

**MAIDSTONE BOROUGH COUNCIL**

**LICENSING ACT 2003 SUB COMMITTEE**

**MINUTES OF THE MEETING HELD ON MONDAY 11 OCTOBER  
2021**

**Present:** Councillors Hinder, J Sams and Springett (Chair)

15. APOLOGIES FOR ABSENCE

There were no apologies.

16. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

17. ELECTION OF THE CHAIRMAN

**RESOLVED:** That Councillor Springett be elected as Chair for the duration of the meeting.

18. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

19. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

20. ADJOURNMENT OF THE MEETING

The Chair stated that the meeting would be adjourned to allow the applicant and respondents' representative to further discuss the licensing conditions proposed by the former.

The meeting was initially adjourned between 12.02 p.m. to 12.35 p.m., which was then extended from 12.35 p.m. to 1 p.m.

21. EXEMPT ITEMS

**RESOLVED:** That all items be taken in public as proposed.

22. APPLICATION FOR REVIEW OF A PREMISES LICENCE FOR CENTURY CLUB,  
30-32 LOWER STONE STREET, MAIDSTONE, KENT, ME15 6LX,

The persons participating in the hearing were identified as follows:

Chairman – Councillor Springett

Committee Member – Councillor Hinder

Committee Member – Councillor J Sams

Legal Advisor – Mr Robin Harris

Senior Licensing Officer – Lorraine Neale (in attendance virtually)

Democratic Services Officer – Miss Oliviya Parfitt

Applicant – Chief Inspector Chris Woodward on behalf of Kent Police

For the Applicant:

PC James Williams – Kent Police

Respondents and Representative – Mr Othman Ktifi (Licence holder), Miss Antonia Locatelli (DPS) and Mr Colin Pope of Dadds LLP Licensing Solicitors

All parties confirmed that they were aware of the Sub-Committee hearing procedure and had each received a copy of the hearing procedure document.

The Sub-Committee agreed to proceed in the absence of the objector and noted the additional comments received that had been distributed to the panel Members. The Sub-Committee confirmed that they had read the papers.

The Chair explained that:

- The Sub-Committee would allow all parties to put their case fully and make full submissions within a reasonable time frame.
- The procedure would take the form of a discussion led by the Sub-Committee and they would usually permit cross-examination conducted within a reasonable timeframe.
- Any person attending the hearing who behaved in a disruptive manner may be directed to leave the hearing by the Sub-Committee (including temporarily) after which, such person may submit to the Sub-Committee over the Instant messaging facilitating any information which that person would have been entitled to give orally had the person not been required to leave the meeting. If this is not possible, they may be permitted to speak at the Chair's Invitation.

The applicant and respondent's representative confirmed that they had agreed a draft set of conditions.

Prior to their consideration, the Senior Licensing Officer introduced the report and noted that the hearing had originally been scheduled for the 20

September 2021 but had been postponed under Regulation 11 of the Licensing Act 2003 (Hearings) Regulations 2005.

The review had been requested by Chief Inspector Chris Woodward following a series of incidents that had caused concern regarding the venue's management which posed a risk to the safeguarding of patrons both inside and outside of the venue and the local community.

Two particular incidents on the 4 and 6 September 2021 were highlighted, alongside the non-adherence to the relevant Covid-19 legislative requirements (when in force). The proposed measures by Kent Police were briefly outlined, with the discussion between the applicant and respondents' representative noted.

PC James Williams and Mr Colin Pope confirmed that they had agreed upon a set of draft conditions, which were outlined to the panel. Mr Harris highlighted several inconsistencies within the proposed conditions; incorrect numbering, that the training requirements had been outlined in more than one condition and to question the necessity of risk assessments for external events when these were to be prohibited. The conditions were amended with the agreement of the applicant's and respondents' representatives.

The panel questioned how the venue's events would be 'primarily' sporting events and requested that the staff training requirements were made compulsory rather than advisory. Mr Pope stated that venue was regarded as a snooker hall, and included provision for darts games, chalkboards and television screens to be used, for example, to display football games.

In assessing the draft conditions, the panel questioned how the premise's adherence to the conditions would be assessed as the previous advice given by Kent Police had not been adhered to. PC Williams stated that he patrolled the local area on Friday and Saturday nights and hoped for additional staffing resources in the future as the Covid-19 pandemic came to an end. If PC Williams was unavailable, other officers would attend the area on his behalf.

In response to questions, PC Williams confirmed that he was satisfied with the draft conditions (as proposed and amended) and that a suspension of the premises licence was no longer required, with the premises' policies as referred to in the conditions to be sent to him by Friday 15 October 2021. Miss Antonia Locatelli confirmed that the CCTV was now accessible.

Mr Harris requested confirmation that the staff training requirements and 'Challenge 25' training, as outlined in separate conditions, were both required; both parties agreed their necessity.

PC Williams confirmed that there was no desire to limit in the number of events held, as the respondents had agreed to the prohibition of externally promoted events and promoters, which had been the main concern. PC Williams confirmed that they were happy with the conditions

proposed. The modified conditions were to take place with immediate effect.

