exposed themselves and threaten to come back and get me. The police have been involved. This anti-social behaviour is upsetting for us as a family and has a detrimental effect on my children, my young son will no longer sleep with his bedroom window open, despite the hot weather as he is afraid they will climb into the house. The disturbed sleep makes it difficult for them to wake in the morning and I fear will impact on their school work.

My car has also been vandalised on many occasions by the youths walking to and fro to McDonalds. Annoying acts have been McDonalds thick shakes thrown over the car, ketchup squirted along the side, burgers rubber over the windscreen and coffee poured over the bonnet. More serious matters have involved nails in the tyres and smashing on the wing mirrors, again police have been involved.

People using the McDonalds restaurant frequently seem to be under the influence of something as they scream and shout, swear, kick my house and generally cause a disturbance. Again I know they have been to McDonalds as they tend to be carrying the evidence.

During the recent refurbishment of McDonald, while it was closed, life on Tothill became quite again. We were not woken by the shouting screaming, vandalism, etc. that we have had to become used to and it made me realise just how big a negative impact it has had on me personally and on the village.

## Agenda Item 4 Annex 3

I ask the Licencing Board to refuse the application for 24 hour opening as I cannot endure this antisocial behaviour 24 hours a day, at the moment at least it stops around midnight after they have closed. When my son is woken by these louts urinating in the drive and shouting abuse at least I can reassure him it will stop at a certain time so he can go back to sleep, if it were 24 hours a day what will I tell him to try to calm his fears? If I could I would ask for the Licence to be revoked completely and only allow them to open between 6am and 10 pm with no night services at all.

Kind Regards



The signature is a dense, dark scribble of ink, likely representing the name of the sender. Below it, the name 'Gavin M. King' is written in a smaller, less legible font.

Agenda Item 4

Annex 3

● Torrington Cottages  
Laundry Road  
Minster  
Ramsgate

09/07/17

To Thanet District Council  
Licensing Dept.

Dear Sir/madam

I strongly object to the application for McDonald to extend their licence to the restaurant opening 24 hours.

The drive through causes enough problems with cars speeding down Laundry Road all hours of the night, and enormous amounts of litter, including food, that is an attraction to rats. The recent temporary closure allowed peaceful nights as it was before the time McDonald existed in Tothill

Loud antisocial behaviour is already a problem up until midnight, I fear that 24 opening of the restaurant will encourage wayward youths, lacking in parental control, to frequent the place and cause a disturbance all hours of the night.

I hope my objection will be given consideration.

Yours Faithfully

  
Miss 

Philip Bensted

---

**From:** [REDACTED]  
**Sent:** 10 July 2017 18:28  
**To:** Philip Bensted  
**Subject:** McDonald's at Minster

Dear Mr Bensted. Regarding the application for McDonald's to obtain a 24hr sit in license, as a resident of Minster I strongly object on the grounds of anti social behaviour and vandalism. Since this establishment has been operating, we in Tothill have witnessed cars being damaged, people urinating in the street and in our drive. I requested the police to visit the establishment and ask for the restaurant to be closed at night, the idea being to prevent these people congregating and causing a nuisance. This worked for a while. When the refurbishment was being carried out there was not one case of anti social behaviour reported, as soon as it reopened we had a fire in the cemetery and cars damaged as well as the noise and loud swearing in the early hours of the morning as gangs walk up and down Tothill. If it was possible I would like to restrict the opening times from 06 00 to 22 00hrs for everyone's peace at night

Sent from my iPad [REDACTED]  
Thanet District Council

Annex 3  
Greenhill Gardens  
Minster  
Ramsgate  
Kent  
CT12 4EP



8<sup>th</sup> July 2017

Dear Sir/Madam,

I write to register the strongest objection to the proposal by McDonalds at Tothill Street Minster to extend their licensed opening hours for non-drive through customers to encompass the hours 2300 to 0500 hours.

Let me at once point out that I am aware they have been recently advised by the local police for breach of their current license conditions and I believe that this current application is a cynical attempt to regularise their current unlawful behaviour.

This application to extend the opening hours of the inside service is unacceptable. McDonalds have already shown that they are dismissive of the rules designed to protect residents from unsocial noise, litter and resultant behaviour.

The contravention of the current opening hours allowed young people, some very young, to congregate at the premises until the early hours of the morning and then cause noise, disturbance and criminal damage to vehicles and property in Tothill Street and surrounding roads when leaving the premises.

When McDonalds was closed recently for refurbishment the collective nuisance and criminal behaviour disappeared and since it has reopened this has resumed, as has much of the littering problem.

It cannot be right that pursuit of profit should be placed ahead of the wellbeing of residents and their human right to a peaceful enjoyment of their private life.

This application should be refused.

