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Date:15 February 2023Our ref:Licensing Sub Committee/AgendaAsk For:Charles HungweDirect Dial:(01843) 577207Email:steven.matthews@thanet.gov.uk



LICENSING SUB COMMITTEE

23 FEBRUARY 2023

A meeting of the Licensing Sub Committee will be held at <u>**10.00** am on Thursday, 23</u> <u>**February 2023**</u> in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillors: Wright, Currie and Shrubb

AGENDA

<u>ltem</u> <u>No</u> <u>Subject</u>

1. APOLOGIES FOR ABSENCE

2. **DECLARATIONS OF INTEREST** (Pages 3 - 4)

To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the <u>Declaration of Interest Form</u>

3. <u>APPLICATION FOR A NEW PREMISES LICENCE AT THE 98 HARBOUR PARADE,</u> <u>RAMSGATE</u> (Pages 5 - 42)

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Agenda Item 2



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 <u>must</u> 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:-**

- 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 Committee Services Manager well in advance of the meeting.

If you need to declare an interest then please complete the declaration of interest form.

APPLICATION FOR A NEW PREMISES LICENCE AT THE 98 HARBOUR PARADE RAMSGATE

Licensing Sub Committee	23 RD February 2023
Report Author	Alison Brock, Technical Support Team Manager
Status	For Decision
Classification:	Unrestricted

Executive Summary:

To consider an application for a new premises licence at 98 Harbour Parade Ramsgate.

Recommendation:

The instructions of the Sub-Committee are requested.

CORPORATE IMPLICATIONS

Financial and Value for Money

Costs associated with processing the application are taken from licensing fee income.

The applicant or any other person (objector) may appeal the Committee's decision to Magistrates' Court within 21 days. Should this decision be appealed the Council will incur costs defending the appeal. Should the appeal be successful it could result in costs being awarded against the Council. Therefore all decisions should ensure that they are in line with the objectives of the Licensing Act 2003

Legal

Under the Licensing Act 2003 the Licensing Authority has a duty to exercise licensing control of relevant premises.

The Licensing Sub-Committee is obliged to determine applications with a view to promoting the four licensing objectives.

Any decision the Licensing Sub-Committee make should be made with regard to the Secretary of State's guidance made under Section 182 of the Licensing Act 2003 (revised in April 2017) as well as Thanet District Councils adopted Licensing Policy.

Where any decision parts from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal/challenge is increased. Similarly the risk of appeal/challenge is increased if any decision made is not evidence based and proportionate.

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 Conventions 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.

The effective regulation of licensable activities and of premises at which licensable activities take place can assist in safeguarding children and vulnerable adults.

Section 17 of the Crime and Disorder Act 1998 states: "Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that is reasonably can to prevent crime and disorder in its area"

In considering this application the Licensing Sub-Committee will balance the competing Human Rights of the various parties including the right to respect for private and family life, the protection of property and the right to a fair hearing.

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.

Corporate

Corporate Priorities should be taken into account when determining the outcome of any application.

Priority 1: Growth

Priority2: Environment

Priority 3: Communities

Equality Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

In considering this application it is appropriate to consider the rights of both the applicant and other parties, such as "responsible authorities" and\or "other persons" (objectors). The procedure for determining licences has a prescribed format to ensure fair representation of the relevant facts by all parties.

Corporate Priorities

This report relates to the following corporate priorities: -

- Environment
- Communities

1.0 Introduction and Background

- 1.1 An application for a new premises licence at 98 Harbour Parade Ramsgate has been made.
- 1.2 The application is attached at Annex 1.

2.0 The Current Situation

- 2.1 Applicants for a variation to 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 representations 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 were complied with.
- 2.2 The premises has been running for a number of years but the previous owner passed away last year and the premises lease was transferred to the current applicant. Following notification from the previous owners family that they had handed the lease back and the premises no longer had a DPS in place, the Licensing Officer visited the premises on 2nd December 22.

The serving of alcohol was stopped immediately and the process of either taking over the licence or applying for a new one was explained to the applicant.

The applicant decided to not transfer the licence and has applied for a new one. Since before Christmas the premise has been operating under Temporary Event Notices (TENs).

