

LICENSING ACT 2003 SUB COMMITTEE MEETING

Date: Monday 11 December 2017
Time: 10.00 am
Venue: Town Hall, High Street, Maidstone

Membership:
Councillors Garten, Mrs Grigg and Mrs Joy

<u>AGENDA</u>	<u>Page No.</u>
1. Disclosures by Members and Officers	
2. Disclosures of Lobbying	
3. To consider whether any items should be taken in private because of the possible disclosure of exempt information	
4. Application to vary a premises licence under the Licensing Act 2003 for Pars Supermarket, 69 Bank Street ,Maidstone, Kent, ME14 1SN	1 - 48

PART II

To move that the public be excluded for the items set out in Part II of the Agenda because of the likely disclosure of exempt information for the reasons specified having applied the Public Interest Test.

Head of Schedule 12 A and Brief Description

5. Appeal against Penalty Points - Applicant A	1. Info re any individual	49 - 66
	2. Info which is likely to reveal the identity of an individual	
	3. Info re financial or business affairs	

Issued on Thursday 30 November 2017

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

- | | | |
|--|--|---------|
| 6. Appeal against Penalty Points - Applicant B | 1. Info re any individual
2. Info which is likely to reveal the identity of an individual
3. Info re financial or business affairs | 67 - 88 |
|--|--|---------|

ALTERNATIVE FORMATS

The reports included in Part I of this agenda can be 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 democraticservices@maidstone.gov.uk or 01622 602743**. To find out more about the work of the Committee, please visit www.maidstone.gov.uk

Agenda Item 4

Agenda Item No: 1 - Summary of Report

Licence Reference 17/03682/LAPRE

Report To: LICENSING SUB – COMMITTEE
(UNDER THE LICENSING ACT 2003)

Date: 24 NOVEMBER 2017
Report Title: PARS SUPERMARKET
69 BANK STREET
MAIDSTONE
KENT
ME14 1SN

Application for: A premises licence to be varied under the Licensing Act 2003

Report Author: Lorraine Neale

- Summary:**
1. The Applicant – Mr Mohammed Taher Hatami
 2. Type of authorisation applied for: To vary a premises licence under the Licensing Act 2003. (Appendix A)
 3. Licensable Activities and hours:

		Current Hours		Hours: New Application	
M)	Supply of alcohol (On & Off the premises)	Mon – Sat	07:00-23:00	Sun-Wed Thurs-Sat	08:00-02:00 08:00-04:00
O)	Opening Hours	Mon – Sat	07:00-23:00	Sun-Wed Thurs-Sat	08:00-02:00 08:00-04:00

Affected Wards: High Street

Recommendations: **The Committee is asked to determine the application and decide whether to vary the premises licence.**

Policy Overview: The decision should be made with regard to the Secretary of State's Guidance and the Council'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.

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

Other Material Implications: **HUMAN RIGHTS:** In considering this application it is appropriate to consider the rights of both the applicant and other parties, such as “**responsible authorities**” and/or “**other persons**” (objectors). The procedure for determining licences has a prescribed format to ensure fair representation of the relevant facts by all parties.

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

Background Papers: Licensing Act 2003
DCMS Guidance Documents issued under section 182 of the Licensing Act 2003 as amended
Maidstone Borough Council Statement of Licensing Policy

Contacts: Mrs Lorraine Neale at: lorraineneale@maidstone.gov.uk – tel: 01622 602028

Agenda Item No. 1

Report Title: Pars Supermarket, 69 Bank Street, Maidstone, Kent, ME14 1SN

Application to: Vary a premises licence under the Licensing Act 2003.

Purpose of the Report

The report advises Members of an application to vary a Premises Licence under the Licensing Act 2003,(Appendix A), made by Mr Mohammed Taher Hatami for Pars Supermarket, 69 Bank Street, Maidstone, Kent, ME14 1SN in respect of which 1 response was received from a Responsible Authority (Appendix C).

Issue to be Decided

The purpose of this section is to enable all Members to recognise immediately what they are being asked to consider.

Members are asked to determine whether to :

Grant the application as applied for,

or

Grant the application and modify conditions of the licence, or

Reject all or part of the application

Background

1. The relevant sections are Part 3 S13 and 34 – 36 of The Licensing Act 2003 and section 4 of The Licensing Act 2003 in particular the Licensing Objectives:
 - The prevention of crime and disorder;
 - Public Safety
 - The prevention of public nuisance; and
 - The protection of children from harm
2. The application has been correctly advertised in the local press and notices displayed on the premises for the required period.
3. There was 1 representation received from a responsible authority
4. There was no response received from other persons.
5. The table below illustrates the relevant responses which have been received

Responsible Authority /Interested Party	Licensing Objective	Associated Documents	Appendix
Objections			
Police	Crime & Disorder Public Safety Public nuisance	Letter	C

The Police believe that an increase in the premises trading hours to the requested terminal hours will undermine the licensing objectives of prevention of crime & disorder, public safety and the prevention of public nuisance. It is believed it will lead to an increase in the number of incidents of crime and disorder as the safety check of monitoring people as they consume alcohol as a result of off sales will not be there. The presence of late night refreshment premises and the potential ability to purchase alcohol until these late hours will encourage people to congregate and continue to party on the street and delay their exit from town which will lead to assaults, disturbances and accidents.

Kent County Council Trading Standards (KCC TS) made representation which was received on 26.10.2017 (Appendix D), requesting that the following conditions be attached to the licence.