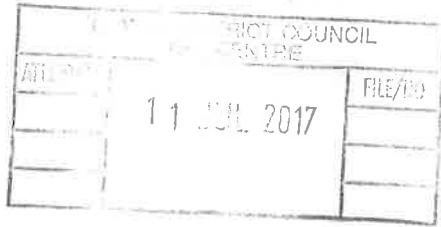
Yours sincerely,

A handwritten signature in black ink, which is heavily scribbled over and difficult to read. It appears to be a cursive name.









Annex 3

Tothill Street  
Minster  
Kent  
CT12 4AP

M) 07880

E) yahoo.co.uk

10<sup>th</sup> July 2017

Re Application By McDonald's Minster To Open 24hrs

Dear Licensing Dept,

Minster is still a village, it is not a town that is open 24hrs a day.

Despite being at the top of the village McDonalds still affects life in what is essentially a residential area. People living in nearby houses like on the Hillhouse Estate to people temporarily residing in the The Premier Inn.

I live some 400 meters down the hill from McDonalds, as the crow flies, or in this case as sound travels, and am grateful when they close. When people eat their takeaways from McDonalds they often do it in the car park of the restaurant itself or in the section of Laundry Road near to its car park entrance. It is not unusual for people to sit playing very loud music in their cars while they eat or stand in a group round one car making lots of noise. The noise is in the form of vehicle sound systems, shouting, engine revving and wheel spinning. Come along any evening, particularly on a fine weekend, and you will see what I mean. This sound travels easily down the hill affecting not only those living in very close proximity.

It is bad enough the slamming of car doors and wheel spins from people filling up/leaving The Co-op at all hours of the night without additional traffic being attracted to the area all night long.

There are other places to eat 24 hours in Thanet that are not based in such close proximity to a residential area. Minster does not need its remaining peace destroyed for the sake of giving a few people the luxury of having access to fast food 24 hours a day.

I ask the Licensing Committee to reject their request for variance of their opening times.

Yours Faithfully

THANET DISTRICT COUNCIL MAIL CENTRE		
ATTENTION	11 JUL 2017	FILE/NO

~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~ Southall Close  
 Muster in Thanet  
 CT12. 4AR.  
 8/7/17.

01843  
 Tele ~~\_\_\_\_\_~~

Dear Sir

I am writing to object to  
 the McDonalds Application for Restaurant  
 24hrs.

It is quite sufficient to open  
 005am - 2300hrs if this is open longer  
 it will encourage people during the  
 night which is not necessary making  
 noise & trouble we have to sleep  
 as senior people it is enough to  
 manage the motor bikes & cars racing  
 around until midnight. Please allow  
 us all to live in peace & quiet from  
 midnight until 5am. not too much to ask  
 thank you waiting in anticipation

Yours Faithfully  
~~\_\_\_\_\_~~ (Mrs)  
~~\_\_\_\_\_~~ (Mr)

# Agenda Item 4 Annex 3



Greenhill Gardens  
Minster, Ramsgate  
Kent CT12 4EP  
Tele: 01843 [REDACTED]  
Email: [REDACTED]@tiscali.co.uk

10<sup>th</sup> July 2017

Dear Sirs,

## Application by McDonalds to vary the opening hours at their Minster premises

I refer to the application made recently by McDonalds to alter the terms of their licence to operate at their premises at Tothill Street/Laundry Road, Minster in order that the inside/restaurant service may remain open for 24 hours per day in line with the Drive-Thru service.

I wish to lodge my formal objection to this request in the strongest terms possible. This application should be refused without hesitation.

Recently I have become aware that the inside service has been allowed to continue past the stipulated closing time of 23.00 hours on numerous occasions, much to the dismay of local residents living nearby.

Also, I am given to believe that the Police have had to warn the management of the premises that the terms of their licence were being broken.

This contravention of the opening hours allowed young people (I understand that some were very young) to congregate at the premises until the early hours of the morning and then cause noise, disturbance, vandalism and criminal damage to vehicles and property in the village when leaving the premises.

I realise that the problems caused by the young people cannot be laid directly at McDonalds' door but the illegal late-night use of their facilities enabled them to congregate to a very late hour and then cause trouble.

There is also the problem relating the amount of litter generated by discarded McDonalds food bags, hot & cold drinks cartons, drinks straws, ketchup sachets, serviettes etc. around the village. It is not unusual for my wife and I to collect a carrier bag full of discarded McDonalds' items on our daily dog walks around the village. The litter problem is not exclusively McDonalds but a good deal of it is. When McDonalds was closed for a few weeks recently for refurbishment the nuisance disappeared and the litter count was greatly reduced. Since it has reopened the litter count has certainly gone back up again.

McDonalds have already shown that they are dismissive of the rules and now they are trying to make their rule-breaking right. This cannot be allowed. They have already shown that they cannot be trusted and therefore their application to extend the opening hours of the inside service should be refused.

