

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

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Report Sign Off

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