



Date: 07/08/2017  
Ask For: Emily Kennedy  
Direct Dial: (01843) 577046  
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## LICENSING SUB COMMITTEE

17 AUGUST 2017

A meeting of the Licensing Sub Committee will be held at **10.00 am on Thursday, 17 August 2017** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillors: R Potts, L Potts and Matterface

## A G E N D A

Item

No

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 REVIEW OF PREMISES LICENCE - 555 PIZZA, 15 NORTHWOOD ROAD, RAMSGATE** (Pages 3 - 16)

5. **APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE APPLICATION BY: JUSTIN NEWIN** (Pages 17 - 30)

6. **APPLICATIONS FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE APPLICATIONS BY: FRANCESCA FOX** (Pages 31 - 40)

**Declaration of Interests Form**

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**APPLICATION FOR REVIEW OF PREMISES LICENCE – 555  
PIZZA, 15 NORTHWOOD ROAD, RAMSGATE**

**Licensing Sub-Committee 17<sup>th</sup> August 2017 at 10am**

Report Author **Jane Bennett Licensing Team Leader**  
 Portfolio Holder **Cllr Lin Fairbrass Community Services**  
 Status **For Decision**  
 Classification: **Unrestricted**  
 Ward: **Northwood Ward**

**Executive Summary:**

To consider this application to review the premises licence made by Chief Inspector Sharon Adley, Kent Police.

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

## **1.0 Introduction and Background**

- 1.1 An application has been received for the review of the premises licence held by Tamim Rahmani, in respect of the premises known as 555 Pizza, 15 Northwood Road, Ramsgate from Chief Inspector Sharon Adley, Kent Police.
- 1.2 These premises were granted a premises licence in August 2007. A copy of the premises licence is appended at Annex 1. A map of the area showing the location of these premises is at Annex 2.
- 1.3 Licensable activities are shown on that premises licence and the times can be found at Annex 1, together with the conditions attached to the licence.
- 1.4 The grounds for review of the licence are set out in the application, which is appended at Annex 3.

## **2.0 General Points**

- 2.1 Applicants for review of a premises licence are required, as part of the licensing procedure, to send copies of the application to other responsible authorities. The Licensing Authority must advertise the review for twenty eight days, giving interested parties the opportunity to make representations. Representations have been received from Trading Standards which are appended at Annex 4. No further representations have been received. The application was advertised by notice on the premises and on the public notice board in the Gateway, the main Council Offices.
- 2.2 On the 27th June last an application to transfer the premises licence to Faiz Rahmani was lodged with the Licensing Department. That transfer was returned to the applicant as it was not valid.
- 2.3 Before determining the application, the Licensing Authority must hold a hearing to consider it and any relevant representations. The Authority must, having regard to the application and any relevant representations, take such steps, if any, mentioned under 'options' at paragraph 3, it considers appropriate for the promotion of the licensing objectives. The Guidance issued by the Home Office should also be considered.
- 2.4 The licensing objectives are the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. Reasons must be given for any decision made by the Sub-Committee.

## **3.0 Options**

- 3.1 To modify the conditions of the licence (for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added).
- 3.2 To exclude a licensable activity from the scope of the licence.
- 3.3 To suspend the licence for a period not exceeding three months.
- 3.4 To revoke the licence.
- 3.5 To take none of these steps and take no action, or, take informal action such as a warning or guidance.

# Agenda Item 4

Contact Officer:	Jane Bennett, Licensing Team Leader, ext 57413
Reporting to:	Penny Button, Head of Neighbourhood Services, ext 57425

## Annex List

<i>Annex 1</i>	<i>Premises licence</i>
<i>Annex 2</i>	<i>Map of the area</i>
<i>Annex 3</i>	<i>Review application</i>
<i>Annex 4</i>	<i>Trading Standards representations</i>

## 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

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**Thanet District Council  
Part A  
Premises Licence**

**Premises licence number**

LN/200700393

**Part 1 – Premises details**

Postal address of premises, or if none, ordnance survey map reference or description	
Northwood Kebab House, 15 Northwood Road	
Post town Ramsgate, Kent	Post code CT12 6RR
Telephone number 01843 [REDACTED]	

Where the licence is time limited the dates
None

Licensable activities authorised by the licence
Late Night Refreshment

The times the licence authorises the carrying out of licensable activities
Sun-Thurs 11pm - 1am Fri/Sat 4pm - 2am

