



Date: 17 September 2018  
Ask For: Emily Kennedy  
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## **LICENSING SUB COMMITTEE**

**25 SEPTEMBER 2018**

A meeting of the Licensing Sub Committee will be held at **10.00 am on Tuesday, 25 September 2018** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

### **Membership:**

Councillors: Johnston, J Fairbrass and K Coleman-Cooke

## **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 PREMISES LICENCE - PASHA RESTAURANT, 182 NORTHDOWN ROAD, MARGATE** (Pages 3 - 48)

**Declaration of Interests Form**

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**APPLICATION FOR PREMISES LICENCE –  
PASHA RESTAURANT, 182 NORTHDOWN ROAD,  
MARGATE, KENT CT9 2QN**

**Licensing Sub-Committee 25 September 2018 - 10am**

Report Author **Jane Bennett Licensing Team Leader**

Portfolio Holder **Cllr Lesley Ann Game – Safer Neighbourhoods**

Status **For Decision**

Classification: **Unrestricted**

Ward: **Cliftonville West**

**Executive Summary:**

To consider this application for a premises licence in respect of Margate Main Sands, 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>	<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>

	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 Mr Khaled Alduhbaybi of Pasha Restaurant, 182 Northdown Road, Margate, Kent CT9 2QN for a premises licence which includes the supply of alcohol and regulated entertainment on the premises.
- 1.2 The Application Form 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. One public objection has been received which is at Annex 3.
- 2.2 The applicant is further required to give notice of the application to responsible authorities. Environmental Health have agreed conditions which are at Annex 4. Kent Police have agreed conditions which are at Annex 5. KCC Trading Standards have agreed conditions which are at Annex 6.
- 2.3 The Licensing Sub-Committee will be aware that it must carry out its functions under the 2003 Licensing Act to take steps which are appropriate for the promotion of the licensing objectives. The Licensing objectives are: - the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. In carrying out its licensing functions, the Licensing Sub-Committee must also have regard to its statement of licensing policy and the Guidance issued under the Act.
- 2.4 The four licensing objectives are the matters the Licensing Sub-Committee must address when considering whether to grant or refuse the application. Each application should be considered on its merits. Reasons must be given for any decision made by the Sub-Committee.
- 2.5 Where a premises licence is granted mandatory conditions will apply under Sections 19 - 21 of the Act. These refer to irresponsible drinks promotions, provision of free tap water, an age verification policy, availability of small measures, 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 03 September 2018.

## 3.0 Options

- 3.1 Grant the application with conditions consistent with the Operating Schedule accompanying the application and the conditions mentioned at paragraphs 2.2 and 2.5.
- 3.2 Exclude from the scope of the licence any of the licensable activities to which the application relates.
- 3.3 Refuse the application.
- 3.4 Refuse to specify a person in the licence as the designated premises supervisor. The proposed designated premises supervisor is Harry Webb-Jeffries.
- 3.5 Grant the application subject to different conditions in respect of different parts of the premises or different licensable activities.

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>	Application form
<i>Annex 2</i>	Map of the area
<i>Annex 3</i>	One member of public objection
<i>Annex 4</i>	Environmental Health agreed conditions
<i>Annex 5</i>	Kent Police agreed conditions
<i>Annex 6</i>	KCC Trading Standards agreed conditions

## Background Papers

Title	Details of where to access copy
N/A	

## Corporate Consultation

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

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19/25

THANET DISTRICT COUNCIL MAIL CENTRE	
ATTENTION	FILE/NO
- 6 AUG 2018	



PAYMENT CODE 11157/8741

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/we MR KHALED ALDUBAYBI  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <u>PASHA RESTAURANT, N° 182 NORTHDOWN RD</u> <u>MARGATE, KENT. CT9 2QN.</u>			
Post town	<u>MARGATE</u>	Postcode	<u>CT9 2QN</u>
Telephone number at premises (if any)		<u>01843 228154</u>	
Non-domestic rateable value of premises		<u>£ 8,400</u>	

**Part 2 – Applicant details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |  |   |
|--|---|
| a) an individual or individuals *                    | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual *               |   |
| i as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B)            |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/> please complete section (B)            |
| iii as an unincorporated association or              | <input type="checkbox"/> please complete section (B)            |

- iv other (for example a statutory corporation) ☐ please complete section (B)
- c) a recognised club ☐ please complete section (B)
- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a  
statutory function or ☐  
a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname <b>ALOUH BAYBI</b>		First names <b>KHALED</b>		
Date of birth <b>[REDACTED]</b>		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes		
Nationality <b>IRAQ BAGDAD</b>				
Current residential address if different from premises address		<b>[REDACTED] MINNIS BAY, BIRCHINGTON-ON-SEA KENT [REDACTED]</b>		
Post town	<b>BIRCHINGTON-ON-SEA</b>		Postcode	<b>[REDACTED]</b>
Daytime contact telephone number		<b>07557094070</b>		
E-mail address (optional)		<b>[REDACTED]</b>		



**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)

4

E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY  
10 09 2018

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

DD MM YYYY  
~~00 00 00 00 00 00~~

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

A BUSY RESTAURANT PREMISES SERVING UP TO 500+ CUSTOMERS A WEEK AND GROWING. THE BUSINESS IS EXPECTED TO PROVIDE AN ALCOHOLIC WINE, BEER OR OTHER WITH THE MEAL, THE RESTAURANT HAS A TRADING PERIOD WITH JUST JUICES AND SOFT DRINKS. PASHA IS A SMART TRADING FOOD OUTLET ON THE NOW RE-GENERATING NORTHDOWN ROAD.

