

LICENSING ACT 2003 SUB COMMITTEE MEETING

Date: Monday 11 October 2021
Time: 12.00 pm
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Hinder, J Sams, Springett and Joy (Substitute Member)

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

AGENDA

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Election of the Chairman
4. Disclosures by Members and Officers
5. Disclosures of Lobbying
6. To consider whether any items should be taken in private because of the possible disclosure of exempt information
7. Application for Review of a Premises Licence for Century Club, 30-32 Lower Stone Street, Maidstone, Kent, ME15 6LX, 1 - 71

ALTERNATIVE FORMATS

The report included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact Democratic Services** on committee@maidstone.gov.uk or **01622 602899**.

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Issued on Thursday 30 September 2021

Alison Broom

Alison Broom, Chief Executive

Agenda Item No: 1 – Summary of Report

Licence Reference 21/01817/REVIEW
Report To: LICENSING SUB – COMMITTEE
(UNDER THE LICENSING ACT 2003)

Date: 8th September 2021

Report Title: CENTURY CLUB, 30-32 LOWER STONE STREET, MAIDSTONE, KENT
ME15 6LX

Application for Review of a Premises Licence

Report Author: Lorraine Neale

- Summary:**
1. The Applicant for Review – Chief Inspector Gary Woodward on behalf of Kent Police
 2. Type of application applied for: Review of a Premises Licence.
 3. Grounds for Review

PREVENTION OF CRIME AND DISORDER PUBLIC SAFETY PREVENTION OF PUBLIC NUISANCE

This Review is the same issue that was meant to be considered at Licensing Sub Committee on 20th September 2021. However, under Regulation 11 of the Licensing Act 2003 (Hearings) Regulations 2005 the authority extended the time for holding this hearing in the public interest by 10 working days. This was with the agreement of the applicant and enabled all parties to be in attendance and informed on all matters.

It is the belief of Kent Police that there is a lack of suitable pre-planning and risk assessments at the venue and that the management have no measures in place to safeguard customers inside or outside the venue and especially during the pandemic period. The premise licence holder (PLH) is believed to have failed in the Licensing Act objectives of crime and disorder, public safety and prevention of public nuisance.

There have been two incidents of concern that have occurred at the venue between the 4th and 6th September 2020 that are both failures in upholding licensing objectives and highlight a failure to learn from previous incidents.

Residents have also expressed their concerns to the Police about the day to day running of the venue., their main concerns are of the loud music in the early hours of the morning and all the customers and vehicles at the front of the premises causing a general nuisance.

It is believed that the premises requires very strong management to ensure that the staff, premises, and the wider community are adequately protected and not subjected to issues arising from it. In order for management to regain control of the venue Kent Police believe that certain measures are put in place.

Affected Wards:	High Street Ward
Recommendations :	The Committee is asked to determine the application and decide whether to take such steps as members consider appropriate for the promotion of the licensing objectives.
Policy Overview:	The decision should be made with regard to the Secretary of State's Guidance and the Licensing Authority's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from Policy or Guidance the departure must be directed solely at the attainment of the licensing objectives, and that such departure be supported by proper reasons.
Other Material Implications:	<p>HUMAN RIGHTS: In considering this application it is appropriate to consider the rights of both the licence holder and the applicant together with other parties, such as “responsible authorities” and/or “interested parties” (objectors). The hearing procedure for reviewing premises licences has been formulated to ensure a fair hearing for all parties.</p> <p>LEGAL: Under the Licensing Act 2003 the Licensing Authority has a duty to exercise licensing control of relevant premises.</p>
Background Papers:	Licensing Act 2003 Home Office Guidance Document issued under section 182 of The Licensing Act 2003 as amended Maidstone Borough Council Statement of Licensing Policy
Contacts:	Mrs Lorraine Neale at: lorryneale@maidstone.gov.uk – tel: 01622 602528

Agenda Item No. 1

Report Title: CENTURY CLUB, 30-32 LOWER STONE STREET, MAIDSTONE, KENT ME15 6LX

Application for Review of a Premises Licence

Purpose of the Report

4. The report advises Members of an application for the review of a premises licence, brought by Chief Inspector Woodward on behalf of Kent Police in respect of the premises Century Club, 30-32 Lower Stone Street, Maidstone, Kent ME15 6LX

Issue to be Decided and Options

1. Members must, having regard to the application and any relevant representations, take such steps mentioned below as members consider appropriate for the promotion of the licensing objectives.
2. The steps are:
 - To modify the conditions of the licence (including for a period not exceeding 3 months);
 - To exclude a licensable activity from the scope of the licence (including for a period not exceeding 3 months);
 - To remove the designated premises supervisor;
 - To suspend the licence for a period not exceeding 3 months;
 - To revoke the licence.
 - To issue a warning or caution.
 - To take no action.

Background

3. The relevant statutory provisions are sections 51 to 53 inclusive of the Licensing Act 2003. the Licensing Objectives are as follows:
 - The prevention of crime and disorder;
 - Public Safety;
 - The prevention of public nuisance; and
 - The protection of children from harm
4. The current premises licence was granted on 18th June 2019 a copy is attached as Appendix B

5. The application has been correctly advertised with a notice displayed on the premises and at the Council offices for the required period.
6. The applicant is requesting that the Sub-Committee:-
 - 1) Reduce the terminal hour to 00:00 for Friday and Saturday nights.
 - 2) Attach conditions 1. – 28 as follows, found at appendix A, application for review.
 1. All persons entering, or re-entering the premises will be subject to searching as a condition of entry. Searching will include the use of knife arch/ metal detecting wand.
 2. There will be no admittance or re-admittance to the premises after 23:00 hours, 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 20:00hrs. Confirmation of booking will be recorded on a digital platform, date, time and shown on request to the licensing authority.
 3. The Licence holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons that those attending
 - a) It is a condition of entry that customers agree to be searched.
 - b) Police will be informed if anyone is found in possession of controlled substances or weapons.
 4. Door supervisors will undertake body searches, at least one male and one female door supervisor must be available to undertake the body searches of the same customer gender before gaining entry to the premises.
 5. 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.
 6. 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 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 premise 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 police in any criminal investigation as and when required.
 7. 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, date and time. Records must be made available for inspection for Police, authorised officers and Local Authority upon request either electronically or hard copy.
 8. A minimum of 4 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. In addition to this a further one door supervisor per 100 customers.
 9. If premises is open on Christmas Eve and/or New Years Eve then at least 4 door supervisor will be employed from 20:00hrs until close of business.
 10. On any Sunday preceding a Bank Holiday at least 4 door supervisors will be employed from 20:00hrs until close of business.

11. 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 is 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.

12. 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 drug's 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. For premises that do not have a drug safe they must have a written agreement with police as to a procedure in the collection or delivering drugs to police.

13. 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.

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

- a) Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place.
- b) Refresher training should be repeated a minimum of every six 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.

15. The premises will undertake the "Challenge 25" Scheme.

16. All staff involved in the sale or supply of alcohol will be trained in the "Challenge 25" Scheme and such training will be recorded.

17. The premises shall produce a full Risk Assessment to cover the running of events at the premises. All events whether run as "in house" or by outside organisers will comply with that Risk Assessment unless a separate Risk Assessment is completed for that particular event. The risk assessment will be sent to/shared with Kent Police 120 hours prior to the event taking place.

18. 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), the local Licensing Authority and Environmental Health a minimum of 31 days prior to the event taking place.

19. 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

20. 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

21. The register will be available for inspection to any Police Officer, Local Authority Licensing Officer or Trading Standards Officer at any reasonable time.

22. Toughened or polycarbonate glass will be used at the premises.

23. 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.

24. The Licence Holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons of any admission restrictions.

25. The Licence Holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons that causing any disturbance or disorder in a queue will result in admission being refused.

26. On duty staff will challenge any patrons parking vehicles directly outside the venue.

27. At least one member of staff with a personal licence will be on duty at all times that the premises are open for the sale of alcohol.

28. 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

- 3) That a period of suspension be considered in order to allow the premises to reset and implement all necessary measures prior to re-opening.

7. Members are advised that they may only modify premises licences if it is appropriate to **promote the licensing objectives.**

8. Relevant sections of **The Guidance issued under section 182 of The Licensing Act 2003;**

Chapter 2 Licensing Objectives –Para 2.1 to 2.6 crime and disorder, para 2.7 to 2.14 public safety and para 2.15 to 2.21 public nuisance.

