

# Public Document Pack



Date: 26/02/25  
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## LICENSING SUB COMMITTEE

6 MARCH 2025

A meeting of the Licensing Sub Committee will be held at **10.00 am on Thursday, 6 March 2025** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

### Membership:

Councillor ; J Bayford, Currie and Rogers

## A G E N D A

Item  
No

Subject

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 [Declaration of Interest Form](#)
3. **APPLICATION FOR A REVIEW OF THE PREMISES LICENCE AT FREDDIE'S 3 DUKE STREET MARGATE CT9 1EP** (Pages 5 - 38)

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## **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 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 REVIEW OF THE PREMISES LICENCE AT FREDDIE'S 3 DUKE STREET MARGATE CT9 1EP

**Licensing Sub Committee** 6th March 2025

**By** Penny Button, Head of Neighbourhoods  
**Cabinet Portfolio** Cllr Heather Keen, Cabinet Member for Community  
**Key Decision** No  
**Decision classification** Unrestricted  
**Ward:** Margate Central

### Purpose of the Report

To consider the application from Kent Police for a review of the premises licence at Freddie's 3 Duke Street Margate.

### Recommendation(s):

1. The instructions of the Sub-Committee are requested

### 1. Summary of Reasons

- 1.1 An application for a review of the licence for Freddie's was received from Kent Police therefore the Licensing Sub Committee must consider the application.

### 2. Background

- 2.1 The premise has been licensed by Mr Weston since November 2021.
- 2.2 On 20th January 2025 Kent Police submitted an application for a review of the premises licence.
- 2.3 One of the conditions on the current licence is working CCTV and the requirement to provide the police or a licensing officer with the CCTV footage if required.
- 2.4 Following an incident outside the premises on 9th November 2024 the police requested a copy of the CCTV footage from that evening.
- 2.5 22 requests were made to Licence Holder Mr Weston for the CCTV footage.
- 2.6 Following failure to provide the CCTV footage Kent Police have requested a review of the premises licence as the premises has significantly undermined the 'Prevention of Crime and Disorder' and 'Public Safety' Licensing Objectives.

## **3. Relevant Issues**

- 3.1 The application for a review was advertised as required by the Licensing Act 2003.
- 3.2 Comments have been received from the Environmental Health as a responsible authority these are attached at annex

## **4. Alternative Options**

- 4.1 The options for the Board to consider are
  - a) To revoke the premises licence
  - b) Modify the conditions of the licence (change, add or remove conditions - including operating hours)
  - c) Suspend the licence for a period (not exceeding 3 months)
  - b) exclude a licensable activity
  - e) remove the Designated premises supervisor
  - f) a combination of the above
  - g) no action

## **5. Consultation**

- 5.1 As part of the requirements of the Licensing Act 2003 applications must be advertised on the premises, on the main doors of the Council offices and on the Council's website. This is to allow for representations to be received.

## **6. Corporate Implications**

### **6.1 Finance and Resources**

- 6.1.1 There are no financial implications arising directly from this report.

### **6.2 Legal and Constitutional**

- 6.2.1 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.

6.2.2 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.

## **6.3 Council Policies and Priorities**

6.3.1 This report relates to the following corporate priorities: -

- To keep our district safe and clean
- To protect our environment
- To create a thriving place

## **6.4 Risk**

6.4.1 No risk

## **6.5 Climate Change and Biodiversity**

6.5.1 None

## **7. Equality, Equity and Diversity Implications**

7.1 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.

7.2 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.

There are no Equality Act 2010 or Public Sector Equality Duty implications from this policy. It reflects national legislation and guidance and applies equally to all businesses and individuals.

7.3 All Officers aware of their responsibilities under the Public Sector Equality Duty and TDC's Equality Policy. They will be expected to treat people equally at all times and have regard to the needs of vulnerable people and protected groups where appropriate.