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

N/A.

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

(please see sections 1 and 14 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**

A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)			
Mon						
Tue						
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)			
Thur						
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)			
Sat						
Sun						

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Mon			
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)			
Thur						
Fri						
Sat			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sun						

10

E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11.00	00.00	<u>Please give further details here</u> (please read guidance note 4) Duo To Support DANCING ACT 'BELLY DANCER'		
Tue	11.00	00.00			
Wed	11.00	00.00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	11.00	00.00			
Fri	11.00	01.00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	11.00	01.00	EXTENDED ON CHRISTMAS EVE / NEW YEARS EVE / BANK HOLIDAYS FRIDAYS, SATURDAYS, SUNDAYS / RAMADAN WEEK / EASTER		
Sun	11.00	00.00	TO MOVE TO 02.00 EXIT HOUR AFTER.		



F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	08.00	02.00	BACK GROUND TALK OVER MUSIC PROVIDED AS VOICE OVER MUSIC TO HAVE WITH FOOD.		
Tue	08.00	02.00			
Wed	08.00	02.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	08.00	02.00			
Fri	08.00	02.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	08.00	02.00	EXTENDED ON CHRISTMAS EVE / NEW YEARS EVE / BANK HOLIDAYS FRIDAYS, SATURDAYS, SUNDAYS / RAMADAN WEEK / EASTER		
Sun	08.00	02.00			
			TO MOVE TO 03.00 EX 15 HALF HOUR AFTER		

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) 'BELLY DANCING AND FOLK DANCING' PERFORMANCE OF CULTURE		
Mon	11-00	00-00			
Tue	11-00	00-00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Wed	11-00	00-00			
Thur	11-00	00-00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6) EXTENDED ON CHRISTMAS EVE / NEW YEARS EVE / BANK HOLIDAYS FRIDAYS, SATURDAYS, SUNDAYS / RAMADAN WEEK / EASTER TO MOVE TO 02-00 EXIT HOUR AFTER		
Fri	11-00	01-00			
Sat	11-00	01-00			
Sun	11-00	00-00			

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

14

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	<del>08-00</del> 11pm	01-00			
Tue	<del>08-00</del> 11pm	01-00			
Wed	<del>08-00</del> 11pm	01-00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	<del>08-00</del> 11pm	01-00			
Fri	<del>08-00</del> 11pm	02-00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)  EXTENDED ON CHRISTMAS EVE / NEW YEARS EVE BANK HOLIDAYS / MONDAYS / SATURDAYS / SUNDAYS / RAMADAN WEEK / EASTER TO MOVE TO 02.30 EXIT 1/2 HOUR AFTER		
Sat	<del>08-00</del> 11pm	02-00			
Sun	<del>08-00</del> 11pm	01-00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both	<input checked="" type="checkbox"/>	
Mon	08-00	01-00			
Tue	08-00	01-00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Wed	08-00	01-00			
Thur	08-00	01-00			
Fri	08-00	02-00	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 (please read guidance note 6)		
Sat	08-00	02-00			
Sun	08-00	01-00			
			EXTENDED ON CHRISTMAS EVE / NEW YEARS EVE / BANK HOLIDAYS / SATURDAYS / SUNDAYS / RAMADAN WEEK / EASTER		
			TO MOVE TO 02.30 EXIT 1/2 HOUR AFTER		

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	MR MED HELMI TOUMI
Date of birth	[REDACTED]
Address	[REDACTED] NORTHDOWN ROAD, MARGATE, KENT [REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	TO DO BII EXAM
Issuing licensing authority (if known)	N/A

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).

N/A.