Chapter 10 Conditions attached to Premises Licences

Chapter 11 Reviews

9. Relevant policy statements **contained in The Licensing Authority's Statement of Licensing Policy (Jan 2016);**

17.9 CONDITIONS TO PROMOTE THE PREVENTION OF CRIME AND DISORDER.

Under the Act the Licensing Authority has a duty to promote the licensing objectives, and, a further duty under the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the borough.

17.10 The applicant will be expected to detail in their operating schedule how they will prevent crime and disorder on and close to the premises. Such detail should reflect the licensable activities on offer, location and character of the area, the nature of the premises use and the range of customers likely to use the premises.

These may include, but are not limited to, the following:

- Prevention of disorderly conduct and anti-social behaviour
- Prevention of underage drinking
- Prevention of sales of alcohol to intoxicated customers
- Prevention of drunkenness both on and in the vicinity of the premises
- Prevention of drug use and drug dealing
- Restriction to responsible drinks promotions
- Use of safety glass
- Inclusion of a wind-down time following alcohol sales period
- Adequate seating to discourage “vertical drinking”
- The offer of food and snacks or other entertainment or occupation to discourage persistent drinking

17.11 In busier premises the Licensing Authority would usually expect to see a short (e.g.30 mins) ‘wind down’ or ‘drinking up’ period allowed for after the cessation time of entertainment and alcohol sales as this is effective in assisting in a reduction in noise and exuberance of customers before leaving the premises.

17.12 Applicants will be expected to seek advice from the Police and the Licensing Authority will give appropriate weight to requests by the Police for premises to be protected by SIA registered door staff subject to the provision of relevant evidence. Where the Licensing Authority determines after consultation with the police that a premises is one that warrants additional security and monitoring it would expect applicants to include the provision of SIA approved door staff at the premises at appropriate times. Relevant premises are usually those used mainly for drinking alcohol, have later opening hours and are situated within the Town Centre night time economy area.

17.13 Where appropriate, applicants for licences in the Town Centre areas providing mainly alcohol, music and dancing would be expected to consider inclusion of a provision of safety glasses to prevent a risk of injury on the rare occasion that a glass may be used as a weapon.

17.14 The use of CCTV should be considered where appropriate or on the advice and recommendations of the Police and to a quality and standard approved by the Police for evidential purposes. Licensees will be expected to fully comply with the requirements of the Information Commissioners Office and the Data Protection Act 1998 in respect of any surveillance equipment installed at a premises.

17.15 In any application resulting in hearing the sub-committee will consider each application on its individual merits and determine the imposition of conditions that are appropriate to promotion of the licensing objectives.

17.16 CONDITIONS TO PROMOTE PUBLIC SAFETY.

The applicant will be expected to show how the physical safety of persons attending the premises will be protected and to offer any appropriate steps in the operating schedule to promote this.

17.17 Such steps will not replace the statutory obligation on the applicant to comply with all relevant legislation under the Health and Safety at Work etc. Act 1973 or under the Regulatory Reform (Fire Safety) Order 2004.

17.18 Applicants will be expected to have carried out the necessary risk assessments to ensure safe occupancy levels for the premises. Where a representation from the Fire Authority suggests that for the promotion of the Public Safety objective a maximum occupancy should be applied, the Licensing Authority will consider adding such a limit as a licence condition.

Where appropriate an operating schedule should specify occupancy limits for the following types of licensed premises:

- (i) High Volume Vertical Drinking e.g. premises that provide mainly stand up drinking facilities with limited seating/table space and the primary activity is the sale of alcohol
- (ii) Nightclubs.
- (iii) Cinemas
- (iv) Theatres.
- (v) Other premises where regulated entertainment is likely to attract a large number of people.
- (vi) Where conditions of occupancy have arisen due to representations received.

17.19 CONDITIONS TO PROMOTE THE PREVENTION OF PUBLIC NUISANCE.

The applicant will be expected to detail any appropriate and proportionate steps to prevent nuisance and disturbance arising from the licensable activities at the premises and from the customers using the premises.

17.20 The applicant will be expected to demonstrate that they have considered the following and included steps to prevent public nuisance:

- (i) Proximity of local residents to the premise
- (ii) Licensable activities proposed and customer base
- (iii) Hours and nature of operation
- (iv) Risk and Prevention of noise leakage from the premises from equipment, customers and machinery
- (iv) Prevention of noise from customers leaving the premises and customer pick up points outside premises and from the Car Park.
- (v) Availability of public transport to and from the premises
- (vi) Delivery and collection times and locations.
- (vii) Impact of external security or general lighting on residents
- (viii) History of management of and complaints about the premises
- (ix) Applicant's previous success in preventing Public Nuisance.
- (x) Outcomes of discussions with the relevant Responsible Authorities.
- (xi) Impact of location, noise and contamination from outside smoking areas on neighbours and other customers
- (xii) Collection of litter arising from the premises

17.21 Steps to prevent public nuisance may include a range of options including noise limiting devices, sound insulation, wind down periods, acoustic lobbies, management of smoking areas etc.

17.22 Steps will differ depending on the individual premises and activities and it is for the applicant to ensure that reasonable, effective and appropriate steps are included within the operating schedule.

Members of The Licensing Act 2003 – Licensing Sub – Committee are reminded of their duty under section 17 of the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the Licensing Authority’s responsibility to co – operate in the reduction of crime and disorder in the Borough.

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 it reasonably can to prevent, crime and disorder in its area”

Implications Assessment

- 10 The decision should be made with regard to the Home Office Guidance and the Licensing Authority’s Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs 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.
- 11 **Human Rights:** While all Convention Rights must be considered, those which are of particular relevance to the application are:
- Article 8 - Right to respect for private and family life
 - Article 1 of the First Protocol - Protection of Property
 - Article 6(1)- Right to Fair Hearing
 - Article 10 – Freedom of Expression

The full text of each Article is given in the attached Appendices.

Conclusion

Members must ensure that the application is considered on its merits, as well as against the relevant guidance, policy and statutory framework.

List of Appendices

- 12 Appendix A Application for Review
Appendix B Premises Licence
Appendix C Plan of the premises
Appendix D Plan of the area
Appendix E Human Rights Article
Appendix F Order of Proceedings

Appeal

13. The applicant, any interested party and the licence holder may appeal the Licensing Act 2003 Sub Committee’s decision within 21 days beginning with the day on which the Appellant is notified. All any appeals must be lodged with the Magistrates’ Court.

Contact:	Senior Licensing Officer
Email:	lorraineale@maidstone.gov.uk

OFFICIAL (when complete)

Application for the review of a premises licence or club premises certificate 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 Chief Inspector Gary WOODWARD

(Insert name of applicant)

apply for the review of a premises licence under section 51 under of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Century Club 30-32 Lower Stone Street Maidstone Kent	
Post town Maidstone	Post code (if known) ME15 6LX

Name of premises licence holder or club holding club premises certificate (if known) Othman KTIFI

Number of premises licence or club premises certificate (if known) 19/00790/LAPRE

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)

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

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

(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)

OFFICIAL (when complete)

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Kent Police Maidstone Police Station Palace Avenue Maidstone Kent Police ME15 6NF
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

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

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

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

Kent Police are requesting a review of this Premises Licence under the licensing objectives, the prevention of crime and disorder, public safety and public nuisance at CENTURY CLUB, 30-32 LOWER STONE STREET, MAIDSTONE.

Miss Antonia LOCATELLI is the Designated Premise Supervisor and Mr Othman KTIFI is the Premise Licence Holder.

The Premises is located in the town centre and trades as a snooker club and a night time venue. There is a Premises Licence which permits the sale of alcohol Sunday to Tuesday 10:00hrs and 00:00hrs. Wednesday to Thursday 10:00hrs to 01:00hrs and Friday to Saturday 10:00hrs to 03:00hrs.

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

Please provide as much information as possible to support the application
(please read guidance note 2)

There have been two incidents of concern that have occurred at the venue that are outlined below, these indicate both failures in upholding licensing objectives and a failure to learn from previous incidents.