## **8. Crime and Disorder Implications and Community impact**

8.1 The Licensing Act 2003 sets out the Council's responsibilities relating to the issue of premises licences.

## 9.0 Subject History

9.1 The current licence was applied for in October 2021

### Annexes

Annex A - Review Application

Annex B - Chronological list of attempts to contact Mr Weston

Annex C - Warning Letter to Mr Weston

Annex D - Email from Mr Weston

Annex E - Copy of public notice

Annex F - Comments/conditions from Environmental Health

Annex G - Copy of current licence Part A

### Background Papers - N/A

None

**Report Author(s) Contact:** Alison Brock (Technical Support Manager)

**telephone:** 01843 577416

**email:** [alison.brock@thanet.gov.uk](mailto:alison.brock@thanet.gov.uk)

### Report Sign Off

**Legal** [Ingrid Brown \(Head of Legal and Democracy & Monitoring Officer\)](#)

**Finance** [Matthew Sanham \(Head of Finance and Procurement\)](#)



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**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

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**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, T/CH/INSP 10012 SWALLOW on behalf of Kent Police  
(Insert name of applicant)

**Apply for the review of a premises license under section 51 of the Licensing Act 2003 for the premises prescribed below.**  
(delete as applicable)

**Part 1 – Premises or club premises details**

**Freddie's**  
**3 Duke Street, High Street**

<b>Post town</b> <b>Margate</b>	<b>Post code (if known)</b> <b>CT9 1EP</b>
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<b>Name of premises licence holder or club holding club premises certificate (if known)</b> <b>Mr Samuel WESTON</b>
--

<b>Number of premises licence or club premises certificate (if known)</b> <b>LN/202100498</b>
--

**Part 2 – Applicant details**

I am

- Please tick yes**
- 1) an interested part (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete ( C ) below)

**3 a member of the club to which this application relates (please complete (A) below)**

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**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in a applicable)

Please tick

**Mr**     **Mrs**     **Miss**     **Ms**     **Other title**   
(for example, Rev)

**Surname**

**First names**

Please tick yes

**I am 18 years old or over**

**Current postal address if different from premises address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

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

Name and address <b>PC Gemma MARTIN – Police Licensing Officer</b> <b>Strategic Prevention Command</b> <b>Licensing East Division</b> <b>Kent Police</b>
Telephone number (if any) <b>07929358790</b>
E-mail address (optional) <a href="mailto:Gemma.martin@kent.police.uk">Gemma.martin@kent.police.uk</a> & <a href="mailto:licensing.east.division.police.uk">licensing.east.division.police.uk</a>

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

Please tick one or more boxes

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

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

On Saturday 9th November 2024, a report was made to Kent Police reporting a suspected Acid attack at a nearby licensed premise. Information received from a witness raised concerns that the suspect attended Freddie’s bar immediately after the incident and was subsequently hidden by Door Staff.

Following this incident Kent Police requested CCTV from the DPS/PL holder Mr WESTON. Between 11th November and the 30th of December Kent Police made 22 requests for CCTV. This was requested through calls, voicemails, texts, emails, and visits.

Following the failure to provide CCTV, Kent Police are unable to prove or disprove the allegation. CCTV is a licence condition for Freddie’s and as such this failure to comply and provide has resulted in the loss of evidence. CCTV is a requirement at this licensed premises and is a tool to “prevent crime and disorder” assist in the identification of individuals who pose a risk to the community and promotes a sense of safety amongst customers, knowing that CCTV is in operation and will be provided to the police and or licensing authority following any incident or complaint. Kent Police have reason to believe that the premises has significantly undermined the ‘Prevention of Crime and Disorder’ and ‘Public Safety’ Licensing Objectives.

Robust action must be taken to ensure that this premises is correctly promoting the licensing objectives ensuring a safe environment for all.



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

(please read guidance note 2)

**Freddie's Live Lounge** - Freddie's is located at 3 Duke Street, Margate. The premises is described as a basement bar/club that sells alcohol. The premises is approximately 80 square metres consisting of a bar, lounge area, storeroom, office, toilets and staircase. The premises provides late night entertainment including live music, comedy, and magic shows.

Freddie's is situated in the Old Town and is surrounded by other business and residential properties. The premises is near Margate Sea front.

The Designated Supervisor and Premise License Holder is Mr Samuel Weston. Mr Weston holds a personal license with Thanet District Council.

### **Circumstances**

On Monday 11<sup>th</sup> November, Kent Police requested CCTV and door staff details from the DPS of Freddie's Mr Samuel WESTON, following a suspected acid attack at a nearby premises. Information suggested that the suspect from the attack attended Freddie's immediately after the incident and was hidden by door staff.