2.3 One valid representation has been received and this is attached at Annex 2. A number of other representations were received but they did not meet the requirements of a valid representation under the Licensing Act 2005.

The Police, Environmental Protection Team and Licensing Officer have agreed conditions with the applicant these are attached at Annex 3.

- 2.4 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.
- 2.5 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.

3.0 Options

- 3.1 To approve the application
- 3.2 To refuse the application
- 3.3 To approve the application with any other conditions/limitations that the Sub-Committee feel are appropriate.

Contact Officer: Alison Brock Technical Support Team Manager Reporting to: Penny Button, Director of Neighbourhoods

Annex List

Annex 1 – Application Annex 2 – Representation Annex 3 – Conditions agreed

Background Papers

Licensing Act 2003 - https://www.legislation.gov.uk/ukpga/2003/17/contents

DCMS Guidance documents issued under Section 182 of the Licensing Act 2003 (as amended)https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-iss ued-under-s-182-of-licensing-act-2003

Thanet District Council Statement of Licensing Policyhttps://www.thanet.gov.uk/media/3168621/licensing-document-2016.pdf



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/ CLAIRE GOODWIN

W e

(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 98 Harbour Parade,								
Post townRamsgatePostcodeCT11 8LP	Post town	Ramsgate	Postcode	CT11 8LP					

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 25,000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick a

Please tick as appropriate

a)	an i	individual or individuals *	□X	please complete section (A)
b)	a p	erson other than an individual *		
	i	as a limited company/limited liability partnership		please complete section (B)
	ii	as a partnership (other than limited liability)		please complete section (B)
	iii	as an unincorporated association or		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 yo	ou are applying as a person described in (a) or (b) please c	onfirm	(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)

M r □	Mr □ s	Miss $\begin{array}{c} \Box \\ X \end{array}$	N s	A 🗆	Other Title (for example, Rev)	
Surname Goo	odwin		-	First na	mes Claire	
Date of birthI am 18 years old or over \square XPlease tick yes						
Nationality	Nationality BRITISH					
address if diff	Current residential address if different from premises address					
Post town Ramsgate					Postcode	
Daytime cont	act telephon	e number				
E-mail addre	SS					

SECOND INDIVIDUAL APPLICANT (if applicable)

M r □	Mr □ s	Miss 🗆	N s	M _	Other Title (for example, Rev)				
Surname			-	First na	mes				
Date of birth I am 18 years old or over I Please tick yes									
Nationality	Nationality								
Current postal address if different from premises address									
Post town					Postcode				
Daytime cor	ntact telephon	e number							
E-mail addr	ess	· ·	E-mail address						

(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
E-mail address

Part 3 Operating Schedule

		DD	Μ	Μ		YY	YY	<u> </u>
Whe	n do you want the premises licence to start?	0	1 0	2	2		2	2
				2		0		3
-	u wish the licence to be valid only for a limited period, when do you it to end?	DD	M	M		YY	Y	ľ
want								
Plea	se give a general description of the premises (please read guidance note 1)							
	The sale and consumption of food outlets, restaurant and the supply and		nptio	n of	alc	oho	1	
If 5,(000 or more people are expected to attend the premises at any one							
	please state the number expected to attend.	n/a	n/a					
Wh	at licensable activities do you intend to carry on from the premises?							
(ple	ase see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 200	3)						
		1	Pleas	e tio	-k a	11 th	at	
Prov	ision of regulated entertainment (please read guidance note 2)		apply		JK U	ii tii	uı	
a)	plays (if ticking yes, fill in box A)						C	
b)	films (if ticking yes, fill in box B)						C	
c)	indoor sporting events (if ticking yes, fill in box C)						C	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)						Ľ	
e)	live music (if ticking yes, fill in box E)						Ľ	_
) E	
f)	recorded music (if ticking yes, fill in box F)						Σ	
g)	performances of dance (if ticking yes, fill in box G)						C	

Provision of late night refreshment (if ticking yes, fill in box I)	
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	
In all cases complete boxes K, L and M	