On Thursday 3rd of September 2020, PC 11187 WILLIAMS spoke with Miss LOCATELLI advising her that Kent Police had received information that an urban dance event was due to take place at the venue on Friday 4th of September 2020. Miss LOCATELLI stated that she was not aware of any such event taking place at the venue. Later that day Mr KTIFI contacted PC WILLIAMS and informed him that he had located a social media post in relation to this event. Mr KTIFI said there was no such event taking place but that he had been approached a few days earlier by some males asking if they could play their music at the venue during the evening, which he had agreed to.

On Friday 4th of September 2020 13.33hrs, PC WILLIAMS attended the venue and spoke with Miss Locatelli in relation to getting access to CCTV to which she informed him they were unable to access as the password needed resetting. PC WILLIAMS had concerns about the possible event he wanted to make sure that the CCTV system was working should there have been any form of disorder. PC WILLIAMS asked again about the dance event as concerns were raised due to the current pandemic (The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020). During the pandemic venues were able to operate with strict measures whereby persons had to be social distanced, seated and no dancing. Miss LOCATELLI informed him that there was no event taking place.

On Saturday 5th of September 2020 around 00:50hrs Kent Police attended the venue due to a large crowd of customers queuing directly outside that were spilling into the road. Customers were also parking their private cars directly outside the venue. The officers spoke to Mr KTIFI and Miss Locatelli who were both present at the venue in relation to safety concerns. The main concern was about customers queuing in large groups and

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

wandering in the road between parked cars into oncoming traffic. Additionally there were further concerns in relation to breaches in The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 as members of the public were all gathered together outside the venue.

Mr KTIFI assured officers that everything was fine and there was no cause for concern. The police officers informed Mr KTIFI and Miss LOCATELLI that the venue was overcrowded to which Mr KTIFI asked what he was do. The Police sergeant told Mr KTIFI that it was about educating around no social distancing and that he limits the numbers as it appeared to be a nightclub. Mr KTIFI told the police sergeant that no more persons would go into the venue.

At 02:30hrs officers re-attended the venue as the street was full of males and females queuing waiting to get in and nothing had changed, due to it being the same officers that attended earlier this was captured on bodyworn cameras.

Police officers remained at the location due to safety concerns of overcrowding caused by customers from the venue. Whilst officers were at the location it was clear that there were no control measures. Staff had no control of customers inside the venue as they were not social distanced. Door staff appeared to have no control on the door to make sure customers were safe as they were wandering in and out of the busy road. A large group of roughly 30 people, males and females, began to leave the venue who were loud and rowdy. Whilst officers were monitoring the situation multiple incidents of serious disorder broke out where customers began fighting one another running in and out of traffic. Police officers deployed various tactics including taser. Officers then began to separate and disperse multiple groups that were fighting. Once police had gained control of the incident the venue closed shortly afterwards. No arrests were made as police were overwhelmed by the number of customers from the venue. No visible injuries were seen.
(Appendix 1).

On Sunday 6th September 2020 around 00:00hrs police attended the venue due to the previous incident. As they arrived a large group of males and females were queuing outside as well as vehicles parked. Whilst at the venue officers identified some of the persons involved in the previous night's disorder. Mr KTIFI came out and spoke with officers who informed him that the persons involved in the previous disorder were in the

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

club again. Mr KTIFI explained to officers that the male they were describing was a promoter and he was turning away his connections. Police advised Mr KTIFI to control customers queuing and overcrowding within the venue. (Appendix 2)

On Monday 7th of September 2020, PC WILLIAMS arranged a meeting at Maidstone Police Station with MR KTIFI and Miss LOCATELLI. PC WILLIAMS showed the attending officers body worn video footage of the disorder their customers were involved in as they were leaving the venue. They both agreed that the situation was not good and that they would make improvements so that this does not happen again. PC WILLIAMS suggested that they explore the option of a minor variation for conditions to be added to the licence to promote the licensing objectives.

On Thursday 10th of September 2020, PC WILLIAMS sent a letter to MR KTIFI raising concerns and that further measures would be needed at the venue. PC WILLIAMS suggested conditions be added to the licence. (Appendix 3)

On Friday 11th of September at 22:00hrs PC 11187 WILLIAMS attended the venue to do a follow up visit due to violent disorder caused by the venue's customers the previous weekend. PC WILLIAMS spoke to Miss LOCATELLI who was outside with door staff. PC WILLIAMS went into the venue and there were only a few members of the public and the venue was complying with The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 legislation.

On Saturday 12th of September at 00:15hrs PC 11187 WILLIAMS reattended the venue to see if there was an event and if they were complying with The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 legislation. There were lots of males and females queuing outside the venue and once inside it was operating as a nightclub with customers dancing. At no stage was the Coronavirus legislation being adhered to such as social distancing, all to be seated and no dancing. PC WILLIAMS located Miss LOCATELLI and informed her that there were multiple breaches in COVID Regulations and directed her to remove customers to reduce the risk. Miss LOCATELLI agreed to shut the premises.

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Whilst at the location several residents approached officers including PC WILLIAMS and expressed their concerns about the day to day running of the venue. Their main concerns were loud music early hours of the morning and all the customers and vehicles out the front causing a general nuisance. (Appendix 4, 4A)

The Premises Licence Holder and Designated Premises Supervisor have been cooperative throughout the police licensing investigation and were open and honest during the meeting on Monday 7th of September 2020. A few days later MR KTIFI agreed to conditions proposed by PC WILLIAMS and that he would submit a minor variation application in order to add those conditions.

Due to the coronavirus pandemic the venue closed November 2020

PC WILLIAMS was in contact during the pandemic as he had not received any confirmation that the minor variation application had been approved. Throughout the correspondence Miss LOCATELLI informed PC WILLIAMS, that it had been submitted wrong, they had submitted and that they had paid the fee. This correspondence carried on for 8 months with no minor variation conditions being added.

The venue re-opened on Monday 12th of April 2021.

On Friday 21st of May 2021, PC WILLIAMS conducted a night time economy visit at the venue. Whilst at the venue he observed a number of members of the public at the bar. PC WILLIAMS advised staff that no public should be at the bar as it was table service only and they should be seated.

On Saturday the 22nd of May 2021, PC WILLIAMS sent an email to Miss LOCATELLI requesting CCTV for 21/05/21 as it had been reported that the venue was not adhering to COVID Regulations such as no face masks and no social distancing.

On Friday 28th of May 2021, PC WILLIAMS sent a further email to Miss LOCATELLI as he had no correspondence in relation to the CCTV request for 21/05/21.

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On Wednesday 2nd of June 2021, PC WILLIAMS attended the venue due to ongoing complaints of COVID regulation breaches and that customers were congregating outside the venue walking into the road.

On Tuesday 8th of June 2021, PC WILLIAMS request further CCTV for 29/05/21 as it was reported again that the venue was not adhering to COVID regulations.

On Thursday 10th of June 2021 around 13:30hrs, PC WILLIAMS attended the venue and spoke with Mr KTIFI and Miss LOCATELLI about ongoing complaints of customers queuing outside, COVID regulation breaches and CCTV. Whilst PC WILLIAMS was at the venue once again members of the public were being served at the bar. PC WILLIAMS told Mr KTIFI that it was table service and customers should be sat down. Mr KTIFI explained that CCTV was working but they needed to confirm a password to unlock the system to download footage.

On Saturday 3rd of July 2021, around 02:00hrs a disturbance took place within the venue involving males and females. A group of about 10 males and females had come out from the venue and began to mix with others queuing. Whilst the males and females were outside the venue waiting to enter when it escalated in the street and they began fighting with people queuing and themselves. Two members of door staff attempted to defuse the situation and whilst they were engaged with this about 10 of males and females from the disturbance and queue entered the venue unchecked. As such, no safety or age verification checks were carried out.

At no stage did the management contact police in relation to the disorder involving their customers. Kent Police were made aware by members of the public reporting the fight in the street.

As the fight went into the street, members of the public had to pass exposing them to the risk of harm as well as vehicles coming to a stop to prevent them from hitting the males and females in the road. Police attended the location and arrests were made. (Appendix 5)

Around 03:53hrs, a serious incident occurred in Lower Stone Street, within close proximity to the Century Club. Two weapons including a knife were used between two males which resulted in serious injuries being caused. One of those males has sustained significant

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

injuries from a sharply bladed weapon during this disorder. This is subject of a live investigation for attempted murder. (Appendix 6)

It is the belief of Kent Police that there is a lack of suitable pre-planning and risk assessments at the venue and it is clear management have no measures in place to safeguard customers inside or outside the venue. It is clear that these incidents seem to continue.