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	07-00	01.30	
Tue	07-00	01.30	
Wed	07-00	01.30	
Thur	07-00	01.30	
Fri	07-00	02.30	
Sat	07-00	02.30	
Sun	07-00	01.30	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

EXTENDED ON CHRISTMAS EVE/NEW YEARS EVE,  
BANK HOLIDAY FRIDAYS / SATURDAYS/SUNDAYS  
RAMADAN WEEK /EASTA

To MONA TO 03.00 , EXIST  
03.30

**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)

NOT ALLOW STAFF DRINKING ON PREMISES, ABIDE BY  
STRICT TIMES AND NOT TO FLAUNT CONDITIONS, TRAINING STAFF  
TO SEE AND AID PREVENTION. STRONG POLICY ON DRUGS / AFTER  
HOURS AND UNDER AGE DRINKING, USE OF CCTV TO HELP, KNOWLEDGE  
OF CUSTOMERS, LAYOUT SO AS NOT TO HAVE BLIND SPOTS.

b) The prevention of crime and disorder

KNOWLEDGE OF CUSTOMER BASE, KNOW THEIR NAMES  
AND TAKE PRIOR AND TIME TO KNOW THEM ALL. MAINTAIN  
DRINKING, MENTION A TAXI, MENTION QUIETNESS ON  
LEAVING. ENCOURAGE THE CORRECT ATMOSPHERE

c) Public safety

ENSURE ALL STAFF ARE TRAINED IN ENSURING THAT WHEN A  
PERSON HAS HAD TOO MUCH TO DRINK THEY HALT SERVICE, OFFER  
SOFT DRINKS AND EVEN A TAXI HOME. A POLICY OF PAYING FOR A TAXI  
FOR SINGLE DRUNK LADIES HAS BEEN USED AT A FRIENDS BAR AND WORKS.  
MAKE SURE YOU STICK TO THE NUMBER OF PERSONS ALLOWED IN YOUR PREMISES  
AND ABOVE ALL CARRY OUT REGULAR HEALTH AND SAFETY AUDITS.

d) The prevention of public nuisance

BE AWARE OF PERSONS ACTIONS / AWARE OF CIRCUMSTANCE / BE  
WATCHFUL OVER ALL AREAS / THE USE OF CCTV AIDES THE MAJOR  
OBJECTIVES OF LICENSING AND WHEN USED AND MADE AWARE TO THE  
PUBLIC OFTEN PUTS OFF BAD BEHAVIOUR. ASK TO KEEP NOISE DOWN ON  
LEAVING, CLEAR GLASSES FROM OUTSIDE TABLES, STACK AND PUT THINGS  
AWAY. BE MINDFUL OF AMPLIFIED MUSIC IN CERTAIN VENUES.

e) The protection of children from harm

AVOID THE SITUATION OF CHILDREN NEAR THE BAR, NO DRINK TO BE  
GIVEN TO A MINOR, ENSURE CHILDREN ARE IN THE CARE OF A  
RESPONSIBLE ADULT AND LEAVE IN A GOOD TIME FITTING TO THE AGE  
OF THE CHILD. I PERSONALLY LIKE A CHILDREN'S AREA AWAY FROM A  
EXTERNAL DOOR AND BY A PARENT SEATING AREA. TAKE NOTE OF  
DRUG RELATED PERSONS AND AVOID CONTACT AND KICK ASAP.

**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. ☒ *Panel / window*
- 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). ☒

*Proof of citizenship.*

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. ✓

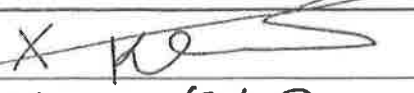
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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. ✓

**Part 4 – Signatures** (please read guidance note 11)

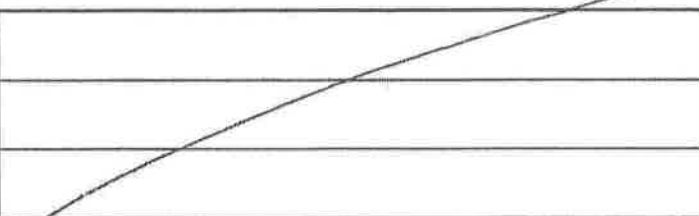
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12).  
If signing on behalf of the applicant, please state in what capacity.

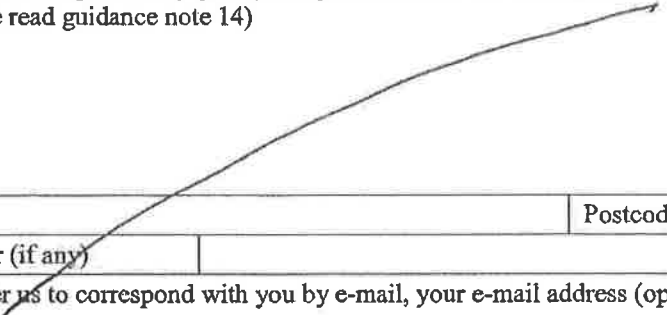
Declaration	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
-------------	--



Signature	X 	X
Date	X 3/8/18	X
Capacity	X Owner	X

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

#### Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

- Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

1.