The premises licence has 3 conditions of note under the Prevention of Crime and Disorder

Annex 2 – Conditions consistent with the operating Schedule

1. CCTV must be installed and maintained in good working order, be correctly time and date stamped. Recordings must be kept on a hard drive for a period of 31 days and handed to Police/Local Authority upon request.
2. The premises licence holder must ensure at all times a DPS or appointed member of staff are capable and competent at downloading CCTV footage in a recordable format to the Police or Local Authority upon request.
3. 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.pnnpolice.uk](mailto:licensing.east.division@kent.pnnpolice.uk))

Kent Police have made 12 attempts to contact with Mr WESTON between 11<sup>th</sup> November and 30<sup>th</sup> December 2024. Despite leaving numerous messages which were not replied to officers also attended the venue more than 5 times in person during the same period, we have not been able to carry out our criminal investigation due to a lack of engagement from Mr WESTON. The ramifications of Kent Police being unable to secure CCTV, has had the following impact.

Kent Police investigation has been left disadvantaged without being able to secure critical evidence, which we believe would have shown not only the identity of somebody responsible for a significant and serious acid attack. But the actions designed to hide him by security staff, which goes against the very essence of those employed with an SIA badge.

Kent Police are unable to prove or disprove that door staff at Freddie's did hide the suspect following the acid attack. Kent Police question the poor communication and failure to provide

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CCTV, goes further than just a breach of licensing condition, but it is more likely than not - activities to hinder the criminal investigation, shield not only the suspect, but the actions taken to hide that suspect by security staff.

PC MARTIN tried her best to communicate with Mr WESTON and wanted to work with him to resolve the matter. However, her calls, texts and emails overall have been ignored and the opportunity to work together was not well received by Mr WESTON.

PC MARTIN can confirm this is not the first time Mr WESTON has breached his CCTV conditions. On 21<sup>st</sup> April 2023 Mr WESTON was issued with a warning letter regarding breaching several conditions on his premises licence, in particular CCTV. Mr WESTON was unable to provide CCTV footage following a serious incident. Mr WESTON was advised that this was his final written warning, and any more breaches will result in the review of his premises license. (See Annex 2)

PC MARTIN has been advised that Mr WESTON's annual licensing fee has recently been paid to Thanet District Council. This was communicated by Mr Weston via email, the same email address PC MARTIN used to communicate with him.

Mr Weston stated in the email to Thanet District Council, dated Thursday 9<sup>th</sup> January at 10:20hrs that he has been in poor health recently. Mr WESTON told Thanet District Council that he had a heart attack and had heart surgery 12 weeks ago and this was the reason for missing his payment. (See Annex 3)

PC MARTIN can confirm that at no point had this information be relayed to her in the initial conversation with Mr WESTON in early December, nor was this information relayed to the uniformed officers that attended and spoke to MR WESTON.

A Designated Premises Supervisor (DPS) is the person who has day to day responsibility for the running of the premises. The DPS will act as the primary contact for the local authority and Kent Police and must be always contactable. If the local authority or Kent Police have any questions or concerns about the business or licence, they will expect to be able to reach the DPS and/or arrange meetings which the DPS will be asked to attend.

Kent Police questions the integrity of Mr WESTON based on the lack of communication and consistency from the original request on 11<sup>th</sup> November 2024. On the balance of probability, its Kent Police's opinion that mandatory conditions have been breached and that Mr WESTON is not suitable as Designated Premises Supervisor at the premises. Kent Police respectfully request he is removed as DPS and or the license revoked.

Annex (References – please see attached supporting documents)

- 1) – Chronological list of attempts made to speak to Mr Weston
- 2) - Final written warning letter from Thanet District Council (April 24)
- 3) – Email from Sam Weston to TDC.

**Please tick yes**

Have you made an application for review relating to this premises before

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If yes please state the date of that application

Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to this premises please state what they were and when you made them**

**Please tick yes**

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- **I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate** x
- **I understand that if I do not comply with the above requirements my application will be rejected** x

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant’s solicitor or other duly authorised agent**  
 (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature  
 PC 13166 MARTIN

Date  
 14/01/2025

Capacity  
 Responsible Authority – Kent Police Licensing.