The risks associated with the venue need to be risk assessed on a case by case basis and acted upon by the management in order to promote the licensing objectives. It is felt that the management have not addressed any risk assessment if they are holding events and it is clear that members of public from around the county and further afield are drawn to the venue. It is very difficult to predict whether there would have been a different outcome to this most recent incident had the premises completed suitable planning and risk assessments, however it is our believe that stronger management controls and better understanding of the risk involved would have minimised this risk.

The venue has been advised numerous times about customers congregating directly outside the venue spilling into a very busy road. This increases the risk to their customers which could cause potential serious harm not only to them but to other road users.

The venue relies heavily upon external influences and appears to attract promoters and customers from outside Maidstone which attract to draw in extra custom over the weekends as the venue predominantly operates as a snooker club during the week. As the venue is operating within the night time economy the management need to fully risk assess the events it is holding and permitting and this needs to include entry processes for guests and persons involved in these events.

During these incidents the venue has not taken steps to correct their failings under the licensing objectives. It seems to be the same faces or promoters that are at the venue on each occasion the incidents occur and seem to attract the problems. Even though these concerns have been raised with MR KTIFI and Miss LOCATELLI it still happens. There are no control measures or sufficient staff on duty to control the large number of customers and therefore it gives rise to incidents of disorder and that has a significant knock-on effect to the wider community.

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This has been highlighted on the 03/07/2021 when an incident of disorder occurred within the venue involving a couple of females. The females were removed from the club and then a fight broke out involving 20 males and females that have come from the venue or were queuing. The two members of door staff have tried their best to break up the fight. After the incident had calmed a number of the persons involved have then go straight back in the venue as if nothing had happened.

The venue is a beacon for large gatherings and customers are clearly actively coming back and forth and having clear access to vehicles. The venue needs to implement strong control measures especially around searching as the persons involved in the stabbing were clearly armed. It is unknown if they were in possession of such weapons whilst in the venue but what is clear is that they have walked into the venue unchecked.

On Wednesday 21st of July 2021, PC WILLIAMS arranged a meeting with Miss LOCATELLI as Mr KTIFI was unavailable.

This was to discuss the incident at the venue on 3rd of July.

Miss LOCATELLI was open and honest with the responses to PC WILLIAMS.

Miss LOCATELLI confirmed that the night of 2nd into the 3rd there was no dance event and had not been approached by any promoters.

Miss LOCATELLI confirmed that the only social media the venue has is Facebook which is actively monitored, and they become aware of posts via staff members using other social platforms. PC WILLIAMS advised that perhaps measures are taken to check all media platforms. There were two members of door staff working that night along with 7 members of staff (two were regulars, one was only a week into the job and three were still training). Miss LOCATELLI and Mr KTIFI were also present at the venue. Throughout the day there had been a total of about 201 customers and in the evening, it was about 140. Miss LOCATELLI stated they have a drugs policy, incident book and entry policy which included track and trace where customers gave details, ID checks and that evening they introduced a metal detector for door staff. Miss LOCATELLI confirmed that the door staff are not equipped with body worn cameras whilst at the venue. She confirmed that there were no drug or overintoxicated persons on the premises as it was like any other weekend. The door staff would conduct regular toilet checks. In relation to customers waiting outside it was the responsibility of door staff to manage large numbers and to look

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

after the safety of patrons whilst they were waiting enter or smoking and to respect residents.

Miss LOCATELLI mentioned that after 22:00hrs they introduce plastic cups to all customers. PC WILLIAMS asked what plans they have, if any, for the future and would they consider risk assessments for promoters and acts for the venue. Miss LOCATELLI agreed these would be considered and stated they had introduced a stamp system and no re-entry after 01:00hrs.

Kent Police do not have confidence that licensing objectives are being upheld, and the premises licence does not currently have suitable conditions to control the type of activities being conducted at the venue. The above failures have not caused the subsequent serious incident however if the venue had taken adequate measures, such as reporting the incident to police and preventing persons involved in the street disorder re-entering the club this may have changed the final outcome of the incident.

The management have demonstrated a lack of regard for legislation in their operation of the venue and have repeatedly failed to address the issues that have been raised with them over the operation of the venue.

The venue seems to have become a focal point for customers outside of Maidstone which gives concern for increased crime and disorder, public safety, and public. The premises requires very strong management to ensure that the staff, premises, and the wider community are adequately protected and not subjected to issues arising from it.

It has been brought to the attention of Kent Police that complaints have been received in relation to noise emanating from the venue and its patrons. Steps need to be taken to control the noise coming from the premises and its customers attending the area to utilise the premises in order to address the impact that this nuisance has on surrounding properties both business and residential. PC WILLIAMS has spoken directly with a resident who was extremely agitated with the large gatherings, parked vehicles and music.

As a result of the most recent incident, there has been increased tension within the community about public safety, locally.

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Whilst on duty Saturday 3rd of July 2021 PC Williams engaged with young adults whom had come from outside the county. They were wearing body armour. In response to why they were wearing the armour they confirmed Maidstone wasn't safe and therefore felt it was necessary to wear for their own protection.

This not only has an impact on policing within the community, but also on local businesses, specifically in the night time economy who rely heavily upon customers having confidence that they are safe.

Kent Police requests that a review of the hours permitted under this premise licence on Friday and Saturday be conducted as they feel that a terminal hour of 00:00hrs would be more appropriate. We would suggest that a period of suspension be considered by the committee in order to allow the premises to reset and implement all necessary measures prior to re-opening.

Kent Police believes that in order for the management to regain control of the venue and to enable them to uphold the licensing objectives when open to the public the attachment of the conditions listed below are both necessary and justified:

1. All persons entering, or re-entering the premises will be subject to searching as a condition of entry. Searching will include the use of knife arch/ metal detecting wand
2. There will be no admittance or re-admittance to the premises after 23:00 hours, 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 20:00hrs. Confirmation of booking will be recorded on a digital platform, date, time and shown on request to the licensing authority.
3. The Licence holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons that those attending
 - a) It is a condition of entry that customers agree to be searched

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

- b) Police will be informed if anyone is found in possession of controlled substances or weapons
4. Door supervisors will undertake body searches, at least one male and one female door supervisor must be available to undertake the body searches of the same customer gender before gaining entry to the premises.
5. 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.
6. 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 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 premise 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 police in any criminal investigation as and when required.
7. 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, date and time. Records must be made available for inspection for Police, authorised officers and Local Authority upon request either electronically or hard copy.
8. A minimum of 4 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. In addition to this a further one door supervisor per 100 customers.

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9. If premises is open on Christmas Eve and/or New Years Eve then at least 4 door supervisor will be employed from 20:00hrs until close of business.
10. On any Sunday preceding a Bank Holiday at least 4 door supervisors will be employed from 20:00hrs until close of business.
11. 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 is 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.
12. 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 drug's 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. For premises that do not have a drug safe they must have a written agreement with police as to a procedure in the collection or delivering drugs to police.

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13. 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.
14. All persons that sell or supply alcohol to customers must have licensing training.
- a) Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place.
 - b) Refresher training should be repeated a minimum of every six 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.
15. The premises will undertake the "Challenge 25" Scheme.
16. All staff involved in the sale or supply of alcohol will be trained in the "Challenge 25" Scheme and such training will be recorded.
17. The premises shall produce a full Risk Assessment to cover the running of events at the premises. All events whether run as "in house" or by outside organisers will comply with that Risk Assessment unless a separate Risk Assessment is completed for that particular event. The risk assessment will be sent to/shared with Kent Police 120 hours prior to the event taking place.
18. 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

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

writing either by post or electronically to Police Licensing Team (west.division.licensing@kent.police.uk), the local Licensing Authority and Environmental Health a minimum of 31 days prior to the event taking place.

19. 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

20. 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

21. The register will be available for inspection to any Police Officer, Local Authority Licensing Officer or Trading Standards Officer at any reasonable time.

22. Toughened or polycarbonate glass will be used at the premises.

23. 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.

24. The Licence Holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons of any admission restrictions.

OFFICIAL (when complete)

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

25. The Licence Holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons that causing any disturbance or disorder in a queue will result in admission being refused.
26. On duty staff will challenge any patrons parking vehicles directly outside the venue.
27. At least one member of staff with a personal licence will be on duty at all times that the premises are open for the sale of alcohol.
28. 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.