**15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – c.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Consent of individual to being specified as premises supervisor

MR. MED (DPS)

I  
[full name of prospective premises supervisor]

of

[REDACTED] NORTHDOWN ROAD, C/VILLE, [REDACTED]

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

LICENSED BAR/RESTAURANT @ 'PASHA'  
[type of application]

by

MR MED HELMI TOUMI (DPS)  
[name of applicant]

relating to a premises licence TBA.  
[number of existing licence, if any]

for

'PASHA' RESTAURANT/BAR 182 NORTHDOWN ROAD, MARGATE  
[name and address of premises to which the application relates] CT9 2QN

25

and any premises licence to be granted or varied in respect of this application made by

MR KHALED ALDOHBAYBI (OWNER)  
[name of applicant]

concerning the supply of alcohol at

'PASHA' RESTAURANT/BAR 182 Northdown Road, Margate, Kent  
[name and address of premises to which application relates] CT9 2QN

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

TBA  
[insert personal licence number, if any]

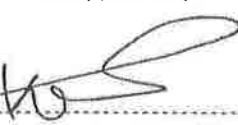
Personal licence issuing authority

THANET  
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

X

APPLICANT  
Premises Lic



OPS



X

Name (please print)

X

KHALED H. BAYBI

Med

Helmi Toumi

X

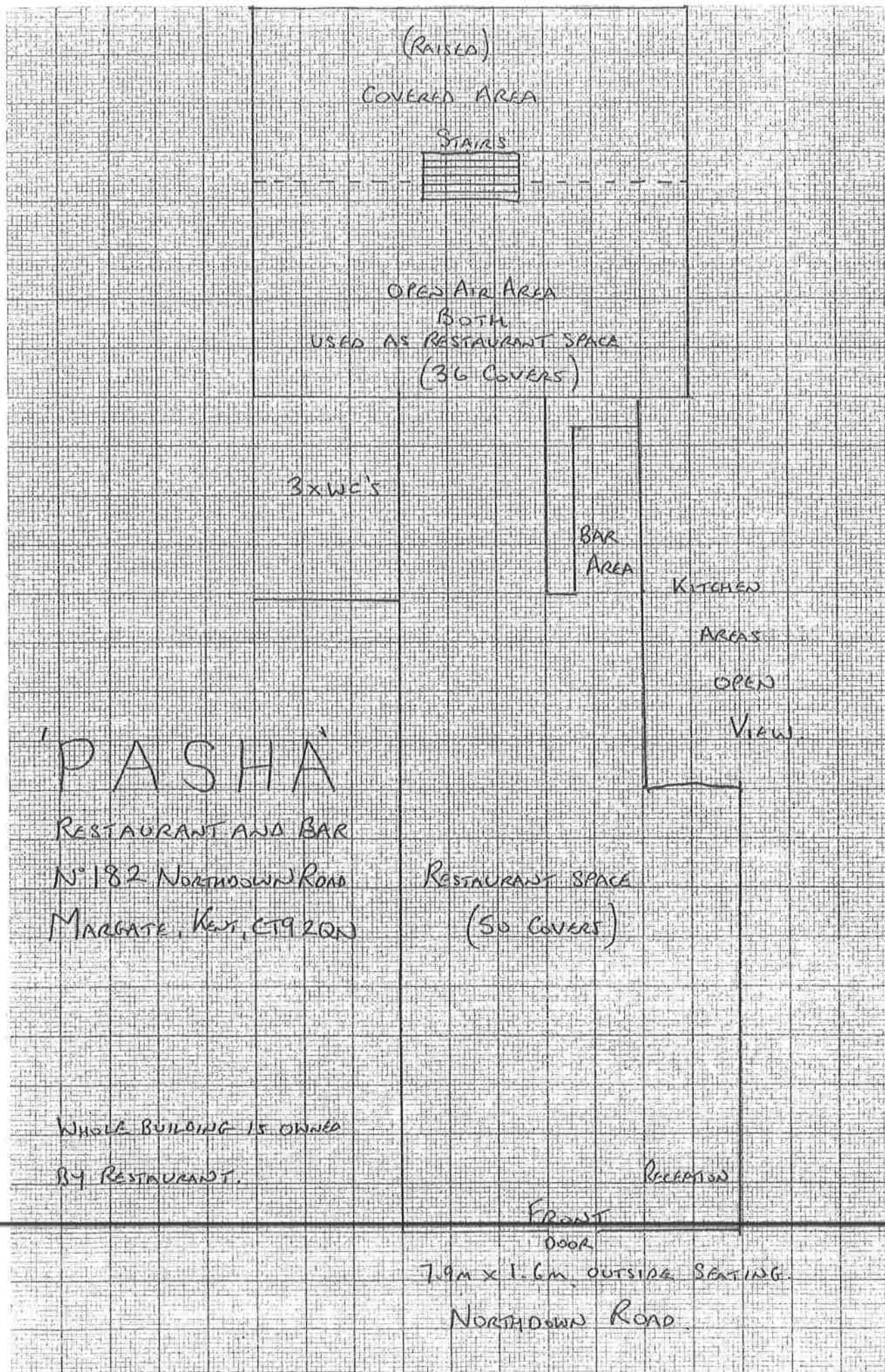
Date

X

3/8/18

3/8/18

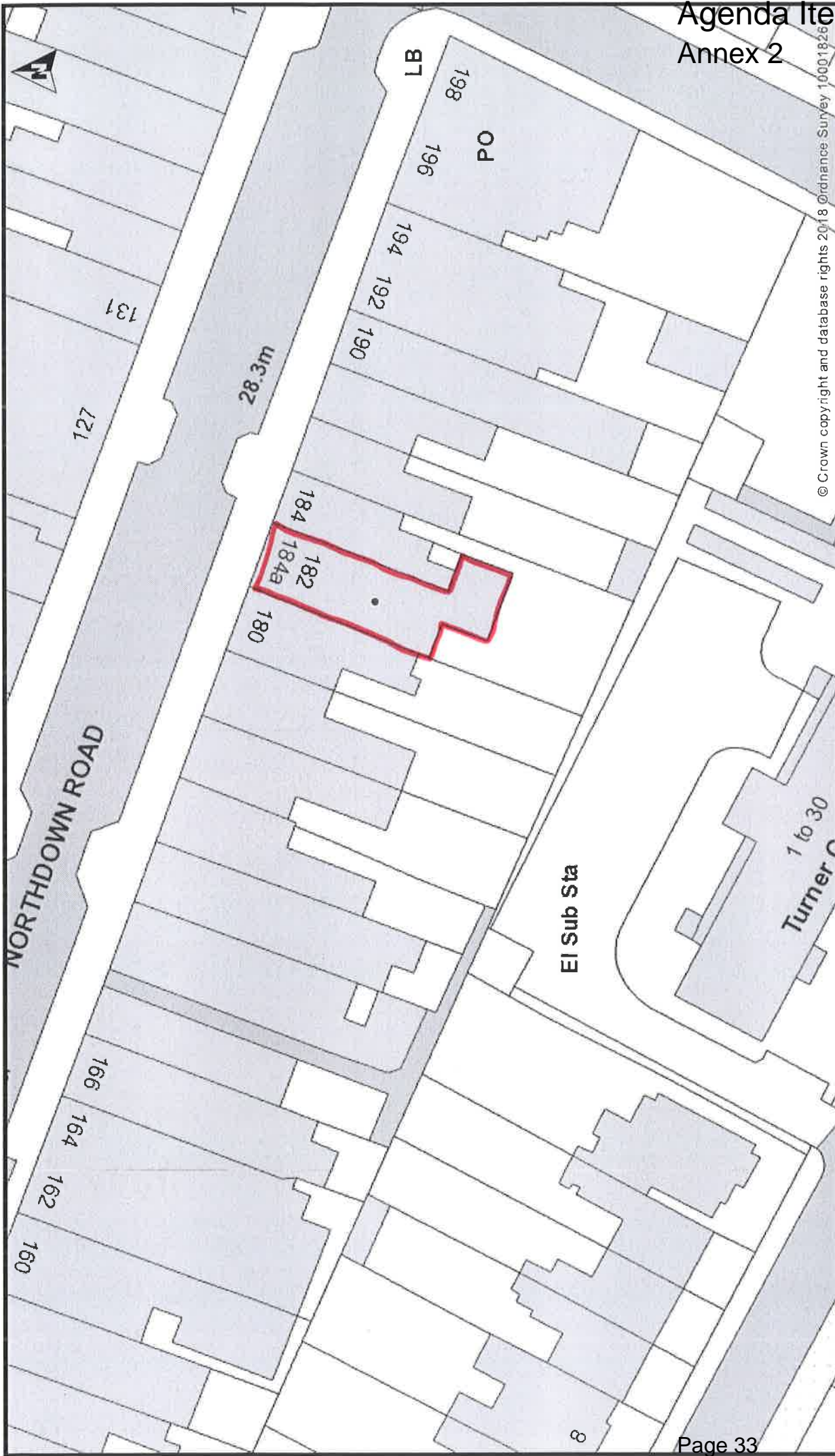
X







Thanet District Council  
Cecil Street  
Margate  
Kent  
CT19 1XZ



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**Re: Pasha Northdown Road**

1 message

31 August 2018 at 11:03

To: TDC Licensing &lt;licensing@thanet.gov.uk&gt;

Hi Jane,

Yes please do invite us along to the hearing!

Those hours are totally unacceptable for a residential area! 2am on a Friday and Saturday evening? With a grace period of half an hour I'm guessing? So it could be noisy until at least 3.30am?  
Where does the council stand on this matter?

Thanks,

On 31 Aug 2018, at 10:03, TDC Licensing &lt;licensing@thanet.gov.uk&gt; wrote:

Hi

Thank you for your address - when a hearing is arranged we will invite you to come along and talk about your objections.