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e mail address your e mail address (optional)</b>	

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.



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**certificate under the Licensing Act 2003**      Annex 1

5. This is the address which we shall use to correspond with you about this application.

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## Agenda Item 3 Annex 2

See below for a chronological list of attempts to communicate with Mr WESTON.

On Monday 11<sup>th</sup> November Licensing officer PC MARTIN called Mr WESTON on his mobile number. He did not answer but PC MARTIN was able to leave a voicemail message. PC MARTIN emailed Mr WESTON on the same day requesting CCTV footage from FREDDIE'S. The request was explained over email stating this was due to a serious incident that took place nearby. In the email PC MARTIN requested the following.

- 1) Please can you supply CCTV footage from all your cameras from 19:00hours on 08/11/24 to 03:00 hours on 09/11/24.
- 2) Please can you provide the names and SIA badge numbers of the 2-door staff you had working on 8th November.

On Thursday 14<sup>th</sup> November PC MARTIN obtained a new contact number for Mr WESTON. PC MARTIN called you on this number, you did not answer but PC MARTIN was able to leave a voicemail message.

On Monday 18<sup>th</sup> November PC MARTIN sent Mr WESTON a text message asking him to call PC MARTIN ASAP. Mr WESTON did call back but PC MARTIN missed his call. PC MARTIN called back but there was no answer. PC MARTIN sent a text message to Mr WESTON saying she was returning his call.

On Tuesday 19<sup>th</sup> November Mr WESTON text PC MARTIN saying that he hadn't received any emails from PC MARTIN, and he provided a new email address. PC MARTIN advised that she would resend her previous email to the correct address.

On Monday 25<sup>th</sup> November PC MARTIN text Mr WESTON asking him to respond to her email.

On Tuesday 26<sup>th</sup> November PC MARTIN text Mr WESTON advising she had re sent the original email and asked him to respond to the email today.

On Tuesday 26<sup>th</sup> November Mr WESTON emailed PC MARTIN stating he was sorry for the delay. That he had spoken to his manager. Mr WESTON was dealing with some 'family stuff' and that Freddie's hadn't been open. Mr WESTON stated he had a problem with the cameras due to a flood in the bathrooms, the water had got backed up and the camera box got wet. Mr WESTON'S manager was struggling to get the footage up on his phone, so he ordered a new CCTV box. Mr WESTON stated he would chase up his manager tomorrow to get him to send PC MARTIN the footage. Mr WESTON provided PC MARTIN with security staff detail as originally requested.

On Thursday 28<sup>th</sup> November PC MARTIN replied to Mr WESTON'S email asking for the contact details of his manager as PC MARTIN believed it would be easier to speak to him direct. PC MARTIN advised that it was crucial that she got the CCTV.

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### Annex 2

On Tuesday 3<sup>rd</sup> December PC MARTIN text Mr WESTON asking for an update on the CCTV situation.

On Wednesday 4<sup>th</sup> December Mr WESTON text PC MARTIN saying he spoke to Kev his manager who told him he couldn't get anything from the CCTV but hadn't given up. Mr WESTON advised he would chase him tomorrow to see if he had any success.

On Monday 9<sup>th</sup> December PC MARTIN text Mr WESTON asking if his CCTV was up and running advising that him that he has had sufficient time to fix the issue.

On Tuesday 10<sup>th</sup> December PC MARTIN called MR WESTON twice and she visited the premises. PC MARTIN was not able to locate MR WESTON.

On Wednesday 18<sup>th</sup> December PC MARTIN called Mr WESTON at 10:34hrs, Mr WESTON did not answer. PC MARTIN left a voicemail asking Mr WESTON to call her back urgently. Following that call PC MARTIN sent Mr WESTON a text message asking him to call her urgently.

On Wednesday 18<sup>th</sup> December PC MARTIN requested that local beat Police officers attend Freddie's to locate Mr WESTON and view CCTV. PC MARTIN advised the officers that Mr WESTON has had sufficient time to fix the broken CCTV and that it should be recording for 31 days as per the premises license condition.