Mr Pope thanked the panel for their time and stated that his client was willing to work with Kent Police and that there would be no repetition of the previous mistakes made.

The Chair advised that the Sub-Committee would retire for deliberation with the legal advisor present.

The meeting was adjourned for deliberations between 1.45 p.m. to 2.30 p.m.

The Sub-Committee returned and the Chair stated that the decision had been made to modify the premises' licence in accordance with the conditions put forward as accepted by both parties during the hearing. The final amendments made to the wording of the conditions were outlined.

It was confirmed that a written decision would be provided within five working days. Parties were reminded of the right of appeal to the Magistrates Court.

The meeting closed at 2.36 p.m.

**RESOLVED:** That the Sub-Committee's decision and reasons be provided within the Notice of Determination attached as an Appendix to the minutes.



## LICENSING AUTHORITY: MAIDSTONE BOROUGH COUNCIL

### LICENSING ACT 2003 LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

#### NOTICE OF DETERMINATION REVIEW

Application Ref No: **21/01817/REVIEW**

---

Applicant: Chief Inspector Gary Woodward on behalf of Kent Police

Premises CENTURY CLUB, 30-32 LOWER STONE STREET,  
MAIDSTONE, KENT ME15 6LX

Date(s) of hearing: 11<sup>th</sup> October 2021

Date of determination: 11<sup>th</sup> October 2021

Committee Members: [Chairman]: Councillor V Springett  
Councillor J Sams  
Councillor B Hinder

Legal Advisor in attendance: Robin Harris, Team Leader (Contentious) MKLS

Democratic Services Officer in attendance at hearing: Miss Oliviya Parfitt

Licensing Officer in attendance: Lorraine Neale

This was an application for:

Review

of a

Premises Licence

**A: Representations, evidence and submissions:**

The Committee considered the representations, evidence and submissions of the following parties:

**Applicant**

**Name: Kent Police**

**Legal or other representative: PC James Williams**

**Responsible Authorities**

**None**

**Other Persons**

**None**

**Witnesses and legal representatives in support of other persons**

- **N/A**

**Licence Holder**

**Name: Mr Othman Ktifi**

**Legal or other representative: Mr Pope (Dadds LLP Licensing Solicitors)**

**Witnesses and legal representatives in support of the licence holder**

**Miss Antonia Locatelli (DPS)**

**Representations considered in the absence of a party to the hearing:**

- **N/A**

**B: Consideration of the Licensing Act 2003, the Guidance under s. 182 of the Act and the Statement of Licensing Policy of Maidstone Borough Council**

The Committee has taken into account specifically the following provisions of the Licensing Act 2003 and the Regulations thereto:

Sections 51

The Committee has taken into account the following provisions of the Guidance under section 182 of the Act:

Chapter 2 which relates to the licensing objectives  
Chapter 10 which relates to conditions attached to licences;  
Chapter 11 which relates to reviews.

The Committee has taken into account its Statement of Licensing Policy:

Paragraphs 17.9 – 17.22

The Committee has decided to depart from the guidance under section 182 of the Act and or the statement of licensing policy for the following reasons:

Paragraphs and reasons (state in full):

N/A

**C: Determination:  
The Committee has decided to:**

- Modify the conditions of the premises licence in accordance with the agreed conditions put forward as accepted by both parties at the hearing.

If so, state the modified conditions: See attached sheets.

**Reasons for determination:**

■ **Prevention of Crime and Disorder**

Reasons (state in full):

The Sub-Committee were satisfied that the conditions agreed between all parties were appropriate and proportionate to promote this licensing objective.

■ **Public Safety**

Reasons (state in full):

The Sub-Committee were satisfied that the conditions agreed between all parties were appropriate and proportionate to promote this licensing objective.

■ **Prevention of nuisance**

Reasons (state in full):

The Sub-Committee were satisfied that the conditions agreed between all parties were appropriate and proportionate to promote this licensing objective.

■ **Protection of children from harm**

Reasons (state in full):

There were no representations relating to this licensing objective.

PRINT NAME (CHAIRMAN): Cllr Val Springett

Signed [Chairman]:

A copy of the original document is held on file

Date:

### **Conditions to be added to the Premises Licence**

1. There shall not be any external promoted event or promoters used at the premises.
2. The premises shall be used as an indoor sporting venue, providing pool, snooker, darts and indoor sport of a similar kind and screened sporting events. With the exception of internally organised events.
3. The premises shall not charge for admission.
4. 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.
  - a) Cameras shall encompass all ingress, egress and include all areas to which the public have access, including fire escapes, stairwells and where the supply of alcohol occurs (with the exception of areas agreed by the Police, for example toilet cubicles).
  - b) The CCTV shall be recording at all times that the premises are open to the public.
  - c) 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 31 days and handed to Police upon reasonable request.
  - d) The Premises Licence Holder must ensure at all times a DPS or appointed members of staff are capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.
  - e) The Police or local authority will be given a copy of the CCTV in a suitable format within 48 hours of any reasonable request.