They do not currently have a licence with us so I am unable to advise you of their current trading hours but this is what they are asking for

Live music between 11am and midnight Mon/Tues/Wed/Thurs/Sun and 11am to 1am Fri/Sat  
Recorded music between 8am and 2am daily  
Supply of alcohol am to 1am Mon/Tues/Wed/Thurs/Sun and 8am to 2am Fri/Sat  
Opening hours 7am to 1.30am Mon/Tues/Wed/Thurs/Sun and 7am to 2.30am Fri/Sat

Regards  
Jane

On 31 August 2018 at 08:10

Hi Jane,

My mother was staying with us last night and was kept awake until 2am by noise from the garden of Pasha. She took a picture

Could you please advise me of their current trading hours and the hours they've applied to trade alcohol from and until?

On 30 Aug 2018, at 08:15, TDC Licensing &lt;licensing@thanet.gov.uk&gt; wrote:

Hi

Thank you for your objection to the premises licence at Pasha in Northdown Road, Margate.

Before we proceed any further I need your address and a contact telephone number please.

Thanks and regards  
Jane

On 29 August 2018 at 18:47, [REDACTED]  
wrote:

Hi,

I am writing to oppose the supply of late night alcohol by Pasha restaurant and shisha garden on northdown road.

I don't know when they applied for the building permission to erect the wooden huts in the garden, or why the permission was granted - but as a result, people are often in them until past 12am making large amounts of noise.

In summer and holidays, it's a regular hang out and congregating spot for school children smoking shisha. Not only do they make excess noise in the garden but spill out in to the main road, often erupting in fights and shouting when people leave.

I worry that the addition of alcohol available would make it impossible for Pasha to maintain any sort of stability in atmosphere and safety levels, given the lack of ability to do so without the supply of alcohol.

The doors at the front and back of the main shop are always open, so in the warmer months, the noise from the inside will also add to the high levels.

We have a small child and living a few doors down, the current noise levels exceed anything acceptable any night of the week.

There is a large block of flats behind Pasha that I'm sure has families with small children and old people living in - They are of a similar distance as we are.

I have already politely asked the manager to keep the noise contained a bit more but nothing has changed.

Could you advise on the hours Pasha have applied to be open for? And the hours they have applied to sell alcohol for please?

[REDACTED]

Thank you for contacting the Licensing Department at Thanet Council - we will respond to your email within 10 working days.

Licensing Department

Operational & Commercial Services

Thanet District Council

Tel: 01843 577413/577432

Email: [licensing@thanet.gov.uk](mailto:licensing@thanet.gov.uk)

Thanet District Council

PO Box 9

Margate



## Annex 4

TDC Licensing &lt;licensing@thanet.gov.uk&gt;

**Fwd: Re : TEN Applications & Premises Licence Application - Pasha  
182Northdown Road Margate**

1 message

13 August 2018 at 08:54

To: TDC Licensing &lt;licensing@thanet.gov.uk&gt;

Cc: [REDACTED]

Morning,

Please see the below conditions to be added to the 3 x late TENS which have been agreed by the applicant.

Thanks  
[REDACTED]

----- Forwarded message -----

From: [REDACTED]

Date: 10 August 2018 at 19:46

Subject: RE: Re : TEN Applications &amp; Premises Licence Application - Pasha 182Northdown Road Margate

To: [REDACTED]

Thank you for the enlightening meeting today, eyes wide open we are happy to agree the terms set out in email starting 27<sup>th</sup>,

Thank you again miles

Sent from my Windows 10 device

From: [REDACTED]

Sent: 10 August 2018 15:34

To: [REDACTED]

Subject: Re: Re : TEN Applications &amp; Premises Licence Application - Pasha 182Northdown Road Margate

[REDACTED]

[REDACTED]

[REDACTED]

I can confirm that we would request that the following conditions are added to the grant of these licenses:

1. After 22.00pm there should be no alcohol consumed in the rear garden area including the pergola. This shall result in patrons leaving temporarily to smoke having their drinks removed from them.
2. After 23.00pm there should be no alcohol consumed in the seating area to the front of the property. This shall result in patrons leaving temporarily to smoke having their drinks removed from them.

13/08/2018

EKS Partnership Mail - Fwd: Re : TEN Applications & Premises Licence Application - Basia (82 Northdown Road - Margate

If you are agreeable with these conditions please confirm this to me and I will put these forward as our representation.

Agenda Item 4  
Annex 4

Regards

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

On 8 August 2018 at 17:41, [REDACTED]

[REDACTED] & Mr Alduhbaybi,

I have been asked to comment on behalf of Environmental Health on TEN applications and a premises licence application for the above premises. Normally I would deal with these separately as I note Mr Wiseman may be acting for the applicant on the TENS. Given that they have all come in together I feel that a site visit would be advisable. It may be that the condition and changes we make on the TENS influence the premises licence application.

Given the timescale involved with the TEN is there anyone available Friday afternoon (from 1pm onwards) to show me the area and discuss the applications with a view to agreeing changes or conditions?