On Wednesday 18<sup>th</sup> December PS ABSOLUM attended Freddie's. Although the premises was closed, Mr WESTON was there. Mr WESTON was able to show PC ABSOLUM the CCTV, but he could not show him that the CCTV was recording and how long for. Mr WESTON told PC ABSOLUM that he will need to speak to Kev his manager about it. PC ABSOLUM advised he would pop back later once Mr WESTON had spoken to Kev.

On Wednesday 18<sup>th</sup> December, PC ABSOLUM returned to Freddie's at 17:00, Mr WESTON was there. Mr WESTON stated that he had spoken to Kev and requested that PC ABSOLUM returned the following day. PC ABSOLUM also asked Mr WESTON to contact PC MARTIN. Mr WESTON told PC ABSOLUM that the reason for not answering PC MARTIN'S phone calls were because he had been busy working. Mr WESTON told PC ABSOLUM he would contact PC MARTIN.

Mr WESTON did not do this.

On Thursday 19<sup>th</sup> December, PC ABSOLUM attended Freddie's at 15:15 hrs. There was no one there.

On Saturday 21<sup>st</sup> December PC HAILEY and PC BEARD attended Freddie's several times in the evening. They eventually found the downstairs bar open at 21:00hrs. They spoke to Mr WESTON, and he advised that Kevin would be back on Monday. Mr WESTON confirmed to the officers that he didn't know how to work the CCTV system, and someone will need to return on Monday. Mr WESTON confirmed that the premises was open from 13:00 – 24:00hrs and was fully aware that Kevin will need to show officers the CCTV working.

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### Annex 2

On Monday 30<sup>th</sup> December PC MARTIN called Mr WESTON, the phone did not ring but went straight to voicemail. PC MARTIN advised in the voicemail that his lack of communication is unacceptable and that as a DPS he should be always readily contactable and be able to work the CCTV.

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21/04/2023

Our Ref: LN/202100498

Mr S Weston  
Freddies  
Basement, 3 Duke Street  
Margate  
Kent  
CT9 1EP

Dear Mr Weston

**Re: Licensing Act 2003 - Freddies, Basement, 3 Duke Street, Margate**

I am writing to you in reference to visits carried out on the above premises on 16/03/2023 and 18/04/2023 with myself and PC S Chapman, Police Licensing Officer.

On 16/03/2023, it was clear that you were breaching a number of conditions attached to your Premises Licence in particular your CCTV was not working and you had failed to report this to Kent Police. On 11/03/2023, there were two incidents at the premises where Police Officers attended and you were unable to provide any CCTV footage.

You were advised on 16/03/2023 that you cannot open the premises until all conditions attached to the Premises Licence were met. Failure to comply with any condition attached to a licence is a criminal offence, which on conviction is punishable by an unlimited fine or up to six months imprisonment.

A subsequent visit on 18/04/2023, confirmed that the conditions are now being complied with. However, additional advice was provided to assist with Staff Training, Drugs Policy and the SIA Register. I have also enclosed a Premises Checklist, Written Authorisation Form and a Section 57 Notice to assist you.

As discussed you need to ensure all conditions attached to the Premises Licence are being complied with at all times.

Please treat this letter as a **final** written warning regarding your conduct as the Licence Holder and DPS. Any further breaches in conditions or concerns regarding your management may result in a prosecution and/or review of your premises licence a copy of this letter will be sent to the Police Licensing Unit.

Finally, as discussed you are in the process of moving to a new home address, once you have details of your new address please advise [licensing@thanet.gov.uk](mailto:licensing@thanet.gov.uk) and they can advise you on the process of updating your Premises and Personal Licence.

Continued .....

Reception: 01843 577000  
Web: [thanet.gov.uk/contact](http://thanet.gov.uk/contact)  
Facebook: @ThanetDistrictCouncil  
Twitter: @ThanetCouncil  
Head office: Cecil St, Margate, CT9 1XZ

Should you have any queries regarding this matter, please do not hesitate to contact me on my details below.