A

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

В		
Films		
Standa	rd days	s and
(1	1	• 1

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

С

Indoor sporting events Standard days and timings (please read guidance note 7)		timings	<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			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 (please read guidance note 6)
Fri			Preuze read Bardanee note ()
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings		0	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick	Indoors	
	read guida		(please read guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 4)	
Tue					
Wed			State any seasonal variations for boxing or wrestling (please read guidance note 5)	<u>entertainment</u>	
Thur					
Fri			Non standard timings. Where you intend to use the or wrestling entertainment at different times to those column on the left, please list (please read guidance not state).	<u>e listed in the</u>	oxing
Sat				- /	
Sun					

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	usic rd days and read guida		Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)Inc		$\begin{array}{c} \Box \\ X \end{array}$
(piease 7)	Teau guiua		read guidance note 5)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance Amplified artists providing live music/comedy acts	note 4)	
Tue					
Wed			State any seasonal variations for the performance of read guidance note 5) NONE	f live music (ple	ease
Thur	7 pm	11 pm			
Fri	7pm	11pm	Non standard timings. Where you intend to use the performance of live music at different times to those column on the left, please list (please read guidance n NONE	e listed in the	<u>he</u>
Sat	7p 	11p 	NONE		
Sun	3pm	10 pm			

Standar	ed music d days and read guida:		Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
7)				Outdoors	
Day	Start	Finish		Both	
Mon	7.30 AM	11.0 0 PM	Please give further details here (please read guidance Background music on Monday, Tuesday, Wednesday, Sunday. Recorded DJ music Friday and Saturday		
Tue	7.30 am	11.00 pm			
Wed	7.30 am	11.00 pm	State any seasonal variations for the playing of recon read guidance note 5) NONE	r <u>ded music</u> (plea	ase
Thur	7.30 am	11.00 pm			
Fri	7.30 am	2.00 am	Non standard timings. Where you intend to use the playing of recorded music at different times to those column on the left, please list (please read guidance no NONE	listed in the	<u>e</u>
Sat	7.30 am	2.00 pm			
Sun	7.30 am	11.00 pm			

F

G

Standar	Performances of dance Standard days and timings (please read guidance note		Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
(picase 7)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 4)	
Tue					
Wed			State any seasonal variations for the performance of guidance note 5)	<u>dance</u> (please n	read
Thur					
Fri			Non standard timings. Where you intend to use the performance of dance at different times to those liste the left, please list (please read guidance note 6)		
Sat			<u> </u>		
Sun					

descrip within Standa	ing of a sin ption to tha (e), (f) or (rd days and read guida	at falling (g) timings	Please give a description of the type of entertainment yo NONE	ou will be provid	ling
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	
Mon			<u>outdoors or both – please tick</u> (please read guidance note 3)	Outdoors	
			,	Both	
Tue			Please give further details here (please read guidance	note 4)	
Wed					
Thur			State any seasonal variations for entertainment of a to that falling within (e), (f) or (g) (please read guidar		<u>tion</u>
Fri					
Sat			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 (please read guidance note 6)		or (g)
Sun					

Standa	ight refres rd days and	timings	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)Indoors		□x
(please 7)	e read guida	nce note	(please read guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance teas, coffees and soft drinks	note 4)	
Tue					
Wed			State any seasonal variations for the provision of lat (please read guidance note 5) NONE	e night refreshr	<u>nent</u>
Thur					
Fri	23.00 pm	2.30 AM	Non standard timings. Where you intend to use the provision of late night refreshment at different times the column on the left, please list (please read guidant NONE	s, to those listed	
Sat	23.00 pm	2.30 AM			
Sun					

I

Standa	y of alcohol rd days and read guida	timings	Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises Off the	
Day	Start	Finish		premises Both	
Mon	7.30 AM	11.00 PM	State any seasonal variations for the supply of alcoho guidance note 5) none		
Tue	7.30 AM	11.00 PM			
Wed	7.30 AM	11.00 PM			
Thur	7.30 AM	11.00 PM	Non standard timings. Where you intend to use the supply of alcohol at different times to those listed in left, please list (please read guidance note 6) none		
Fri	7.30 AM	2.00 am			
Sat	7.3 0 AM	2.00 AM			
Sun	7.30 AM	11.00 PM			