To give a bit of background I am certainly concerned by the application. Environmental Health have a history of complaints concerning the use of the restaurant and its external areas. The complaints have centred around music and patron noise. We had sufficient evidence to serve a noise abatement notice in December 2016 but chose to allow the occupier time to change processes. Since that date we have received no complaints but it should be noted that alcohol was not being served there at that time so this was not a contributory factor. The current application would add alcohol which would change the dynamic of the premises. Further to this I would also be interested to learn how long the current applicant has owned the premises?

Without a site visit and discussion I would certainly object to the TEN applications I currently have.

Regards,

Page 38

## Thanet District Council

### Notification of Grant of Permission to Develop Land

Town and Country Planning Act  
Town and Country Planning (General Development Procedure) Order 1995

To:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

F/ TH/ 02/ 0989

*TAKE NOTICE that THANET DISTRICT COUNCIL, the District Planning Authority under the Town and Country Planning Acts, has granted permission for:*

Proposal: Change of use from retail shop (Use Class A1) to fast food takeaway (Use Class A3) and installation of extraction flue to rear of building.

Location: 182 NORTHDOWN ROAD, MARGATE, KENT, CT9 2QN

*referred to in your application for permission for development validated 05 11 02 SUBJECT TO the conditions specified hereunder:-*

- 1 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990.

- 2 The takeaway premises hereby permitted shall not be open for the serving and supply of food to customers outside the hours of 9.00 a.m. to 12.30 a.m Mondays to Sundays.



**GROUND:**

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy H10 of the Isle of Thanet Local Plan.

- 3 Noise from the operation/running of any ventilation plant or other plant or equipment, as measured at the boundary of any neighbouring noise sensitive premises shall not exceed a sound level in excess of the undermentioned noise rating curve numbers in the frequency (Hz) range of 31.4 to 8K:

(a) between the hours of 8.00 a.m. and 10.00 p.m. on any day noise rating curve number 30

(b) between the hours of 10.00pm on any day and 8.00am the next day noise rating curve number 25



## Agenda Item 4

### Annex 4

#### GROUND:

To safeguard the residential amenities currently enjoyed by occupiers of nearby residential properties in accordance with Policy H10 of the Isle of Thanet Local Plan.

- 4 The operation of the site shall not give rise to nuisance from odour, noise, vibration, light, soot, ash or fumes.

#### GROUND:

To safeguard the residential amenities currently enjoyed by occupiers of nearby residential properties in accordance with Policy H10 of the Isle of Thanet Local Plan.

- 5 Before the occupation of the premises precise details of the refuse storage facilities shall be submitted to, and agreed in writing by the Local Planning Authority and such details as agreed shall be implemented before the first occupation of the premises and shall be kept available for that use at all times.

#### GROUND:

To safeguard the residential amenities enjoyed by the occupiers of nearby residential properties in accordance with Policy H10.

- 6 No service vehicular movements to or from the site shall be permitted between 8 p.m. and 8 a.m. on any day.

#### GROUND:

To safeguard the residential amenities currently enjoyed by occupiers of nearby residential properties in accordance with Policy H10 of the Isle of Thanet Local Plan.

- 7 The proposed development shall be carried out in accordance with the submitted application and the additional plan numbered 02 and dated 23 October 2002 received on 5 November 2002 showing the extraction flue.

#### GROUND:

To secure the proper development of the area.

Dated: 30/12/02

Signed

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

A large, dark, irregular redacted area covering the signature and any official stamp or seal that might have been present.





**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	Chief Inspector Adley
Postal Address: (Area Headquarters)	Police Station Fort Hill, Margate, Kent. CT91HL
E-mail address	[REDACTED]
Telephone Number:	[REDACTED]

<b>Details of premises representation is about</b>	
Name of Premises:	PASHA Restaurant
Address of premises:	182 Northdown Road, Cliftonville Margate
Date application received by police	06/06/18
Date representation sent to Licensing Authority	09/08/18  <i>Must be within 28 days of receipt – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. Part 4 Reg. 22.</i>

<b>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: -</b>	
<i>Please tick one or more of the licensing objectives that the representation relates to:</i>	
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: -

--

*Please use separate sheets where necessary*

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

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

- A. In regards to this application I am objecting to the off sales request by the premises. The venue is located within the high footfall area of Northdown Road Margate. We experience regular issues with drinking in public and alcohol related issues on the street. I would be supportive of the licence if off sales was removed or the conditions listed below are added to the licence.
- B. In regards to the on sales I would like condition 2,3,4 added to the licence.

**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*

- 1. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal. It is an implied condition of this licence that suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or as an ancillary to meals served in the licensed premises.**
- 2. The amount of alcohol with each order, takeaway or delivery, shall be limited to four bottles/cans of beer and/or one bottle of wine. The bottle of wine shall be no larger than one litre.**
- 3. No spirits shall be sold for takeaway or delivery.**
- 4. There shall be a minimum spend of £10.00 on food not including the cost of alcohol on all off sales.**

**Signed:**

**Date:** 09/08/18

**Print name:** [REDACTED]

**Force Number:** [REDACTED]

*Pp Chief Officer 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.