The opening hours of the premises
Sun-Thurs – 4pm – 1am Fri/Sat 4pm – 2am

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

Mr Tamim Rahmani  
15 Northwood Road, Ramsgate, Kent CT12 6RR

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

None

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

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 28 October 2010**

**To commence on the 31 August 2007**

**For Licensing 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 October 2010**





10m  
40ft  
636936 167053 Meters

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**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address <b>CHIEF INSPECTOR SHARON ADLEY MARGATE POLICE STATION FORT HILL MARGATE</b>
Telephone number (if any) <b>01848 [REDACTED]</b>
E-mail address (optional) <b>[REDACTED]@kent.pnn.police.uk</b>

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

**Please state the ground(s) for review** (please read guidance note 1)

The Police are asking for a review of the premises licence for 555 Pizza, 15 Northwood Road, Ramsgate. The Police feel that the licensing objectives of

The Prevention of Crime and Disorder,  
The Prevention of Public Safety,  
The Prevention of Public Nuisance and  
The Protection of Children from Harm,

have been breached in the most serious of terms. The Police feel that only revocation of this premises licence will ensure that the licensing objectives are met.

**Please provide as much information as possible to support the application**

(please read guidance note 2)

Tamim Rahmani is the premises licence holder of 555 Pizza, Northwood Road, Ramsgate. Where a serious sexual assault took place at the accommodation above this premises. Of which Rahmani had control over.

The Police are asking for revocation of the premises licence.

In the early hours of Sunday 18th September 2016 the premises licence holder Rahmani along with 3 other males were out walking and have approached a lone 16 year old female in the street. This female was vulnerable as she was lost and has asked them for help in finding her destination.

Rahmani and the other 3 males offered to show the female where she needed to go. The female has trusted Rahmani and the 3 other males that they would help her. While walking with the female one of these males started to touch her inappropriately. The female is 16 years of age with 4 adult men who she did not know and she has become scared. Instead of assisting her, they taken her to the premises and have taken her to the flat directly above. She has then been subject to a horrific ordeal and was raped repeatedly by Rahmani and the 3 other men.

The premises licence holder Rahmani and the three other males have been convicted of rape at Canterbury Crown Court.

Rahmani the premises licence holder is now a convicted rapist.

This offence was carried out on a young vulnerable female who was lost and has trusted Rahmani and the other 3 males, they implied that they would help her but have then abused that level of trust in the gravest way possible and repeatedly raped this female. After the ordeal the female was told to leave and left on her own. The female has left scared, lost and has sought refuge by someone who has helped her.

The premises licence has stayed in Rahmani's name for this whole time. No effort from him or his family in getting this changed. He is eminently not a suitable person to hold any premises licence. Following the arrest and ongoing court case, there has been significant public interest in the premises. Police have been called to demonstrations outside the premises and have concerns regarding future demonstrations and the potential for future disorder outside.

The premises are under control of a convicted rapist. In the circumstance above it cannot be allowed to continue to operate under its existing licence as there has been arguably the most serious breach of all four licensing objectives.

The Police believe that revocation is the only alternative to this premises licence.

# Memorandum



Annex 4

# TRADING STANDARDS

**From** Oliver Jewell  
Principal Trading Standards Officer

**Our Ref** R/002856  
**Your Ref** LN/200700393

**Tel** 0300 [REDACTED]  
**Email** [REDACTED]@kent.gov.uk  
**Date** 3<sup>rd</sup> July 2017

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**To** Thanet District Council Licensing Section

The Trading Standards Department of Kent County Council as a responsible authority under the Licensing Act 2003, and hereby make representation in relation to licensing objectives, in connection with the application in relation for review of the premises of 555 Pizza, 15 Northwood Road, Ramsgate.

I can confirm that Trading Standards holds no other relevant material to be added to this review, however having reviewed the material contained within the Kent Police application for review, this department concludes with the view that the current premises licence is untenable in its current form.

The information provided identifies that the premises licence holder has been convicted through the criminal courts and as per the Licensing Act S182 guidance in paragraph 11.25 this fact is to be treated as undisputed.

The review also details that the four males involved utilized the premises and the attached domestic premises in order to commit the crime, therefore the facts identify that not only has the premises licence holder committed a crime, but indeed the licensed premises has been used in part in committing it.

Given the options available to a licensing sub-committee, this department concludes that revocation of the premises licence is the only proportionate outcome.