OFFICIAL (when complete)

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

- Please tick yes**
- **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**
 - **I understand that if I do not comply with the above requirements my application will be rejected**

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 James Williams

Date 30/07/2021

Capacity

Kent Police Licensing Officer

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

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

APPENDIX 1

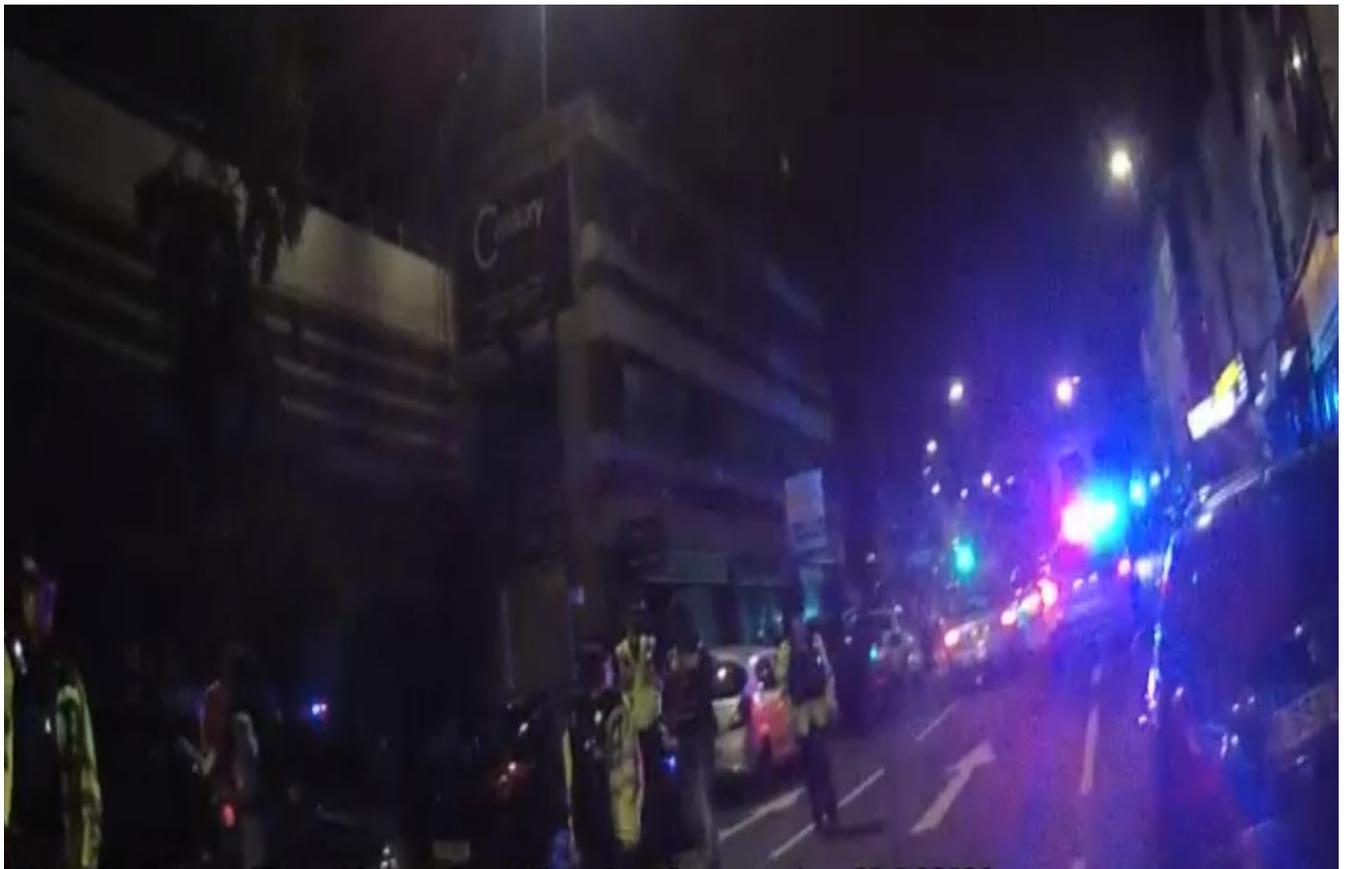
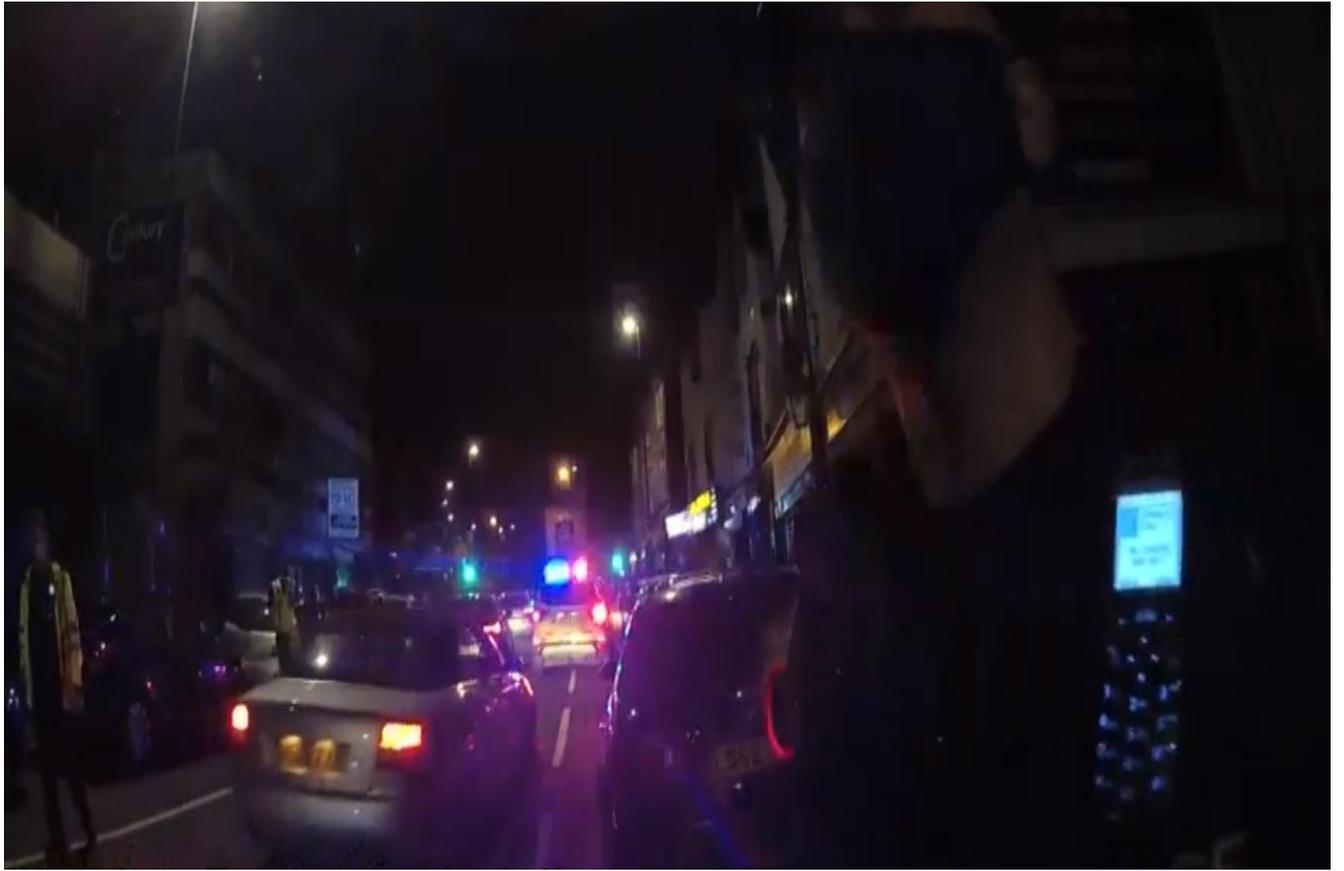