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 CLAIRE GOODWIN

Date of birth

J

Address			
Postcode			
Personal licent	ce number (if known)		
Issuing licensing authority (if known)			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9). NONE

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) NONE
Day	Start	Finish	
Mon	7.3 0 AM	23.30	
Tue	7.30 AM	23.30	
Wed	7.30 AM	23.30	

Agenda Item 3

Annex 1

Thur	7.30 AM	23.30	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) NONE
Fri	7.30 AM	2.30 AM	
Sat	7.30 AM	2.30 PM	
Sun	7.30 AM	23.3	

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)

1. Male and Female Security on the door checking bags and ID. CCTV monitored, alarms and security tagging of equipment.

2. Fire Risk Assessment, On site First Aid Officer, Fire Warden and Health and Safety Officer.

3. Public and Employee Liability Insurance

4. Monitor customers' consumption of alcohol and having a 'drunk no alcohol policy'. Not applying drunk people entrance, finish music events on time and quick exit out of the building at the end of the night5. DBS checks for any activity with children, awareness of Prevent and identifying possible extremist activity. No children allowed after 9 unless with parents and having a meal.

b) The prevention of crime and disorder

1. Door policy includes time at end of each night to encourage customers to leave the premises quietly

2. Door policy to include searching on entry, no search no entry poster visible.

3. Clickers used to monitor the capacity 200 maximum when using the back function room also.4. One door supervisor per 50 persons.

4. All security personnel to have SIA badge visible and recorded in the security log book.

5. Incident book to record extractions and issues during the session.

6. Staff briefings regularly to ensure policies are adhered to.

7. Training sessions in alcohol policy with staff to include challenge 25 and monitor customers consumption to have a cut off time when customer will be refused further alcohol. :Promoting safer drinking encouraging customers not to drive and being responsible for the amount of alcohol one person consumes. Alcohol Challenge 25 posters and badges visible.

8. Plastics and cans only to be used after 7pm and regularly cleaned and disposed of. All spillages to be cleaned,

9. CCTV and back door alarms to be in place.

10. Zero tolerance for drugs and weapons with searches at the door and incidents reported to the ;policy and recorded in security log book.11. No smoking on premises policy and signs visible. Single use toilets only with security located by the toilets.

Encouragement to leave premises quietly. Last orders 10 minutes drinking up time 30 minutes before close of premise son Friday and /Saturday will all customers out of the premises by 2.20 am.
 Location of DJ and speakers in middle of building not near windows or doors. Noise reduction policy all music to finish 15 minutes before premises closes to encourage customers to leave quietly and respect our neighbours.

c) Public safety

See previous notes

d) The prevention of public nuisance

See previous notes

e) The protection of children from harm

No children allowed in premises after 7 pm unless eating in restaurant and with an adult. No children to approach the bar or sit at the bar they must remain seated. Awareness of safeguarding policies and Prevent and report any issues to the local authorities

Checklist:

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	
		Х
•	I have enclosed the plan of the premises.	\square X
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	\square X
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	\square X
•	I understand that I must now advertise my application.	
•	I understand that if I do not comply with the above requirements my application will be rejected.	\square X

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

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	 [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). 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)
Signature	Claire Goodwin
Date	06.01.23
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd 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 p	prefer us to correspond	with you by e-mail, your e-mail address (optional)			

Notes for Guidance

- 1. 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.
- 2. 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 or 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 e.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.

Fee

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

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

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

business rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

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

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

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

the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.