[REDACTED]

**Oliver Jewell**  
Principal Trading Standards Officer – Kent County Council

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**APPLICATION FOR TEMPORARY ACTIVITIES:  
TEMPORARY EVENT NOTICE APPLICATION  
BY: Justin Newin**

**Licensing Sub-Committee – 17<sup>th</sup> August 2017 at 10.15 a.m**

Report Author **Philip Bensted Regulatory Services Manager**

Portfolio Holder **Cllr Lin Fairbrass Community Services**

Status **For Decision**

Classification: **Unrestricted**

Ward: **Northwood**

**Executive Summary:**

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

**Recommendation(s):**

The instructions of the Sub-Committee are requested

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

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

- 1.1 A temporary event notice has been received from Justin Newin of Sittingbourne for Mecca Bingo, Westwood Cross, Broadstairs. The event is described as 'Bingo and entertainment including live band and DJ'. There will be the following licensable activities, the sale by retail of alcohol, the provision of regulated entertainment and late night refreshment. It is intended that it will take place on the 20th August between midnight and 2 a.m. The maximum number of people to be present will be 499. The applicant is the holder of a personal licence.
  
- 1.2 Part 5 of the 2003 Licensing Act provides a system of permitted temporary activities, under which licensable activities can be carried out on a temporary basis (for a period not exceeding 7 days) without the need for a premises licence or a club premises certificate. A copy of the notice is appended at Annex 1.

## 2.0 General Points

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

## 3.0 Options

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

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

## Annex List

<i>Annex 1</i>	Temporary event notice
<i>Annex 2</i>	Police objection
<i>Annex 3</i>	Premises licence

## Background Papers

Title	Details of where to access copy
N/A	

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## Corporate Consultation

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





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)

00:00 to 02:00

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

State the maximum number of people at any one time that you intend to allow to be present at the premises

during the times when you intend to carry on licensable activities, including any staff, organisers or performers

499

Note that the maximum number of people cannot exceed 499.

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

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

Swale Borough Council

Licence number

SWALE- [REDACTED]

Date of issue

[REDACTED] / [REDACTED] / 2012  
dd mm yyyy

Any further relevant details



**Kent  
Police**

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

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

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

<b>Details of Temporary Event</b>	
Date(s) of event	20 <sup>th</sup> August 2017
Licensable activities proposed	The sale by retail of alcohol. The Provision of regulated entertainment. The provision of late night refreshment.
Hours of licensable activities	0000 – 0200
Name of Premises:	Mecca Bingo
Address of premises:	Unit 46 Westwood Cross Margate Road Broadstairs Kent CT10 2BF
Date and time TEN received by police	28/07/2017
Date and time objection notice given to Licensing Authority and the premises user	01/08/2017

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 objecting to the TENs application for this event.

This notice is for an extension from 0000 to 0200 hours. The notice also states this

## Agenda Item 5 Annex 2

will be to the maximum of 499. How many staff will be working?

There is no mention of how this event is going to be run. Is this a ticketed event or free to attend. How many staff will be working?

Is there going to be any SIA employed?

As a result of these concerns the Police feel that the licensing objective will not be supported.

Due to the limited information provided the Police cannot support this TENS.

*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 applicant needs to provide full details of how this event is going to be run.

**Signed:**  
**Print name: PC Darren Dennett**

**Date: 01/08/2017**  
**Force Number: [REDACTED]**





**Thanet District Council  
Part A  
Premises Licence**

**Premises licence number**

LN/200700608

**Part 1 – Premises details**

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

Mecca Bingo  
Unit 46 Westwood Cross, Margate Road

Post town  
Broadstairs, Kent

Post code  
CT10 2BF

Telephone number  
01843 [REDACTED]

Where the licence is time limited the dates

None

Licensable activities authorised by the licence

- 1) Plays (indoors), films (indoors), live music (indoors), recorded music (indoors), performances of dance (indoors), anything of a similar description (indoors), making music (indoors), dancing (indoors), entertainment of a similar description (indoors), supply of alcohol (on and off the premises)
- 2) Late night refreshment (indoors)

The times the licence authorises the carrying out of licensable activities

- 1) 9am to midnight, New Year's Eve until close New Year's Day
- 2) 11pm to 12.30am, New Year's Eve until close New Year's Day

The opening hours of the premises

9am to 12.30am, New Year's Eve until New Year's Day

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

Mecca Bingo Limited  
Statesman House, Stafferton Way, Maidenhead, Berkshire SL6 1AY

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

1854120

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

Mr Justin Newin  
[REDACTED] Road, Sittingbourne, Kent ME10 [REDACTED]  
01843 [REDACTED]

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

SWALE-PL [REDACTED]