5. All persons that sell or supply alcohol to customers must have licensing training.

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

b) Refresher training must be repeated a minimum of every 12 months or earlier if required due to changes of legislation.

c) Training records must be kept on the premises and shall contain the nature, content and frequency of all training.

d) Records must be made available for inspection by Police, Police Licensing Officer and authorised officers from the Local Authority upon request either electronically or hard copy.

6. A logbook shall be kept detailing all incidents that occur at the Premises. This will be a bound book which will detail the following:

A) The day, date and time of the incident

B) The member of staff making the entry

C) All members of staff involved in the incident

D) An account of the incident

E) Details of any persons injured and the injuries sustained

F) Any other details thought relevant

7. At least one member of staff with a personal licence will be on duty from 18:00hrs that the premises are open for the sale of alcohol.

8. All persons entering, or re-entering the premises may be subject to searching as a condition of entry. Searching will include the use of knife arch / metal detecting wand.

9. 2 SIA registered door staff will be employed at the premises, these staff will be on duty from 2000hrs until 30 minutes after the premises closes to the public on Friday and Saturday.

10. If the premises is open on Christmas Eve and/or New Year's Eve at least 2 SIA registered door supervisors will be employed from 20:00hrs until close of business. On any Sunday preceding a Bank Holiday at least 2 SIA door supervisors will be employed from 20:00hrs until close of business.
11. SIA registered Door Supervisors shall be responsible for the lawful searching and / or exclusion of those suspected of carrying illegal drugs, offensive weapons who attempt to gain entry into the premises. If items are located entry will be refused and all seized items will be recorded in an incident book and handed to police.
12. There will be a door control policy that outlines clear instruction and understanding of the door supervisor's responsibilities at the premises. This policy will contain
  - a) How door staff prevent overcrowding
  - b) Supervise the queue to ensure that it is managed in a way that avoids rowdy, unpleasant behaviour and to keep customers quiet so as to not disturb neighbours in the vicinity
  - c) A procedure for door staff engaged in searching persons as a condition of entry
  - d) To ensure the dispersal of patrons from the curtilage and grounds of the licensed premises immediately after the end of licensable activities
  - e) Prevent patrons from leaving the premises with open containers and bottles
  - f) To provide evidence by written statement to the police in any criminal investigation as and when required.
13. Regular checks shall be made in the toilets in order to discourage drug use within them. These checks shall be during trading hours and will be logged, with the date and time. Records must be made available for inspection for Police,

authorised officers and Local Authority upon request either electronically or hard copy.

14. Toughened or polycarbonate glass will be used at the premises after 22:00hrs.
15. From 20:00hrs no persons under the age of 18 will be permitted in the building unless accompanied by an adult with the exception of staff members working at the time.
16. The Licence Holder shall erect and maintain clear and prominent notices at their premises advising patrons of any admission restrictions. This will also advise patrons about causing any disturbances or disorder from the premises or in a queue which will result in admission being refused.
17. The only proof of age that will be accepted by staff will be a photographic driving licence, a passport or a 'PASS' marked proof of age card.
18. A refusal register will be in operation at the premises. All staff involved in the sale of alcohol will be fully trained in the system and it will record the following:
  - a. Item refused.
  - b. Name of description of the person refused.
  - c. Reason for refusal.
  - d. Name of staff member making refusal
19. The register will be available for inspection to any Police Officer, Local Authority Licensing Officer or Trading Standards Officer at any reasonable time.
20. The licence holder shall produce risk assessments that must have proper regard to the Health and Safety Executive guidance 'The Event Safety Guide: A guide to health, safety and welfare at music and similar events'. It must address but is not limited to risks specific to the nature of the proposed event and its potential

to undermine the licensing objectives. The risk assessments must be submitted in writing either by post or electronically to Police Licensing Team ([west.division.licensing@kent.police.uk](mailto:west.division.licensing@kent.police.uk)), the local Licensing Authority and Environmental Health a minimum of 5 days prior to the event taking place.

21. The premises will undertake the 'Challenge 25' scheme. All staff involved in the sale or supply of alcohol will be trained in the 'Challenge 25' Scheme and such training will be recorded.
22. To allow the use of IONTRACK. (Drug testing Machine), within the premises, (or curtilage of the premises), as a condition of entry, at the request of, and after consultation with Police. To allow swabbing for detection of drugs use when deemed necessary by Police.
23. The premises shall have a written drug policy, this will detail the strategies to minimise the use and supply of illegal drugs within the premises. This will entail an agreed procedure for the handling and retention of any article seized. Where premises consider a drugs safe to deposit drugs found, there will be a clear policy for the handling and packaging of seized items. For premises with a suitable 'drug safe' the items secured within the safe would not be considered as being in possession.
24. There will be no admittance or re-admittance to the premises after 01:00hrs, customers leaving to smoke must remain within the designated smoking area at all times or re-admittance will be refused. The only exception to this condition will be for patrons who have pre-booked their admission to the premises before 22:00hrs. Confirmation of booking will be recorded on a digital platform, date, time and shown on request to the licensing authority.