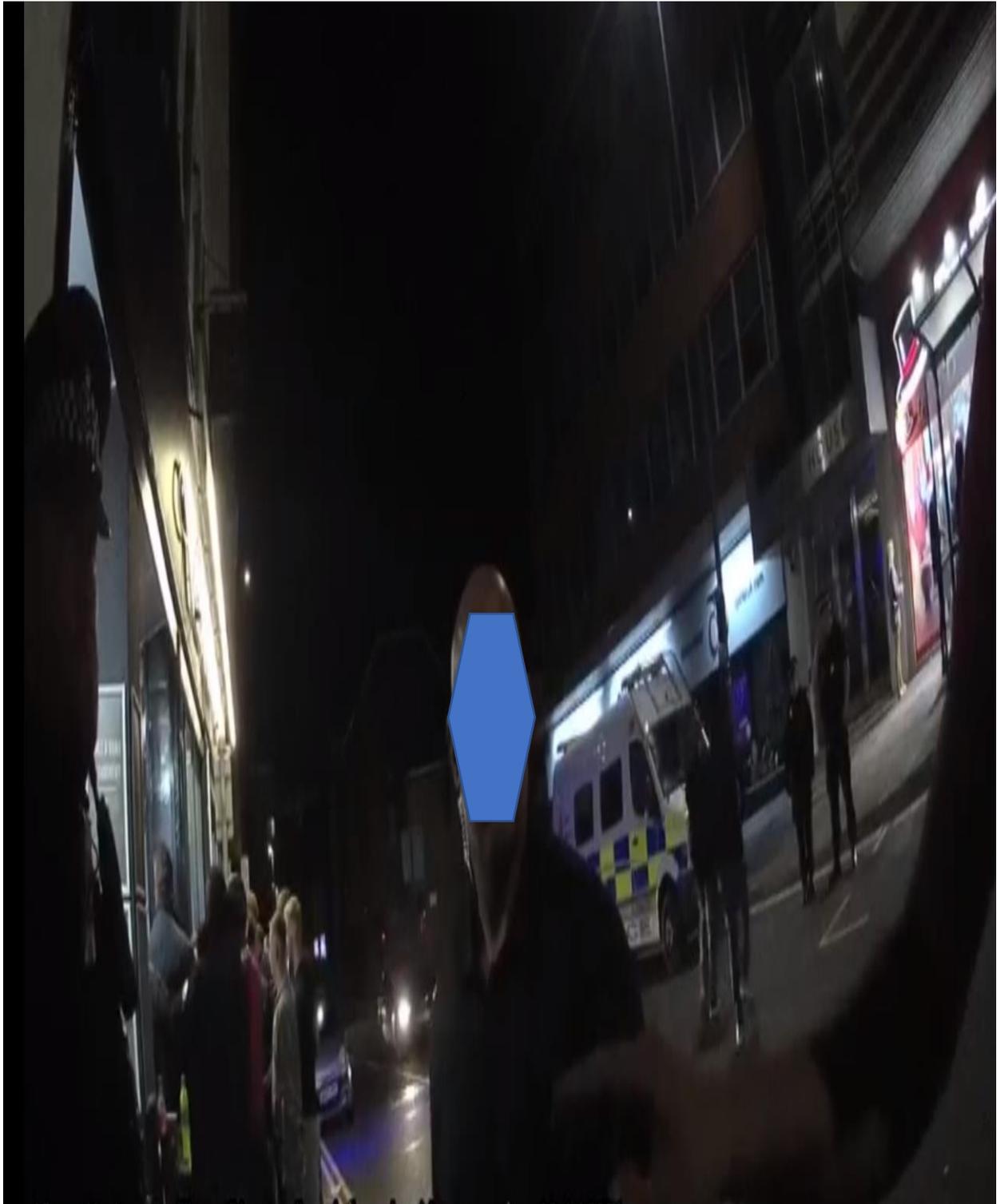






Appendix 2







**PC 11187 WILLIAMS
Police Licensing Officer
Maidstone
West Division**

Othman KTIFI

Direct Line: [REDACTED]

E-mail: [REDACTED]

Date: 10/09/2020

Ref:

RE: Century Club, Maidstone

Dear Mr KTIFI

On Thursday 3rd of September I spoke with Antonia Locatelli to inform her that we had received information that an urban dance event was to take place at your venue on Friday 4th of September 2020. Antonia informed me that she was not aware of any such event. Later that day I was contacted by yourself and you informed me that you had located a social media post in relation to this event. You also informed me that there was no event but that you had been approached by some males about playing music.

On Friday 4th of September 2020, I attended your venue and spoke again with Antonia in relation to getting access to CCTV which I was informed you were unable to access as the password needed resetting. I was again informed that there was no event taking place.

Later that evening police attended the venue and you engaged with officers to discuss the situation within the venue. Police cameras recorded the attendance and the venue was overcrowded and breaching The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020.

On Saturday 5th of September 2020, police attended the location and the premises was shut at 02:30hrs. Whilst officers were at your location the street became full of members of the public from the venue whom were wondering in the street. Whilst police were trying to assist with dispersal of members of the public multiple incidents of disorder broke out.

As a premises licence holder, you have a duty to promote the licensing objectives

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.

I now feel that that these incidents posed significant risk not only to members of the public but also to your staff to require some form of remedial action to be taken.

I have sufficient evidence to bring a review of your premises licence before the licensing committee, however I feel that consideration should be given to adding conditions to the premises licence in the first instance. If you agree to these conditions you will need to contact the licensing department to discuss the process for a minor variation. Once these have been added by way of variation, you will need to ensure that you fully comply with them whenever the premises is providing licensable activities as permitted by the premises licence.

1. The Premises Licence Holder and all staff working at the premises must undergo conflict management training, with evidence of this being presented in the form of training records upon reasonable request by Police or the Licensing Authority.
2. An incident log shall be kept, including details of any incident where a person has been asked to leave the venue, any incident of threatening behaviour or violence. This shall be made available to police or Licensing Authority upon request.
3. All instances of crime and disorder will be reported to the police as soon as reasonably practicable.
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 and audio.
 - a) Cameras shall encompass ingress and egress to the premises, emergency routes, fire exits and all public areas including where the sale and supply of alcohol occurs.
 - b) 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.
 - c) The premises licence holder must ensure at all times an 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 or within 48hrs.
5. On Fridays and Saturdays from 20:00 until close, at least 2 door supervisor will be on duty.
6. If premises is open on Christmas Eve and/or New Years Eve then at least 3 door supervisor will be employed from 20:00hrs until close of business.
7. On any Sunday preceding a Bank Holiday at least 2 door supervisor will be employed from 20:00hrs until close of business.
8. Door Supervisors conducting security activities as a condition of any premises licence shall be registered with the Security Industry Authority (SIA) and shall display or be able to display at least one of the following articles upon request by

the Licensing Authority, the Police, a responsible authority, and/or any other relevant authorities including the Security Industry Authority (SIA):

- (i) A Security Industry Authority (SIA) name badge;
- (ii) Proof of registration to the Security Industry Authority (SIA) scheme allowing them to carry out security activities at licensed premises.

9. 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 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 premise 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 police in any criminal investigation as and when required.
 - G) The toilets shall be regularly monitored.
10. 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 drug's 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. For premises that do not have a drug safe they must have a written agreement with police as to a procedure in the collection or delivering drugs to police.
11. 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.
12. All persons that sell or supply alcohol to customers must have received licensing training.
- a) Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place.
 - b) Refresher training should be repeated a minimum of every six 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.

13. The premises will undertake the 'Challenge 25' scheme.
14. All staff involved in the sale or supply of alcohol will be trained in the "Challenge 25" Scheme and such training will be recorded.
15. The premises shall produce a full Risk Assessment to cover the running of events at the premises. All events whether run as "in house" or by outside organisers will comply with that Risk Assessment unless a separate Risk Assessment is completed for that particular event. The risk assessment will be sent to/shared with Kent Police **120** hours prior to the event taking place.
16. At least one member of staff with a personal licence will be on duty at all times that the premises are open for the sale of alcohol.
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 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

If you wish to discuss the content of this letter then please do not hesitate to contact me, I would appreciate an update of your intention whether to proceed with a minor variation by Friday 15th of September 2020.

Regards,

PC 11187 James WILLIAMS
Licensing Officer



Appendix 4



by james.williams@kent.police.uk (kent.uk.evidence.com) on 28 Jul 2021







OFFICIAL**WITNESS STATEMENT**

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of: **James WILLIAMS**Age if under 18: **O18** (if over 18 insert 'over 18') Occupation: **Police Officer 11187**

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

Signature: **James Williams**Date: **28/07/2021**Tick if witness evidence is visually recorded (supply witness details on rear)

On Saturday 12th of September 2020, I was on duty in full uniform conducting licensing checks in Maidstone Town Centre. Around 00:15hrs I attended Century Club, Lower Stone Street to see if there was any music events or breaches in Coronavirus Legislation. On my arrival there were a number of males and females queuing outside the venue. The venue had loud music and lights emitting from inside as if it was a nightclub.