Yours extremely annoyed,

A [REDACTED] (Mr)



**Tothill Street**  
**Minster**  
**Thanet**  
**Kent**  
**CT12 4AP**  
**01843-**

*July 10, 2017*

*To Whom it May Concern,*

**RE :Application by McDonalds in Tothill Street, Minster to vary their licence to enable 24 hour opening of the restaurant**

*We, the undersigned, being the owners of and residents at the above address, wish to object unreservedly to the above application.*

*We do so from personal experience on the grounds that McDonalds has not kept to the legal conditions of its present licence, or the assurances made when that licence was applied for.*

*There are daily litter problems, items are regularly found in our hedge, garden and in the road, all labelled with the logo. This fear was suggested to be a speculation at the time of original application, it has proved not to be so.*

*Our boundary hedge has been damaged on many occasions by groups of youths late at night, stopping to finish a meal outside under the street light, or nearby in the bus shelter, arguing, shouting and jostling and pushing each other into our hedge. Their noise is very disturbing and worrying in the early hours of the morning . These matters have been reported to the police, and at times they have attended.*

*The Drive Thru has obviously increased traffic at all the junctions, and there are accidents due to speed and congestion quite regularly.*

*There has also been a report in the local newspaper that McDonalds have contravened their present license by allowing customers into the restaurant after 23.00.*

*The company have legal responsibilities with regard to anti social noise, litter pollution and traffic congestion. We suggest that they are not compliant at present, and therefore feel an extension of their hours would only serve to make these matters worse.*

*We hope you will consider carefully the implications set out here when a decision is made.*

*Sincerely,*

S. C. 



# Agenda Item 4 Annex 3

THAMES VALLEY COUNCIL		
ATTENTION	DATE	FILE/NO
	11 JUL 2017	

Greenhill Gardens  
Minster, Ramsgate  
Kent CT12 4EP  
Tele: 01843 [REDACTED]  
Email: [REDACTED]@talktalk.net

10<sup>th</sup> July 2017

Dear Sirs,

## Application by McDonalds to vary the opening hours at their Minster premises

I refer to the application made recently by McDonalds to alter the terms of their licence to operate at their premises at Tothill Street/Laundry Road, Minster in order that the inside/restaurant service may remain open for 24 hours per day in line with the Drive-Thru service.

I wish to lodge my formal objection to this request in the strongest terms possible. This application should be refused without hesitation.

Recently I have become aware that the inside service has been allowed to continue past the stipulated closing time of 23.00 hours on numerous occasions, much to the dismay of local residents living nearby.

Also, I am given to believe that the Police have had to warn the management of the premises that the terms of their licence were being broken.

This contravention of the opening hours allowed young people (I understand that some were very young) to congregate at the premises until the early hours of the morning and then cause noise, disturbance, vandalism and criminal damage to vehicles and property in the village when leaving the premises.

I realise that the problems caused by the young people cannot be laid directly at McDonalds' door but the illegal late-night use of their facilities enabled them to congregate to a very late hour and then cause trouble.

There is also the problem relating the amount of litter generated by discarded McDonalds food bags, hot & cold drinks cartons, drinks straws, ketchup sachets, serviettes etc. around the village. It is not unusual for my husband and I to collect a carrier bag full of discarded McDonalds' items on our daily dog walks around the village. The litter problem is not exclusively McDonalds but a good deal of it is. When McDonalds was closed for a few weeks recently for refurbishment the nuisance disappeared and the litter count was greatly reduced. Since it has reopened the litter count has certainly gone back up again.

McDonalds have already shown that they are dismissive of the rules and now they are trying to make their rule-breaking right. This cannot be allowed. They have already shown that they cannot be trusted and therefore their application to extend the opening hours of the inside service should be refused.

Yours Sincerely,

  
S. Clump (Mrs)

# Agenda Item 4 Annex 3

THANET DISTRICT COUNCIL MAIL CENTRE	
ATTENTION	FILE/NO
11 JUL 2017	

Thanet District Council  
Licencing Department  
P.O.Box 9  
Cecil Street  
Margate  
Kent CT9 1XZ

Hill House Driver  
Minster  
Ramsgate  
Kent CT12 4AS

10 July 2017

Dear Sir/Madam

## McDONALDS APPLICATION TO OPEN RESTAURANT 24 HOURS

Minster Parish Council has recently advised that the above restaurant has applied to change the opening hours from 5:00 am to 23:00 pm to a full 24 hour opening, along with the drive-thru element.

Any notion that this would benefit the Minster community, particularly where my house is located is unlikely with the only advantage being for McDonald's profits, as from the past few years experience of living relatively close by, we already have to endure anti-social behaviour of some local users who run amok from the restaurant down Tothill Street to presumably where they live, shouting and swearing and damaging property on their way (well known in the village as a whole), and which can go on until the current closing time, when most of us residents are trying to sleep. Any 24 hour opening would just exacerbate the situation, with the possibility of the disturbances going on throughout the night. It is also highly likely that there would be the added possibility that users who are not from the village may also use it on their way home from bars/nightclubs in local towns, leading to increased traffic noise, particularly where the drinking of alcohol may also be involved, and therefore as is sometimes the case even now, unaware of any nuisance they may be causing if speeding up and down Tothill Street to locate McDonalds.