LICENSING REPRESENTATION FORM

Section 1: Licence Application Details

X I wish to object to the following application

Name of Applicant (if known):	Claire Goodwin		
Premises Name and Address:	98 Harbour Parade, Ramsgate, Kent		
	Postcode:	CT11 8LP	

Section 2: Your Details

(If you are acting as a representative, please go to Section 3)

Title

- 🗆 Mr
- □ Mrs
- □ Miss
- 🗅 Ms

Telephone

□ Other (please state)

Surname:		Forenames:Barbara				
Address Flat		Kent Terrace				
		Postcode:	CT11 8LL	I		
		I	•			

Email

(You must provide your full residential address (or business address, if your objection relates to the

impact of the licence upon your business premises))

Section 3: Representative Details

(If you represent residents or businesses, please complete the details below)

Name of Representative/Organisation	
Address of Representative/Organisation	
	Postcode:

Telephone	Email	

I AM (Tick as appropriate):

- □ Representative or Residents Association
- □ Representative of Trade/Business Association
- Ward Councillor
- □ MP
- □ Other (please specify)

If an objection is being made on behalf of a group (e.g. a parish council or residents' association), then proof of the group's decision to make the objection must be sent along with the objection form. This could be a document such as minutes of a meeting.

Section 4: Reason(s) for Representation

Agenda Item 3 Annex 2

Under the Licensing Act 2003, for a representation to be relevant, it must set out the likely effect of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

Please fill in the reason(s) for your representation in the space provided below under each of the Licensing Objectives (where relevant). You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples, where possible.

The prevention of crime and disorder.

This relates to any crime, disorder or anti-social behaviour at the premises or related to the management of the premises. A licence holder/applicant cannot generally be held responsible for the conduct of individuals once they leave the premises;

Public safety.

This relates to the safety of the public on the premises, i.e. fire safety, electrical circuitry, lighting, building safety or capacity, and first aid.

Prevention of public nuisance.

This can relate to issues such as hours of operation, noise emanating from the premises, vibrations, lighting and litter.

Protection of children from harm.

This relates to protecting children from the activities carried out on the premises whilst they are there. The law already provides special protections for children under 18 to buy alcohol.

Licensing Objective	Reason for Representation
Prevention of Crime & Disorder	Concerned that the door is not properly managed – witnessed people smoking cannabis and using other drugs at the entrance of the premises. Also drug use on Kent Terrace from patrons of the bar.

	Concerned that the door is not properly managed – witnessed people smoking cannabis and using other drugs at the entrance of the premises.
Prevention of Public Nuisance	Also drug use on Kent Terrace from patrons of the bar.
Nulounoo	No evidence of any adequate sound proofing. The premises under residential flats so this noise will travel.
	People use the side of the Resturant as a toilet!

Protection of Children from Harm	

Public Safety	No evidence of any legal fire proofing in the bar – bar runs under flats that could risk to residential property and life. Fire exit is blocked and not maintained.
	Broken bottles continually left in road, with no-one clearing it up.

I/We fully understand that this Representation will be made available to the applicant and included in the Sub Committee's Hearing papers which are publically accessible documents, and any subsequent appeal court proceedings.

I, _Barbara	, hereby declare that all
information I have submitted is true and correct.	

Date: 2/2/23

Please send the completed form to:

Licensing Team Thanet District Council Cecil Street, Margate Kent, CT9 1XZ Email: <u>Licensing@thanet.gov.uk</u> This page is intentionally left blank

Annex 3

Entertainment Noise (>11pm) – Live music to finish at 23:00pm only recorded music after 23:00pm

a. A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level approved in writing by Environmental Health. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

b. Loudspeakers shall not be located in the entrance lobby or on the ground floor or outside the premises building.

c. All windows and external doors shall be kept closed after 11pm, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons

d. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

e. The licensees shall implement a site Noise Management Plan (NMP). The NMP shall be submitted to and approved by the Licensing Authority prior to commencement of any licensable activity. The NMP shall promote the licensing objectives and ensure the licensing conditions are adhered to. The NMP shall be reviewed if a complaint relating to noise is received by either the local authority or the licensee and if transferred to another premises licence holder.

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CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.

Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.

Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 28/31 days and handed to Police upon reasonable request.

The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.

In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer within 24 hours unless the CCTV will be repaired before that time (licensing.east.division@kent.police.uk

SIA security

On a Friday and Saturday a minimum of 2 SIA security staff will be employed from 2100hrs until closing. (additional SIA will be risk assessed by the owner / responsible person).

On a Sunday ,Monday, Tuesday, Wednesday, Thursday SIA security will be assessed at the owners / responsible persons discretion.

Personal Licence Holder

A personal licence holder to be on the premises when a private event is taking place.