I engaged door staff to see if Miss LOCATELLI was available to speak to me. My observation was due to how loud it was she was unable to hear what door staff were saying to her. I entered the venue and it was clear that there was no social distancing and no Coronavirus Legislation was being adhered to. Members of the public were everywhere, dancing and drinking as if there was no pandemic. I located Miss LOCATELLI near the bar and informed her that it was in their interest to turn the music down and start clearing members of the public as it was a clear breach of Coronavirus Legislation. A short time later the venue began to clear and whilst I was out the front residents from the street appeared and expressed their disgust of the venue. Whilst engaging the residents, all parties including customers and staff became very heated with various insults being thrown at one another. I took the residents back to their residence to prevent any offences being committed. The residents expressed

Signature:

James

Williams

Signature witnessed by:

Continuation page 2

URN

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Continuation statement of:
James Williams

concerns about the customers gathering outside the venue, being a general nuisance, shouting, swearing and disrupting their sleep during the early hours of the morning. Also, the street being used as a private car park for the venue's customers. I explained to the residents to keep a record and report to Police and the Local Authority any further incidents.

Signature **James Williams**

Signature witnessed by

Appendix 5











Appendix 6







PREMISES LICENCE

The Licensing Act 2003
Schedule 12, Part A



Premises Licence Number	19/00790/LAPRE
-------------------------	----------------

Part 1 – Premises Details

Postal address of premises , or if none, ordnance survey map reference or description, including Post Town & Post Code	
Century Club 30-32 Lower Stone Street Maidstone Kent ME15 6LX	
Telephone number	None Supplied

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Films Recorded music Performances of dance Sale or Supply of Alcohol Late Night Refreshment

Times the licence authorises the carrying out of licensable activities	
Films (Indoors)	
Friday and Saturday	10:00 - 04:00
Monday	10:00 - 01:00
Tuesday	10:00 - 01:00
Wednesday	10:00 - 02:00
Thursday	10:00 - 02:00
Sunday	10:00 - 01:00
<i>Saturday hours to apply on Christmas Eve, New Year's Eve, Bank Holidays, and Sunday that all within a Bank Holiday weekend when the following Monday is a Bank Holiday.</i>	
Recorded music (Indoors)	
Friday and Saturday	10:00 - 04:00
Monday	10:00 - 01:00
Tuesday	10:00 - 01:00
Wednesday	10:00 - 02:00
Thursday	10:00 - 02:00

Licence Number: 19/00790/LAPRE
Issue Date: 18/06/2019

Page 1 of 7

Licence issued by:
The Licensing Partnership P.57 Box 182 Sevenoaks Kent TN13 1GP
Telephone number: 01732 227004

Sunday 10:00 - 01:00

Saturday hours to apply on Christmas Eve, New Year's Eve, Bank Holidays, and Sundays that all within a Bank Holiday weekend when the following Monday is a Bank Holiday.

Performances of dance (Indoors)

Friday and Saturday 21:00 - 04:00

Saturday hours to apply on Christmas Eve, New Year's eve, Bank holiday, and Sundays that all within a Bank Holiday weekend when the following Monday is a Bank Holiday.

Sale or Supply of Alcohol

Friday and Saturday 10:00 - 03:00

Monday 10:00 - 00:00

Tuesday 10:00 - 00:00

Wednesday 10:00 - 01:00

Thursday 10:00 - 01:00

Sunday 10:00 - 00:00

Saturday hours to apply on Christmas Eve, New Year's Eve, Bank Holidays, and Sunday that all within a Bank Holiday weekend when the following Monday is a Bank Holiday.

Late Night Refreshment (Indoors)

Friday and Saturday 23:00 - 04:00

Monday 23:00 - 01:00

Tuesday 23:00 - 01:00

Wednesday 23:00 - 02:00

Thursday 23:00 - 02:00

Sunday 23:00 - 01:00

Saturday hours to apply on Christmas Eve, New Year's Eve, Bank Holidays, and Sunday that all within a Bank Holiday weekend when the following Monday is a Bank Holiday.

The opening hours of the premises

Monday 10:00 - 01:00

Tuesday 10:00 - 01:00

Wednesday 10:00 - 02:00

Thursday 10:00 - 02:00

Friday 10:00 - 04:00

Saturday 10:00 - 04:00

Sunday 10:00 - 01:00

The non-standard opening hours of the premises

An additional hour on Bank Holidays in line with the hours the premises is open to the public.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the premises.

Part 2

Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence
Mr Othman Ktifi
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Email address [REDACTED]

Registered number of holder, for example company number, charity number (where applicable)
Not Applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol
Ms Antonia Maria Locatelli
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol
Licence Number: 2011437
Licence Authority: Dorset and Somerset County Council



John Littlemore
Head of Housing and Community Services
Maidstone Borough Council

Annex 1 – Mandatory conditions

Exhibition of films

- Where the film classification body is specified in the licence, unless subsection (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

- Where -

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In this section -

"children" means person aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

The supply of alcohol

- Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

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

- (a) at a time where 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.

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

Mandatory conditions in force from 28 May 2014

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 amount 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;

Licence Number: 19/00790/LAPRE
Issue Date: 18/06/2019

Page 4 of 7

Licence issued by:
The Licensing Partnership P.O. Box 60 Sevenoaks Kent TN13 1GP
Telephone number: 01732 227004

(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.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Mandatory Conditions in force from 01 October 2014

1.— (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).

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

3.— (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.

4. 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."

Annex 2 – Embedded conditions

Not applicable

Annex 3 – Conditions consistent with the Operating Schedule

All staff as part of their induction will be trained in licensing law, and in particular the conditions appertaining to this Premises Licence, Confirmation of understanding will be checked by means of a test, and the completed test, written receipt of the training, and notice of permission to sell alcohol by retail at the Premises will be retained on the Premises and available for inspection. Refresher training will be undertaken every six months.

The Premises will operate the Challenge 25 proof of age scheme, whereby anyone appearing to be under 25 by the appearance and/or demeanour will be asked for proof of age that he/she is over 18. The only ID that will be accepted will be a valid Passport, photographic style driving licence, and a photo ID card that carries an appropriate holographic mark.

Licensed Door Supervisors will be engaged at the Premises in accordance with the Council's Door Registration Scheme, with current licences issued by the Security Industry Authority, on occasions when the risk to crime and disorder justifies them to be engaged, and in accordance with police recommendations.

CCTV will be installed throughout public areas of the Premises, including entrance and egress points for the premises, as determined by the council.

All staff will be trained to observe the Premises' staff violence policy, observe instructions given in conflict management, and be coached to be vigilant at all times, and report any concerns immediately to the duty manager.

At least one member of the management team will undertake a qualification in drug awareness.

A suitably trained member of staff will complete a pre-opening safety check every day before the Premises is opened to the public, and any compromises to the safety of the public reported to the Designated Premises Supervisor or Duty Manager immediately so they can be rectified with the maximum expediency.

Signs will be placed in clearly visible locations at entrance/exit doors advising customers to respect local residents at all times by leaving the premises quietly and dispersing in a peaceful manner.

Limiting devices will be installed on all amplified music equipment, including DJ equipment in use on Friday and Saturday nights to ensure no noise nuisance will be incurred by local residents. This will be supplemented by regular external checks with monitoring equipment by the Duty Manager whenever amplified music is played.

External lighting will be controlled to ensure no nuisance to the public takes place.

Kitchen extraction will be maintained, toilet facilities maintained, and waste removal maintained, to ensure no nuisance occurs from smell.