It seems unjustified to balance the needs of a few minority users of such a facility against the peace and quiet of our local residential community in Minster, who are like me, unlikely to welcome this change. The developments at the top of our village seem to be growing daily into something more fitting within a town than a rural village, and I would only hope that common sense prevails and consideration is not given to permitting these extended opening hours to be approved.

Thank you for reading my objection to the proposals by McDonalds.

Regards.



Mrs 



Agenda Item 4  
Annex 3

Mr & Mrs [REDACTED]  
99 Tothill Street  
Minster  
Ramsgate  
CT12 4AP

10<sup>th</sup> July 2017

Thanet District Council  
Licensing Department  
P.O.Box 9  
Cecil Street  
Margate  
Kent  
CT9 1XZ

To whom it may concern

I am writing in response to an application made by McDonalds Restaurant Minster, to extend their opening hours to 24hours.

My family have resided at the above address for over 11 years and make a **strong objection** to the restaurant being open 24hrs.

My representations to this objection are:

1. Prevention of public nuisance – Anti social behaviour from youths gathering at the restaurant in the early hours then coming down Tothill Street.
2. Prevention of crime & disorder – Vehicle damage to several cars in Tothill Street.
3. Litter – Amount of litter rises during evening hours.

When the restaurant was closed for refurbishment and since opening with restricted hours there has been a notable difference in the three points that I have stated. To allow them to extend the restaurant opening times would only enhance the problems.

Your consideration in this matter is appreciated.

Yours sincerely

[REDACTED SIGNATURE]

Received 12:40pm  
11/07/17 JB  
Page 41

Mr & Mrs [REDACTED]  
[REDACTED] Hill House Drive  
Minster  
CT12 4BE

## Agenda Item 4 Annex 3

Date 11 July 2017



**Thanet District Council**  
Licensing Department  
PO Box 9  
Cecil Street  
Margate  
CT9 1XZ

Dear Sir /Madam

**McDonalds Application to open Restaurant 24 Hours in Minster**

We have recently been informed by Minster Parish Council that the above mentioned restaurant has applied for their licence to be extended to 24 hours per day.

This application is strongly against the welfare of this lovely village which is gradually being ruined by the continual addition over the past few years of more and more commercial enterprises.

The anti-social behaviour and increased petty crime all seemed to have stemmed from these additional enterprises. Opening this restaurant to 24 hours would only increase our woes, to an area which was once described as of high landscape value.

I hope your decision on this matter will take into account the welfare of residents living here who just want a pleasant place to live.

Sincerely,

Km [REDACTED]  
[REDACTED]

THANET DISTRICT COUNCIL MAIL CENTRE		
ATTENTION		FILE/NO
	13 JUL 2017	

To Whom It May Concern,

I would like to STRONGLY object to the proposed application of Macdonalds in Minster to increase its opening times to 24 hours a day. This is for the following reasons ;

- 1) The traffic in Tothill Street has increased greatly over the last 2 years and longer opening hours would worsen this situation. A lot of Macdonalds customers are generally speaking younger members of society and these include "boy racers". Tothill St has become a race track and has become dangerous. Longer opening hours will result in more traffic at anti social hours of the night. This will disturb our village atmosphere and sleep.
- 2) Litter from Macdonalds is found from the top of Tothill Street down into the village. I pick up and bin several items every single day. And so do my neighbours.
- 3) Anti social behaviour is also likely to increase with more unwanted activity at night. We have seen a steady increase of cars being scratched, gardens and fences vandalised, garden pots/items stolen. Finally longer opening hours will result in an increase of noise pollution, both from the traffic and pedestrians.

Yours Faithfully,

# Agenda Item 4 Annex 3



██████████ Tothill Street  
Minster  
Ramsgate  
Kent CT12 4AP

12<sup>th</sup> July 2017

Dear Sir

## **Objection to McDonalds Application to Open Restaurant 24 hours**

We are writing to strongly object to the above proposal.

As residents we live very close to the restaurant; approximately 200 yards away and we are already affected by the restaurant not closing until 11pm.

We have had a huge increase in anti-social behaviour with youths buying food and then hanging around outside of our property. Combined with the alcohol that is also consumed this results in increasing noise, antisocial behaviour and vandalism. This is affecting our lives and concerns for our own safety and security at night.

There is no need for a restaurant to be open for 24 hours. For those in need of food after 11pm a Drive Thru provides for this. Nobody needs a restaurant at those times.

We are a village and our peace is already disturbed on a regular basis due to inconsiderate people, shouting and playing loud music and congregating outside our house in the bus shelter and walking to and from the restaurant with no consideration for others.

There would be an increase in activity resulting in more cars and more noise in general.