# Memorandum



# TRADING STANDARDS

**From** [REDACTED]  
Trading Standards Officer

**Our Ref** [REDACTED]  
**Your Ref** [REDACTED]

**Tel** [REDACTED]

**Email** [REDACTED]

**Date** 3<sup>rd</sup> September 2018

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**To** Thanet District Council

The Trading Standards Department of Kent County Council as a responsible authority under the Licensing Act 2003, make representation on the grounds of the **protection of children from harm licensing** objective, in connection with the licence application received from Mr Khaled Albuhbaybi for the application for a premises licence at Pasha Restaurant, 182 Northdown Road, Margate, Kent, CT9 2QN

Trading Standards and the applicant have reached an agreement for the following conditions to be included on any licence granted:

1. The Challenge 25 proof of age scheme shall be operated at the premises. All customers who appear under the age of 25 will be challenged to prove that they are over 18 when attempting to purchase alcohol. Acceptable forms of ID include a photo driving licence, passport, or home office approved identity card bearing the holographic 'PASS' mark. 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.
2. 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 to refuse service where individuals cannot produce acceptable means of identification, acceptable forms of ID and using the refusal 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 authorised persons.
3. 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 recorded in the log and a record made in the log 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 date and time of the refusal
  - c) the alcohol requested and reason for refusal

## Agenda Item 4

### Annex 6

1. A4 posters 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.

Please find attached an email in which the applicant confirms that they agree to these conditions.

I confirm that the Trading Standards Section agree that a formal hearing can be dispensed with if the above conditions are included on any licence granted.

Trading Standards thanks the applicant for their cooperation in coming to an agreement over the conditions which we would like to see included in their premise licence.

  
**Trading Standards Officer – Kent County Council**

**Licensing conditions agreed with Kent County Council Trading Standards in respect of Pasha Restaurant, 182 Northdown Road, Margate, Kent, CT9 2QN**

1. The Challenge 25 proof of age scheme shall be operated at the premises. All customers who appear under the age of 25 will be challenged to prove that they are over 18 when attempting to purchase alcohol. Acceptable forms of ID include a photo driving licence, passport, or home office approved identity card bearing the holographic 'PASS' mark. If the person seeking alcohol is unable to produce an acceptable form of identification, no sale or supply of alcohol shall be made to or for that person.
2. 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 to refuse service where individuals cannot produce acceptable means of identification, acceptable forms of ID and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log will be made available for inspection by Police and authorised persons.
3. A refusals log must be kept at the premises, and made immediately available on request to the police or an authorised person. The refusals log is to be inspected on a monthly basis by the DPS and noted in the log and a record made in the log 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 date and time of the refusal
  - c) the alcohol requested and reason for refusal
  - d) description of the person refused alcohol
4. A4 posters 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.

## Agenda Item 4

### Annex 6

I (name of applicant/agent) \_\_\_\_\_ hereby agree for the conditions listed to be attached to any premises license granted in respect of my application for Pasha Restaurant, 182 Northdown Road, Margate, Kent, CT9 2QN.

I also agree that a hearing is unnecessary.

Signed \_\_\_\_\_ Date \_\_\_\_\_

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**For Trading Standards use**

The above conditions were agreed with the applicant and I agree that a hearing is unnecessary.

Signed on behalf of Kent Trading Standards

Name  \_\_\_\_\_

Signed  \_\_\_\_\_ Date 3/9/18

Licensing conditions agreed with Kent County Council Trading Standards in respect of Pasha Restaurant, 182 Northdown Road, Margate, Kent, CT9 2QN

1. The Challenge 25 proof of age scheme shall be operated at the premises. All customers who appear under the age of 25 will be challenged to prove that they are over 18 when attempting to purchase alcohol. Acceptable forms of ID include a photo driving licence, passport, or home office approved identity card bearing the holographic 'PASS' mark. If the person seeking alcohol is unable to produce an acceptable form of identification, no sale or supply of alcohol shall be made to or for that person.
2. 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 to refuse service where individuals cannot produce acceptable means of identification, acceptable forms of ID and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log will be made available for inspection by Police and authorised persons.
3. A refusals log must be kept at the premises, and made immediately available on request to the police or an authorised person. The refusals log is to be inspected on a monthly basis by the DPS and noted in the log and a record made in the log 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 date and time of the refusal
  - c) the alcohol requested and reason for refusal
  - d) description of the person refused alcohol
4. A4 posters 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

I (name of applicant/agent)

Khaled ALDUBAYSI hereby agree for the conditions listed to be attached to any premises license granted in respect of my application for Pasha Restaurant, 182 Northdown Road, Margate, Kent, CT9 2QN.

I also agree that a hearing is unnecessary.

Signed



Date

3/29/18

**For Trading Standards use**

The above conditions were agreed with the applicant and I agree that a hearing is unnecessary.

Signed on behalf of Kent Trading Standards

Name

Signed

Date



## 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.