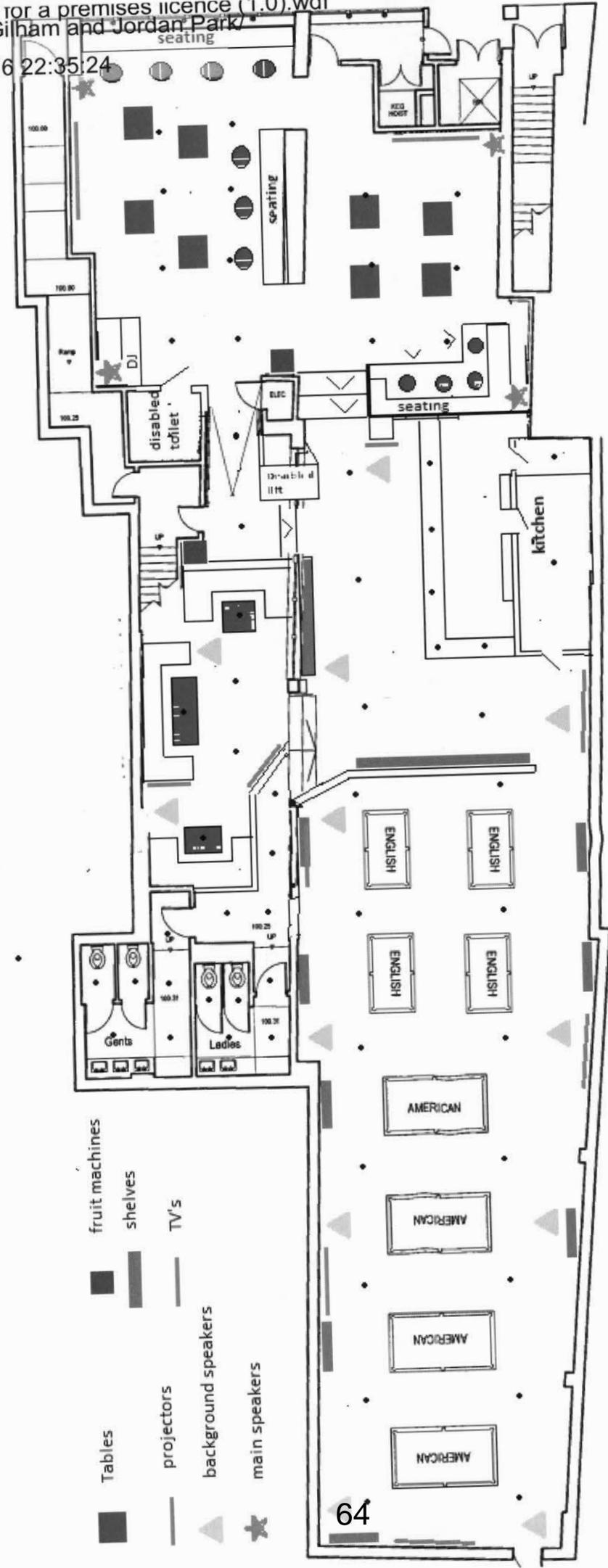
Children aged 14, (and therefore under 18), unaccompanied by an adult, will be permitted on the premises until 21.00, whereas children below the age of 14 will only be admitted on to the Premises if they are accompanied by an adult with the exception of Fridays and Saturdays, when no children will be admitted onto the Premises after 21.00.

Annex 4 – Conditions attached after a hearing by the licensing authority

Not applicable

Annex 5 – Plans

Please see attached





Ordnance Survey - data derived from OS Premium


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HUMAN RIGHTS

Article 8

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Article 1 of the First Protocol

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Article 6(1)

In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgement shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.

Article 10

3. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
4. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

**LICENSING AUTHORITY:
MAIDSTONE BOROUGH COUNCIL**

**Licensing Act 2003 Sub-Committee Hearing Procedure of
Applications for the Review of a Premises Licence or Club Premises
Certificate**

Introduction and Procedure

i) Introductions

The Chairman will request all those persons participating in the hearing to identify themselves, starting with the:

- Members of the sub-committee (who will, if applicable, declare any personal or prejudicial interests)
- Legal advisor
- Committee clerk
- Maidstone Borough Council licensing officers/managers
- The licence/certificate holder (and any representative)
- The applicant for review* (and any representative)
- Each responsible authority (and any representative)
- Each interested party (and any spokesperson or representative)

ii) Procedural Matters

- **Procedure**

The Chairman will:

- Confirm that all parties are aware of the sub-committee hearing procedure and that each party has a copy of the hearing procedure document.

* Not applicable following a closure order.

- **Submissions**

The Chairman will:

- Explain that the sub-committee will allow all parties to put their case fully and make full submissions, within a reasonable time frame.

- **Discussion and cross-examination**

The Chairman will:

- Explain that the sub-committee procedure shall take the form of a discussion led by the sub-committee.
- Explain that the sub-committee will usually permit cross examination (conducted within a reasonable time frame).

- **Disruptive Behaviour**

The Chairman will:

- Explain that where any person attending the hearing behaves in a disruptive manner, the sub-committee may direct that person to leave the hearing (including temporarily) and thereafter the person may submit to the sub-committee in writing any information which the person would have been entitled to give orally had the person not been required to leave the hearing.

- **Reading of Papers**

The Chairman will:

- Confirm that all sub-committee members have pre-read all the papers and any other documents contained in the report regarding the hearing.

- **Draft Conditions**

The Chairman will:

- Enquire whether draft conditions have been agreed between the licence/certificate holder and any of the other parties for the sub-committee to consider.

- **Witnesses**

The Chairman will:

- Enquire whether any parties request to have any witnesses give evidence at the hearing; and if so grant the request unless the request is unreasonable.
- Invite the parties, where appropriate, to appoint a spokesperson.

The Hearing

Outline of the Application and Representations

- The Chairman will ask the legal advisor or community services manager to briefly outline the application and all representations regarding the application.

i) The Applicant for Review

- Opening remarks by the applicant for review (or their representative).
- Evidence of the applicant for review and any witnesses.
- After each person has given evidence the person may be questioned by the licence/certificate holder, each responsible authority, interested party and sub-committee member.
- If necessary, the applicant for review (or their representative) may clarify any matter that arose during questioning.

ii) Responsible Authorities (where applicable)

RESPONSIBLE AUTHORITY	Tick if applicable
Police	
Trading standards	
Environmental Health	
Child Protection (Social Services)	
Planning	
Fire and Rescue	

- Opening remarks by the officer representing the responsible authority (or their representative).
- Evidence of the responsible authority officer and any witnesses.
- After each person has given evidence the person may be questioned by the applicant for review, the licence/certificate holder, each other responsible authority, interested party and sub-committee member.
- If necessary, the officer (or their representative) may clarify any matter that arose during questioning.

iii) Interested Parties

- Opening remarks by the interested party (or spokesperson/representative).
- Evidence of the interested party and any witnesses.

- After each person has given evidence the person may be questioned by the applicant for review, the licence/certificate holder, responsible authorities, each other interested party and sub-committee member.
- If necessary, the interested party (or spokesperson/representative) may clarify any matter that arose during questioning.

iv) The Licence/Certificate Holder

- Opening remarks by the licence/certificate holder (or their representative).
- Evidence of the licence/certificate holder and any witnesses.
- After each person has given evidence the person may be questioned by the applicant for review, each responsible authority, interested party and sub-committee member.
- If necessary, the licence/certificate holder may clarify any matter that arose during questioning.

Closing Speeches

In the following order:

- The applicant for review**
- Each responsible authority**
- Each interested party**
- The licence/certificate holder**

End of Hearing

- The Chairman will ask the members of the sub-committee if they have any final questions for any party to the hearing.
- The Chairman will ask the legal advisor whether there are any further matters to be raised or resolved before the hearing is closed.
- The Chairman will invite the legal advisor to remain with the sub-committee during its deliberations.

- The Chairman will bring the hearing to a close and shall declare that the sub-committee will retire, to private session, to consider the application, all relevant representations, evidence, the relevant extracts of Licensing Authority's Statement of Licensing Policy, the relevant extracts of the National Guidance issued under section 182 of The Licensing Act 2003 and the licensing objectives under the Licensing Act 2003.
- The Chairman shall ask all other persons to withdraw from the room.

The Decision

The Chairman shall declare in public session:

- The sub-committee's determination.
- All parties to the hearing will receive a copy of the written Determination Notice regarding the sub-committee's determination.
- All parties may appeal against the sub-committee's decision within 21 days beginning with the day on which the appellant is notified of the Licensing Authority's written determination. Appeals must be lodged with the Magistrates' Court. The decision of the sub-committee does not take effect until the period for appealing has ended, or if there is an appeal, upon completion of the appeal. Parties should be aware that the Magistrates Court may make an order with respect to costs on any appeal.
- The hearing is formally closed.