We therefore request that this application is denied.

Yours faithfully

Thanet District Council  
Licencing Department  
P.O. Box 9  
Cecil Street  
Margate  
Kent  
CT9 1XZ

Agenda Item 4

Annex 3

BETHEL COTTAGES

LAUNDRY ROAD,

MINSTER

KENT

CT12 4HJ

I WOULD LIKE TO REGISTER MY OBJECTION FOR MACDONALDS RESTURANT TO BE GRANTED A 24 HOUR LICENCE, AS LIVING NEAR ALREADY CAUSES EXTRA PROBLEMS, WITH THE EXTRA TRAFFIC, PARKING AND FOOD BEING THROWN DOWN, IN WHAT USED TO BE A NICE QUIET ROAD.

WE HAVE EXPERIENCED NOISY HOOLIGANS AT NIGHT ALREADY, THAT IS WITH THE HOURS THEY ARE ALREADY OPEN.

MRS. [REDACTED]

# Agenda Item 4 Annex 3



Torrington Cottages

Laundry road

Minster

Ramsgate

Kent CT124HH

REF: Application to open McDonalds Resturant 24hrs.

Date : 10.7.17

Dear Sir/Madam,

Ourselves & the residents of Laundry Road (names and signatures can be provided) strongly oppose the application to open the resturant 24 hours. This is because we feel it would increase traffic, and antisocial behaviour.

On a seperate issue, I would like to see the drive through 24 hour opening times revoked, the reasons for this are:

Since Mconalds has opened we have seen increased traffic - especially at night when it affects our sleep, and can no longer sleep with the windows open.

Cars with load music & exhausts speeding past at unsociable hours.

Groups of people walking to, and from Mcdonalds causing a disturbance.

Litter - the amount of litter in our road is appauling at times.

Please advise what can be done to do to improve the quality of our lives.

Yoursfaithfully

Residents of Laundry Road - Names supplied upon request.

**MINSTER PARISH COUNCIL**



**MINSTER  
IN THANET**



The Parish Office  
4a Monkton Road  
Minster-in-Thanet  
Ramsgate  
Kent CT12 4EA

Tel: 01843 821339  
Fax: 01843 825869  
Email: [clerk@minsterparishcouncil.org.uk](mailto:clerk@minsterparishcouncil.org.uk)

Clerk to the Council: Kyla Lamb - MAAT

6<sup>th</sup> July 2017

Philip Bensted,  
TDC Licensing Dept.  
P.O. Box 9  
Cecil Street,  
Margate  
CT9 1XZ

Dear Mr. Bensted,

**Re: Objection to McDonald's Application to open Restaurant for 24 Hours**

It was reported to the last meeting of the Parish Council that McDonald's had applied for a variation to their license to remove the outdoor only restriction to allow for the restaurant to be open for 24 hours each day. The current license allows the drive through element of the franchise only for the period 23.00 to 05.00 hours.

Minster Parish Council is objecting to this variation of trading hours on the grounds that it will create further anti-social behaviour within the Village, additional traffic movement and the consequential increase noise levels throughout the night especially to those residents living in the immediate area close to McDonalds.

Furthermore, the Parish Council has had discussions with the Police in respect of anti-social behaviour and the measures for the prevention of crime and public disorder and it is felt that the extension to the trading hours will further exacerbate these problems.

Public safety is also a major concern and in addition to the anti-social behaviour referred to above there are issues relating to the drinking that will often accompany the consumption of food and the possible breakage of glass, and the rowdiness that could happen from the congregation of people at this time of night. Sadly, we were also very concerned at the



## Agenda Item 4

### Annex 4

young age of some of those involved in the anti-social behaviour, and such premises can be a magnet for those of a vulnerable age as it provides a late night gathering point, hence the protection of children is relevant to this application.

It was noted that during the recent period of refurbishment at this branch of McDonald's there was a marked reduction in noise, litter and anti-social behavior in Tothill Street and beyond.

My Members are also anxious to prevent further public nuisance occurring in the Village and any extension to trading hours will further create a platform for such nuisances.

The Council is totally opposed to the proposed extension to the trading hours and I would be pleased if you would place these concerns before the licensing committee and recommend the refusal of the application.

**Yours sincerely,**



**Councillor Penny Gimes**  
**Chairman - Minster Parish Council**







**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)

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

<b>Details of premises representation is about</b>	
Name of Premises:	McDonald's
	Tothill Street Minster Thanet CT12 4AU
Date application received by police	21/06/2017
Date representation sent to Licensing Authority	12/07/2017

**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	
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*

## Agenda Item 4 Annex 5

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 is not being supported by the Police.

The Police have concerns about this application as there is already evidence that the premises have an anti-social behaviour issue in its current situation. This application is to allow the opening of the whole premises for 24 hours.

By supporting the premises to be open inside the restaurant will add more concerns to this location. This will only fuel further issues by allowing the problems that have been situated outside to transcend inside.