Training

All staff responsible for the sale or supply of alcohol shall receive training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. Written records of this training shall be retained and made available upon request to police and authorised officers of the Licensing Authority.

Refresher training will take place every 12 months or earlier if there is a change in legislation.

Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place.

To train staff in the Challenge 25 age verification scheme. This is to include training around the risk of proxy sales and the signs to look out for. The only identification that will be accepted will be originals, not electronic copies of a passport, driving license or a card issued under the PASS scheme (Proof of Age Standards Scheme) all of which will be photo identification.

Incident/refusal Register

• An incident book shall be kept at the premise in which details of crime and/or disorder that relate to, or are linked with, licensable activities at the premises shall be recorded. The incident book shall be retained for a minimum period of 12 months from date of completion and contain the following details;

- time, date and location of incident.
- nature of the incident/refusal
- the result of the incident.
- action taken to prevent further such incidents.

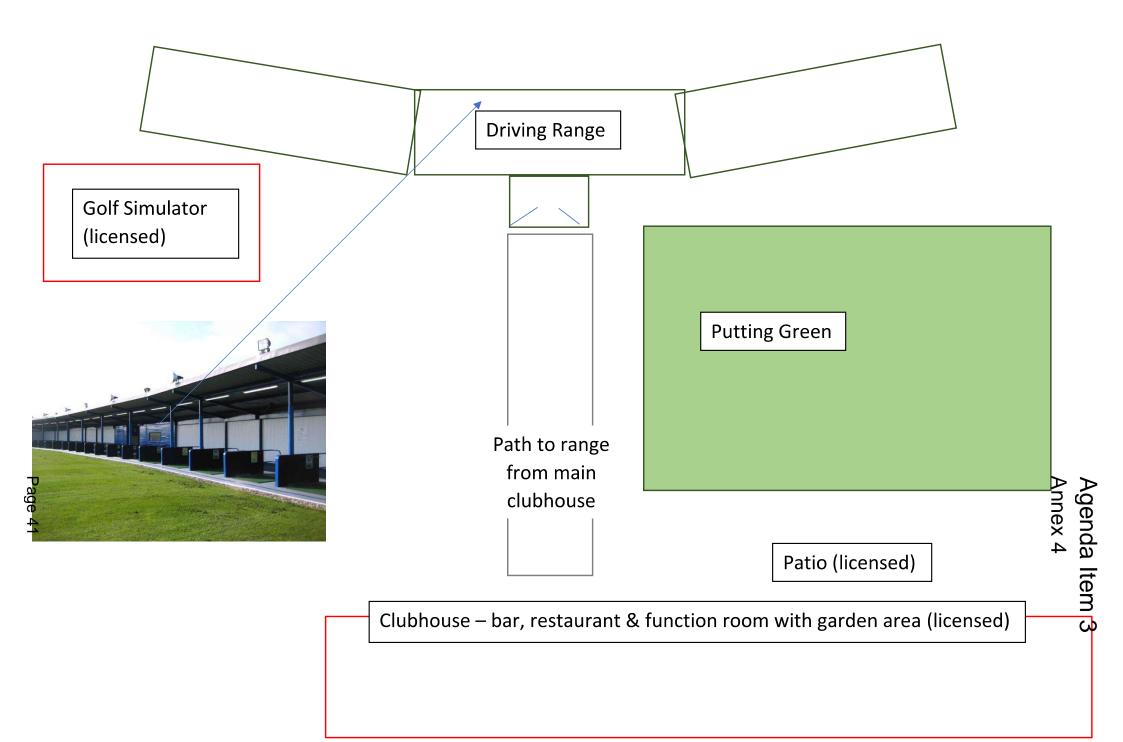
• each entry signed by the DPS or other responsible person employed at the premises and so authorised by the DPS.

• The incident book shall be made available to police, or authorised officers of the licensing authority, upon request. Each entry shall be retained for a minimum period of 2 years from date of completion.

Signage to be displayed at the premise.

• Signage asking customers to 'please leave quietly' shall be displayed

• Signage advising customers that the premises operate a 'Challenge 25' policy shall be displayed



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