Yours sincerely

Jade French  
Licensing Officer  
Direct Dial: 07827 977731  
Email: [jade.french@thanet.gov.uk](mailto:jade.french@thanet.gov.uk)

Encs:

Section 57 Notice  
Written Authorisation Form  
Premises Checklist



# Agenda Item 3

## Annex 4

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

From: **Samuel Weston** <[samweston23@icloud.com](mailto:samweston23@icloud.com)>

Date: Thu, 9 Jan 2025 at 10:20

Subject: Annual license fee Freddie's live lounge

To: <[licensing@thanet.gov.uk](mailto:licensing@thanet.gov.uk)>

Apologies for late payment I have had poor health recently having a heart attack and heart surgery  
12 weeks ago and missed payment

Regards Sam Weston

Sent from my iPhone

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## LICENSING ACT 2003

### REVIEW OF PREMISES LICENCE at Freddie's , 3 Duke Street Margate Kent

**PREMISES:** Freddie's

**ADDRESS:** 3 Duke Street, Margate Kent CT9 1EP

The Licensing Authority has received an application to review the above premises licence. The grounds of the application to review are:-

Failure to provide CCTV to Kent Police when requested following an incident at and or near the premises.

Interested parties and responsible authorities may make representations using the form at the link below by Tuesday 11th February 2025.

<https://www.thanet.gov.uk/info-pages/applications-received-under-the-2003-licensing-act/>

It is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is £5000.

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

The Licensing Department  
Thanet District Council  
P.O Box 9  
Cecil Street, Margate.

Dated:- 15th January 2025

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# Environmental Health Consultation

Date: 3 February 2025  
To: Kent Police - Licensing  
Premises: Freddie's Basement, 3 Duke Street, Margate, Kent, CT9 1EP

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Thank you for consulting Environmental Protection on the licence review application for Freddie's Bar, Duke Street, Margate.

## **Description/history of the premises:**

The premises is a basement bar/nightclub in the centre of Margate's Old Town on a road adjacent to other commercial/licensed premises as well as residential dwellings. Since 2021, the Environmental Health team has received 8 complaints from local residents regarding this premises. The nature of these complaints has focussed on the behaviour/noise generated by patrons outside the premises. The complaints have highlighted shouting, swearing and abusive language from patrons outside the premises causing them a nuisance.

## **Proposed conditions:**

To discourage late night disturbance from patrons, please see below conditions Environmental Health propose to be included on the licence:

- 1) **Patrons permitted to temporarily leave and then re-enter the premises to smoke shall have their drinks removed from them.**
- 2) **The premises license holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.**
- 3) **No more than # of customers will be permitted to remain in the designated smoking area at any one time.**
- 4) **A Dispersal Management Plan shall be submitted to and approved by the Licensing Authority within 1 month of this review.**

Sophie Craig  
Environmental Protection Officer

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Thanet District Council  
Part A  
Premises Licence



**Premises Licence Number - LN/202100498**

**Part 1 - Premises details**

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

Freddies  
Basement, 3 Duke Street

Post town

Margate

Post code

CT9 1EP

Telephone number

Where the licence is time limited the dates

None

Licensable activities authorised by the licence

- 1) Supply of Alcohol on the premise only
- 2) Live Music – Indoors
- 3) Recorded Music – indoors
- 4) Anything of a similar description to Live Music, Recorded Music or performances of dance – Comedy Acts & Magic Shows – indoors
- 5) Late Night Refreshment – indoors

The times the licence authorises the carrying out of licensable activities

- 1) Sunday – Thursday – 12:00pm – 22:30pm  
Friday & Saturday – 12:00pm – 01:30am
- 2) Friday & Saturday 20:00pm – 23:00pm  
Sunday 13:00pm – 18:00pm
- 3) Sunday – Thursday – 12:00pm – 22:30pm  
Friday & Saturday – 12:00pm – 01:30am
- 4) Sunday 12:00pm – 19:00pm  
Wednesday & Thursday 19:00pm – 22:30pm  
Friday & Saturday 19:00pm – Midnight
- 5) Friday & Saturday – 23:00pm – 01:30am

The opening hours of the premises Sunday – Thursday 12:00pm – 23:00pm Friday & Saturday – 12:00pm – 02:00am	Annex 7
---	---------

Where the licence authorises supplies of alcohol whether these are on and/or off supplies  On the premises only
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**Part 2**

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence  Samuel Weston,	CT9 1LA
---	---------