The free Wifi, no security, causes serious concerns. This will also add extra noise of patrons leaving the restaurant to go back to their vehicles during these hours.

The Police have had meetings with the premises in trying to reduce the current concerns but no further feedback has been received. The points have been raised about securing the vehicle registration on every sale during the sales when only the Drive through is in place. This would assist the premises when rubbish has been discarded from the vehicle and located action could be considered against the offending vehicle. The premises have not engaged any further with the Police on this matter.

The Police feel the current licence should not have its hours altered and that the premises should consider extra conditions for the premises for its existing licence.

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*

The following conditions to be considered

1. CCTV installed working and maintained, 30 day record function and copies to be made upon request of the Police or Local Authority.
2. At least one member of staff trained during opening hours that can work and download CCTV.
3. Vehicle registrations to be recorded on outer packaging on food served via drive through between 2300 and 0500 hours.
4. From 2300 hours WIFI turned off at the premises
5. SIA door supervisor to be employed from 2300 to 0500 hours. To patrol the immediate area and move stationary vehicles on, To ensure safe environment inside

the premises.

6. Patrons to be asked to leave after 30 minutes on entering the premises. This will ensure the premises are used for eating and not as a meeting point for groups to hang around for longer periods of time.

*It should be noted that paragraph [insert number] of the {insert name} Council Statement of Licensing Policy deals with the prevention of Crime and Disorder.*

**Signed:**

**Date: 12/07/2017**

**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.



**APPLICATION FOR PREMISES LICENCE – HOME BARGAINS UNITS 1 & 2 WESTWOOD INDUSTRIAL ESTATE RAMSGATE ROAD MARGATE**

**Licensing Sub-Committee – 8<sup>th</sup> August 2017 at 11 a.m**

Report Author **Philip Bensted Regulatory Services Manager**

Portfolio Holder **Cllr Lin Fairbrass Community Services**

Status **For Decision**

Classification: **Unrestricted**

Ward: **Salmestone**

**Executive Summary:**

To consider this application for a premises licence in respect of Home Bargains Units 1 & 2 Westwood Industrial Estate Ramsgate Road Margate in the light of representations received.

**Recommendation(s):**

The instructions of the Sub-Committee are requested

**CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	None
<b>Legal</b>	<p>There is a right of appeal to a Magistrates' Court within 21 days of the date of the decision of the Licensing Sub-Committee with regard to the grant/refusal of a licence or any of the conditions attached to it.</p> <p>The Licensing Sub-Committee must pay proper attention to the applicant's rights under the provisions of the Human Rights Act 1998, which gives further effect in the United Kingdom to the fundamental rights and freedoms contained in the European Convention on Human Rights. The Licensing Sub-Committee must have proper regard to the rights of the individual applicant when making decisions that affect them. However, it also has to have regard to the safety and protection of the public and therefore to ensure that the right balance is found and think hard about how it can cause the least possible harm to individuals, bearing in mind its duty to ensure the protection of the public.</p>
<b>Corporate</b>	None.
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	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.

	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.
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## **1.0 Introduction and Background**

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

## **2.0 General Points**

- 2.1 Applicants for a premises licence are required, as part of the licensing procedure, to display a public notice which provides information to the public regarding the manner in which objection may be made. Similarly, public notice of the application should be published in a local newspaper circulating in the vicinity of the premises. These requirements appear to have been complied with. No public objections have been received.
- 2.2 The applicant is further required to give notice of the application to responsible authorities. The Police and Planning 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 Where a premises licence is granted mandatory conditions will apply under Sections 19- 21 of the Act. These refer to an age verification policy, the sale of alcohol below cost, and, designated premises supervisor.
- 2.6 The application should be determined within twenty working days beginning with the day after the end of the period during which representations may be made. Representations had to be made by the 19<sup>th</sup> July.

## **3.0 Options**

- 3.1 Grant the application with conditions consistent with the Operating Schedule accompanying the application and the conditions mentioned at paragraph 2.5.
- 3.2 Refuse the application.
- 3.3 Refuse to specify a person in the licence as the designated premises supervisor. The proposed designated premises supervisor is Sean Clubb.

3.4 Grant the application subject to different conditions.

Contact Officer:	Philip Bensted, Regulatory Services Manager, ext 57630
Reporting to:	Penny Button, Head of Neighbourhood Services, ext 57425

### 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

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





# Agenda Item 5

## Annex 1

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

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

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

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

These premises will trade selling general goods, food stuffs and household products. The premises previously operated as Halfords but has been refitted and designed as a retail shop in line with the applicant's style of trading. The store is entered from a doorway to the right, customers then follow aisles leading to till points before exiting the premises. Staff and storage areas are to the rear of the premises. The alcohol display will be monitored by store staff and by CCTV it will typically occupy no more than 5% of the display area. The layout of the store is more particularly shown in the plan accompanying the application, the aisles will have staff regularly operating in them to ensure stock levels are monitored and to assist customers. The entrance aisle will be permanently staffed to assist customers. The store will operate between the hours listed in the application, will have CCTV as described later with the staff fully trained.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

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)

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

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

# Agenda Item 5 Annex 1

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)  <b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)  Please note that the applicant will fully comply with Sunday trading hours.		
Mon	08.00	22.00			
Tue	08.00	22.00			
Wed	08.00	22.00			
Thur	08.00	22.00			
Fri	08.00	22.00			
Sat	08.00	22.00			
Sun	08.00	22.00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

Name	
Date of birth	
Place of birth	
Nationality	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

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 9).

