

## **LICENSING SUB COMMITTEE**

**Minutes of the meeting held on 25 September 2018 at 10.00 am in Council Chamber,  
Council Offices, Cecil Street, Margate, Kent.**

**Present:** Councillor Keith Coleman-Cooke (Chairman); Councillors Johnston and J Fairbrass

### **641. ELECTION OF CHAIRMAN**

Councillor Johnston proposed, Councillor Fairbrass seconded and Members agreed that Councillor Coleman-Cooke be the Chairman for the meeting.

### **642. APOLOGIES FOR ABSENCE**

There were no apologies received at the meeting.

### **643. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **644. APPLICATION FOR PREMISES LICENCE - PASHA RESTAURANT, 182 NORTHDOWN ROAD, MARGATE**

The Chairman introduced the item for discussion and requested the officer to present the report.

Jane Bennett, Licensing Team Leader presented an overview of the application for premises licence under section 17 of the Licensing Act 2003, for Pasha Restaurant, 182 Northdown Road, Margate. Ms Bennett highlighted the conditions agreed with the Kent Police, Environmental Health and KCC Trading Standards which were reflected in Annexes 5 and 6 to the sub-committee report.

There were no Police representatives present at the meeting.

There were no objectors present at the meeting.

Mr Khaled Alduhbaybi, the applicant had no questions to ask of the Licensing Team Leader.

Mr Miles Wiseman, the applicant's representative addressed the meeting.

The Licensing Team Leader had no questions to ask of the applicant.

Barrister Paul Tapsell, counsel for the Council addressed the meeting and explained that planning application process was an independent process, separate from the licensing process. The licensing process had to take into consideration the four licensing objectives when making a decision on a licensing application as detailed in the officer report.

Barrister Tapsell then asked questions of the applicant and sought clarity on the hours including the extended opening hours being sought by the applicant.

Members asked questions of the applicant.

The Sub-Committee reminded the Applicant that planning conditions must be complied with and that the grant of a licence did not allow the premises to be open in breach of planning conditions and then APPROVED the application with the following hours of operation:

1. Hours Open to the Public  
 Sunday to Thursday (inclusive): 0900 hrs to 0030 hrs  
 Friday and Saturday: 0900 hrs to 0200 hrs
2. Licensable activities  
 Sale of Alcohol  
 Sunday to Thursday (inclusive): 0900 hrs to 0000 hrs  
 Friday and Saturday: 0900 hrs to 0130 hrs
3. Late Night Refreshment, Live Music, Recorded Music & Dancing (permitted until 2300) plus  
  
 Sunday to Thursday (inclusive): 2300 hrs to 0000 hrs  
 Friday and Saturday: 2300 hrs to 0130 hrs
4. Bank Holidays, Christmas Eve and New Year's Eve – open till 0230 hrs, licensable activities listed above till 0200 hrs;

and granted the licence subject to the following conditions:

1. Any amplified music played at the premises must only be played through a sound system with sound levels set, and the location of speakers to be approved, by the Council's Environmental Health Department.
2. After 2300 hours the seating areas to the front of the premises and in the rear garden/pergola are to be closed, save for the designated smoking area to the front of the premises.
3. Alcohol for consumption on the premises is only to be served with a table meal. Non-alcoholic beverages, including drinking water, shall also be available.
4. Alcohol sold for consumption off the premises shall be;
  - a. limited to four cans/bottles of beer and or one bottle of wine of not more than 1 litre per food order and
  - b. only be sold with a takeaway meal costing at least £10, excluding the cost of the alcohol.
5. The premises shall operate the "Challenge 25" proof of age scheme. All customers who appear to be under the age of 25 years will be challenged to prove they are over 18 years when attempting to purchase alcohol. The only forms of identification to be accepted for such purpose shall be a photocard driving licence, passport or the Government approved PASS (Proof of Age Standards Scheme) card. If the person seeking alcohol is unable to produce an acceptable form of identification, no sale or supply of alcohol shall be made to that person.
6. All staff shall be trained in the law about the sale of alcohol. Such training will include challenging every individual who appears to be under 25 years of age and refusing service where individuals cannot produce acceptable means of identification, acceptable forms of ID and using the refusals register. Such training (including any refresher training) will be logged and provided not less than every three to six months. The training log will be made available for inspection by Police and other authorised persons.

7. A refusals log must be kept at the premises and made available on request to the police or an authorised person. This refusals log can be kept either as a manual record or through an EPOS system at the checkout. The refusals log is to be inspected on a monthly basis by the DPS and this inspection noted and recorded in the log and a record kept of any actions that appear to be needed to protect young people from harm. The log must record all refused sales of alcohol and include the following:
  - a. The identity of the member of staff who refused the sale,
  - b. The time and date of the refusal,
  - c. The alcohol requested and the reason for refusal and
  - d. A description of the person refused alcohol.
9. An A4 poster shall be displayed conspicuously on the premises in customer facing areas carrying messages in respect of:
  - a. Challenge 25 – to advise potential purchasers that suitable proof of age will be required for all purchasers who appear to be under 25.
  - b. Proxy purchasing – intended to warn adults not to buy alcohol for those under 18 years of age.
9. Notices are to be displayed at the exits requiring patrons to respect nearby residents and to leave the premises quickly and quietly.
10. Suitable ash trays and cigarette bins are to be provided in the designated smoking area to the front of the building. No consumption of alcohol shall be permitted in the smoking area after 2300 hrs.

The Applicant and any interested parties were further informed of their right to appeal against the above decision to the Magistrates Court.

Meeting concluded: 11.10 am