Registered number of holder, for example company number, charity number (where applicable)  Not Applicable
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Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol  Mr Samuel Philip Weston	CT9 1LA
---	---------

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol  Licensed by – Thanet District Council – LN201700424
---

**This Premises Licence Update Issued on -**

**Premises Licence first issued on - 5th November 2021**

**Director of Neighbourhoods**





## Annex 1 – Mandatory conditions

### No Supply of Alcohol

No supply of alcohol may be made under the premises licence:-

- a) At a time when there is no designated premises supervisor in respect of the premises licence, or
- b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

### Irresponsible Drink Promotions

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

### **Free Potable Water**

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

### **Age Verification Policy**

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

### **Drink Measures**

The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:-
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **Permitted Price of Alcohol**

- (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (2) For the purposes of the condition set out in paragraph 1 –
  - a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
  - b) “permitted price” is the price found by applying the formula –  

$$P = D + (D \times V)$$

where –

- i) P is the permitted price,
  - ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- i) The holder of the premises licence,
  - ii) The designated premises supervisor (if any) in respect of such a licence, or
  - iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

with the BBFC Guidelines has been carried out, and that this has been confirmed by the Licensing Authority, in writing, prior to public viewing.

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

1. CCTV must be installed and maintained in good working order, be correctly time and date stamped. Recordings must be kept on a hard drive for a period of 31 days and handed to Police/Local Authority upon request.
2. The premises licence holder must ensure at all times a DPS or appointed member of staff are capable and competent at downloading CCTV footage in a recordable format to the Police or Local Authority upon request.
3. 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.pnpolice.uk](mailto:licensing.east.division@kent.pnpolice.uk))
4. The premises shall have a written drugs policy, this will detail the strategies to minimise the use and supply of illegal drugs within the premises. The drugs policy shall include a structured training policy for all staff covering the issues of misuse of drugs in relation to licenced premises. Records must be kept to show members of staff who have taken the training.
5. No children under the age of 16 years old will be allowed on the premises after 20:00 hours
6. Challenge 25 posters to be displayed
7. Suitable signage shall be positioned at the exits asking patrons to leave the premises and vicinity quickly and quietly.

# Agenda Item 3

## Annex 7

8. The premises must have two SIA registered door staff to work on Fridays and Saturdays from 21:00- 02:30am. (This is to include Christmas Eve and New Years Eve)
9. The premises licence holder or DPS shall maintain an accurate and up to date register in respect of all stewards, security staff or door supervisors working at the premises when it is open to the public.

The register will comprise of:

- (a) the name, address, telephone number of the member of staff
- (b) any registration number relating to the steward or door supervisor whether employed directly by the licensee or through an agency
- (c) the name, address and telephone number of the agency providing stewards, security staff or door supervisor where not employed directly by the licensee
- (d) the dates and times of commencement and finishing of work
- (e) signature of the member of staff
- (f) details of any incident in which the member of staff is involved including any calls to the police and any police action taken.

### Incident Register

10. The premises licence holder or designated premises supervisor must keep an incident register. Staff are to be trained to complete an incident book/records immediately after the incident but no later than the end of their shift.

The register must be kept on the premises and will detail

Day, date and time of incident

Nature of incident

Resolution

Each entry is to be checked and signed by the DPS/Licensee no later than 1 week after the entry has been made.

The register must be made available to Police, Police Licensing Officers and authorised officers from the Local Authority either electronically or hard copy, this register should be kept for a minimum of 2 years.

### Training

11. All staff paid or unpaid who will be making sales of alcohol will have licensing training or will complete a minimum of the BII Level 1ARAR course; prior to making sales of alcohol.
  - a Refresher training will take place every 6 months or sooner if there are changes in legislation
  - b All staff will have individual training records that detail the date and nature of training (or certificate if a BII course has been taken)
  - c All staff to receive training in relation to the conditions applicable to this premises licence
  - d All training will be documented and will be made available to the responsible authorities on request along with the content of the training (not applicable if a BII course has been taken as certificates will be made available)
  - e Training records must be kept on the premises and shall contain the nature, content and frequency of all training.

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

g All records will be kept for a period of 2 years.

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

None

**Annex 4 – Plans**

Plans considered – October 2021

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