There are no such activities save for the sale of alcohol for consumption off the premises and certain age restricted products. This is dealt with by staff training to ensure that sales of the products are not made to children.

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	08.00	22.00	
Tue	08.00	22.00	
Wed	08.00	22.00	
Thur	08.00	22.00	
Fri	08.00	22.00	
Sat	08.00	22.00	
Sun	08.00	22.00	

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

The premises will apply a standard of operation developed by the operator in stores nationally which will ensure compliance with all four licensing objectives based upon the detail more particularly outlined in Sections (b) to (e) below.

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

The style of operation at these premises is designed to minimise crime and disorder. This will be supported by the use of CCTV with the retention of images for a minimum period of 28 days for prosecution purposes. The premises seek a Premises Licence to sell alcohol for consumption off the premises. These premises will operate, as a minimum, a 'Challenge 25' policy in order to ensure that alcohol is sold only to persons of lawful age (being that, should a person not look the age of 25 then he/she would need to prove they are age 18 or over). These issues also overlap on the section dealing with protection of children from harm. All staff undergo training concerning knowledge of Licensing Laws together with social impact of the sale of alcohol.

**c) Public safety**

The premises will comply with current legal requirements for Fire Safety and Health and Safety including periodic risk assessments.

**d) The prevention of public nuisance**

These premises are a retail store and only play low level recorded music and are unlikely to cause any public nuisance. The premises will operate within the required litter/refuse regulations adopted by the Local Council for the area. The management policy at the premises is to welcome communication with local persons in relation to any issues which arise concerning the operation of these premises in relation to the prevention of public nuisance or indeed any of the other licensing objectives.

e) The protection of children from harm

It is proposed that these premises will benefit from a Premises Licence for consumption off the premises only. In order to ensure compliance with this objective, the Company will operate a 'Challenge 25' policy as a minimum whereby any person not looking the age of 25 must prove that they as a minimum are over the age of 18 to purchase alcohol. Acceptable forms of identification concerning the issue of age are a Ten Year Passport, PASS logo Government approved proof of age card or photocard Driving Licence. All Staff are trained to familiarise themselves with these requirements. The Company will operate a due diligence policy, incorporating this minimum Challenge 25 policy, also incorporating full training for all staff, the operation of a refusal record and refresher training on a regular basis. There will be prominent signage located throughout the store where age restricted products are displayed and at the tills confirming this policy.

Checklist:

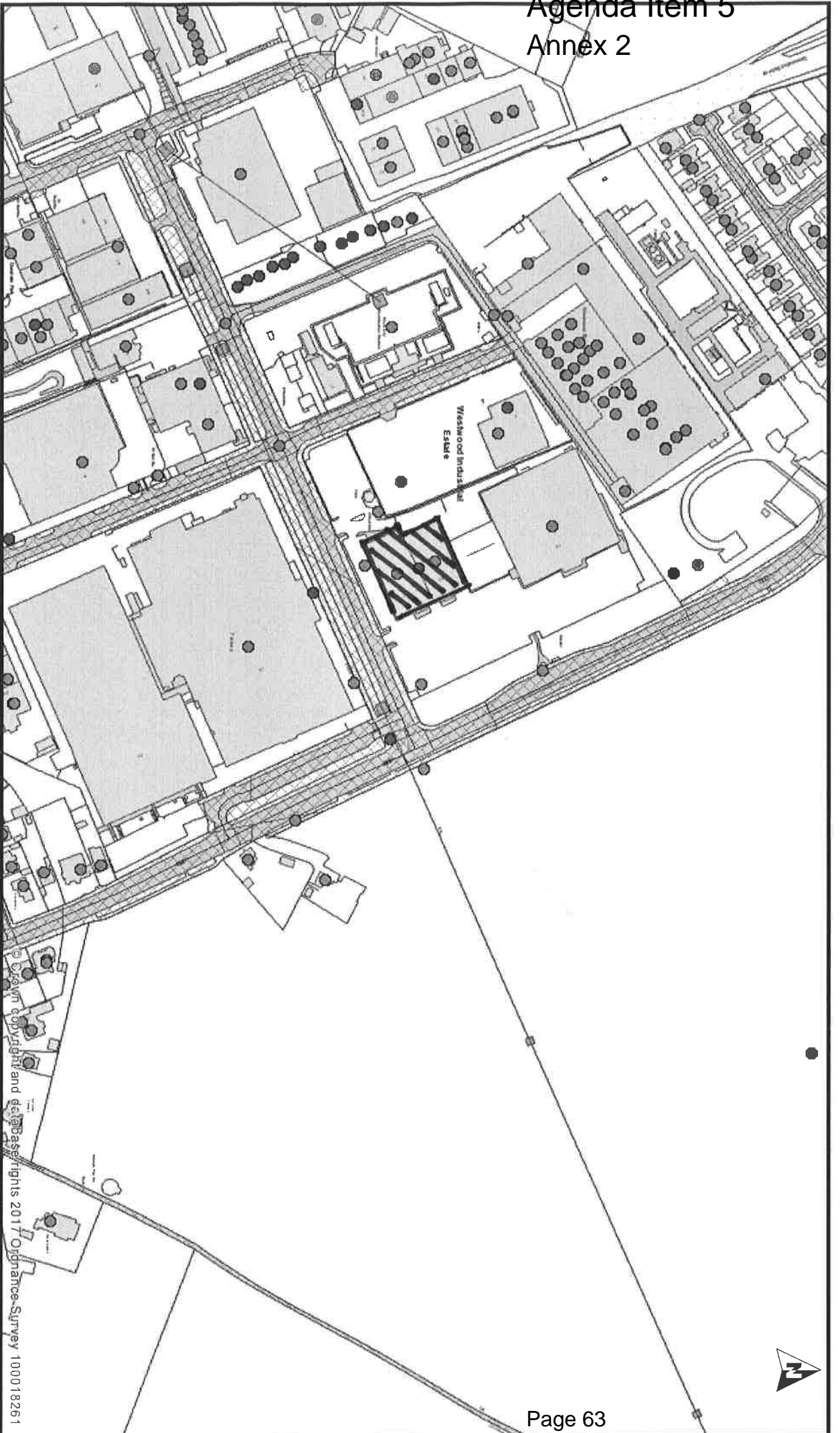
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**





Title: Thanet District Council

Author: Thanet District Council

Scale 1:3,000

Date: 19/07/2017

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Thanet District Council  
Cecil Street  
Margate  
Kent  
CT19 1XZ



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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)

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

<b>Details of premises representation is about</b>	
Name of Premises:	Home Bargains Units 1&2 Westwood Industrial Estate Ramsgate Road Margate CT9 4JJ
Date application received by police	22/06/2017
Date representation sent to Licensing Authority	12/07/2017

**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*

Agenda Item 5  
Annex 3

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:

<p><b>Please give the reason for the representation and detail the evidence supporting it:</b></p> <p>This application is not being supported by the Police.</p> <p>The Police cannot review this application to make a clear objective decision when considering the four licensing objectives.</p> <p>At this time the Police are aware that the planning permission that has been granted is not reflective of what is currently on the site.</p> <p>Until the site is truly 100% reflective of the granted planning permission, the Police cannot make a clear and fair objective decision when considering the licensing objectives.</p> <p>The Police do not support this application.</p>
--

<p><b>Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:</b></p> <p><i>Please use separate sheets where necessary</i></p> <p><i>It should be noted that paragraph [insert number] of the {insert name} Council Statement of Licensing Policy deals with the prevention of Crime and Disorder.</i></p>
---

**Signed:** **Date: 12/07/2017**  
**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.

Jane Bennett

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**From:** Zoe Dobson  
**Sent:** 30 June 2017 16:02  
**To:** TDC Licensing  
**Cc:** TDC Planning Enforcement; Emma Fibbens  
**Subject:** Home Bargains, Unit 1 & 2 Westwood Industrial Estate, Ramsgate Road, Ramsgate

Philip,

RE: Home Bargains, Unit 1 & 2 Westwood Industrial Estate, Ramsgate Road, Ramsgate

Following receipt of the licensing papers dated 22 June 2017.

Planning application F/TH/16/0518 for External alterations and associated works including new entrance to shop and new carpark layout incorporating walkways was granted subject to conditions. The approved works should be carried out in accordance with the approved proposed floor plan drawing number 103. You can view the electronic file at the following link; <https://planning.thanet.gov.uk/online-applications/> From looking at the licensing floor plan submitted drawing number 115, it does not match.

The Planning Officer Emma Fibbens has been in contact with Mr Tom Woolner at Quod awaiting a valid application to resolve this issue but has not had any response since her last email dated 20 April 2017.

From the information provided it would appear that works have been carried out without consent, as such a full planning application would be required for the variation of condition 2.

Therefore the planning department currently object to the licensing application until this is resolved. I have copied planning enforcement into this email for further investigation.

Kind Regards,  
Zoe

Mrs Z Dobson  
Planning Assistant  
Planning Department  
Thanet District Council  
Direct Dial: 01843 [REDACTED]

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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.