Swale Borough Council

**Issued on the 27 January 2016**

**To commence on the 05 December 2007**

**Regulatory Services Manager**

*[Handwritten signature: P O Beston]*

**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.**

**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.

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

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

**CCTV shall be installed and maintained at the premises. Recordings shall be made available to authorised officers of the Licensing Authority or Police.**

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

**None**

**Annex 4 - Plans**

**Plans considered November 2012**

**APPLICATIONS FOR TEMPORARY ACTIVITIES:  
TEMPORARY EVENT NOTICE  
APPLICATIONS BY: Francesca Fox**

**Licensing Sub-Committee – 17<sup>th</sup> August 2017 at 10.30 a.m**

Report Author **Philip Bensted Regulatory Services Manager**

Portfolio Holder **Cllr Lin Fairbrass Community Services**

Status **For Decision**

Classification: **Unrestricted**

Ward: **Kingsgate**

**Executive Summary:**

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

**Recommendation(s):**

The instructions of the Sub-Committee are requested

**CORPORATE IMPLICATIONS**

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

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

- 1.1 A temporary event notice has been received from Francesca Fox of London for Joss Bay, Joss Gap, Broadstairs. The event is described as 'Wedding reception'. There will be the following licensable activities, regulated entertainment and late night refreshment. It is intended that they will take place on the 7<sup>th</sup> July 2018 between 2 p.m and 1 a.m. The maximum number of people to be present will be 200. The applicant is not the holder of a personal licence.
- 1.2 Part 5 of the 2003 Licensing Act provides a system of permitted temporary activities, under which licensable activities can be carried out on a temporary basis (for a period not exceeding 7 days) without the need for a premises licence or a club premises certificate. A copy of the notice is appended at Annex 1.

## 2.0 General Points

- 2.1 The Act provides for periods of notice and the number of events that may be held. Notice must be given to the Licensing Authority, Police and Environmental Protection ten working days before the beginning of the event period. The Police and Environmental Protection then have three working days to lodge objections with the Licensing Authority and Applicant. Copies of the Police objection is 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.
- 3.2 Refuse the application.

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>	Temporary event notice
<i>Annex 2</i>	Police objection

## Background Papers

Title	Details of where to access copy
N/A	

## Corporate Consultation

<b>Finance</b>	N/A
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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	francesca [REDACTED]
Telephone number	[REDACTED]
Other telephone number	[REDACTED]

**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	Joss Bay
Street	Joss Gap
District	
Village or town	Broadstairs
County or administrative area	
Postcode	CT10 3PG
Country	United Kingdom

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

Joss bay, is a public beach which has a cafe and surf club on it. There is a public car park at the top of the beach. - TR 39912 70092
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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)

We are requesting the use of a small part of the beach at the rear left of the bay to set the 32m x 26m three hat tipi for the
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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)

07/07/2018 - 14:00 - 01:00 (08/07/2018)

(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

200

Note that the maximum number of people cannot exceed 499.

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

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

Live music - 14:00 - 23:00

**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

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES** (See also guidance on completing the form, note 14)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?  Yes  No





**Kent  
Police**

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

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

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

<b>Details of Temporary Event</b>	
Date(s) of event	6 <sup>TH</sup> – 8 <sup>TH</sup> July 2018
Licensable activities proposed	The Provision of regulated entertainment. The provision of late night refreshment.
Hours of licensable activities	1400 – 0100
Name of Premises:	Joss Bay
Address of premises:	Joss Gap Broadstairs Kent CT10 3PG
Date and time TEN received by police	01/08/2017
Date and time objection notice given to Licensing Authority and the premises user	02/08/2017

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 objecting to the TENs application for this event.

It would appear that this TENs is requesting permission to use the area. The applicant would need to ensure that permission has been granted before submitting a

Agenda Item 6  
Annex 2

TENs.

The TENs is also incorrectly completed. Within the detail of the notice it states that alcohol will be part of the event but there is not Sale by retail of alcohol marked off.

The event is for 3 days but to only use the event between 1400 and 0100 hours on the middle day. The Police understand this is for a wedding. How is the site going to be protected throughout the duration of the TENs notice.

Are there going to be SIA due to the event if given permission being on a public beach?

How are the four licensing objectives going to be supported?

Due to the limited information provided the Police cannot support this TENs.

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 applicant needs to provide full details of how this event is going to be run and to show that they have the permission to use the location requested.

**Signed:**  
**Print name: PC Darren Dennett**

**Date: 02/08/2017**  
**Force Number: [REDACTED]**



## 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.