1. The Challenge 25 proof of age scheme shall be operated at the premises. All customers who appear under the age of 25 will be challenged to prove that they are over 18 when attempting to purchase alcohol. Acceptable forms of ID include a photo driving licence, passport, or home office approved identity card bearing the holographic 'PASS' mark. If the person seeking alcohol is unable to produce an acceptable form of identification, no sale or supply of alcohol shall be made to or for that person.
2. All staff shall be trained in the law about the sale of alcohol. Such training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, acceptable forms of ID and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log will be made available for inspection by Police and authorised persons.
3. A refusals log must be kept at the premises, and made immediately available on request to the police or an authorised person. The refusals log is to be inspected on a monthly basis by the DPS and noted in the log and a record made in the log of any actions that appear to be needed to protect young people from harm. The log must record all refused sales of alcohol and include the following:
 - a) the identity of the member of staff who refused the sale
 - b) the date and time of the refusal
 - c) the alcohol requested and reason for refusal
 - d) description of the person refused alcohol
4. Posters of A4 size shall be displayed conspicuously on the premises in customer facing areas:
 - a) 'Challenge 25' to advise potential purchasers that suitable proof of age will be required for all purchasers who appear to be under 25.
 - b) 'Proxy purchasing' intended to warn adults not to buy alcohol for those under 18 years-of-age.

The applicant Mr Mohammed Taher Hatami has agreed to the KCC TS conditions forming part of the operating schedule and therefore KCC TS have withdrawn their representation. Appendix E

The current licence is attached as Appendix F. The current licence holder is the applicant.

6. The current licence hours are as per the licence attached at appendix F and set out at 3 of the summary above. The operating schedule offers no new conditions and some conditions already on the licence are superseded by the KCC TS agreed conditions.
7. **Members are advised that applications cannot be refused in whole or in part, or conditions attached to the licence unless it is appropriate to do so to promote the licensing objectives.;**
8. Relevant sections of **The Guidance issued under section 182 of The Licensing Act 2003;**

Chapters 8 (8.42 onwards) & 9 Premises Licences & Determining Applications

Chapter 10 Conditions.

Relevant policy statements contained in the Licensing Authority's Statement of Licensing Policy:

Relevant policy statements contained in **the Licensing Authority's Statement of Licensing Policy:**

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 premises
- (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
- (v) Prevention of noise from customers leaving the premises and customer pick up points outside premises and from the Car Park.
- (vi) Availability of public transport to and from the premises
- (vii) Delivery and collection times and locations.
- (viii) Impact of external security or general lighting on residents.
- (ix) History of management of and complaints about the premises.
- (x) Applicant's previous success in preventing Public Nuisance.
- (xi) Outcomes of discussions with the relevant Responsible Authorities.
- (xii) Impact of location, noise and contamination from outside smoking areas on neighbours and other customers
- (xiii) 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.

9. Options

Legal options open to members -

Grant the variation application as applied for., or

Grant the variation and modify conditions of the licence, or

Reject all or part of the application.

Grant

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 1988 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 prevent, crime and disorder in its area".

12. **Implications Assessment**

The decision should be made with regard to the Secretary of State's Guidance and the Council'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.

13. **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

14. **Conclusion**

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

15. **List of Appendices**

Appendix A	Application Form
Appendix B	Plan of Premises
Appendix C	Representations – Responsible Authority
Appendix D	Trading Standards – representation
Appendix E	Applicants agreement & KCC TS withdrawal of reps
Appendix F	Existing Premises Licence
Appendix G	Plan of area

16. Appeals

The applicant or any other person(objector) 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. Parties should be aware that they MAY incur an Adverse Costs Order should they bring an appeal.

Contact: Email:	Senior Licensing Officer lorryneale@maidstone.gov.uk
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Teiren Sugden

From: Uniform_Service_Request_Connector-Licensing@sevenoaks.gov.uk
Sent: 06 October 2017 14:57
To: Licensing
Subject: Uniform LI Connector: Transfer Licensing application notification

A Uniform Licensing application is received for Transfer sent by the Licensing Connector server.

Application Reference Value: 17/03682/LAPRE Application Type: Premises Licence Application Proposal: Consultees
Outstanding Application Address: 69 Bank Street Maidstone Kent ME14 1SN
Created: 06/10/2017 00:00:00
Message sent from host name WKIP-SOAP-15 by user LicensingConnectorService_LIVE at 06/10/2017 14:56:34.

You have been sent this message because your address is defined as a contact address in the Uniform Licensing Connector configuration. Contact your Uniform systems administrator if you no longer wish to receive this message.



Licensing Authority:

Ref:

Application to vary a Premises Licence under the Licensing Act 2003
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Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form.

Use the blank page at the end of the form to provide further details if necessary.

When it is complete you can submit the form directly to us - click on the Submit Form button.

You may wish to print and keep a copy of the completed form for your records.

For help information about filling in this type of electronic form, click on the help information button.

I/We **being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

Maidstone Borough Council

[Click here for licence lookup](#)

Premises licence number

Part 1 - Premises Details

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

69 Bank Street
Maidstone
Kent
ME14 1SN

	Post code
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Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant Details

Title

Surname

Firstnames

Daytime contact telephone number

Email address
(optional)

Current postal
address
if different from
premises address

69 Bank Street
Maidstone
Kent
ME14 1SN

Post Town

Postcode

The Licensing Partnership

Application to vary a Premises Licence

Sevenoaks District Council, Tunbridge Wells Borough Council, Maidstone Borough Council and London Borough of Bexley have a Licensing Partnership to process and issue licensing applications.

Licensing Officers are located at each local licensing authority, together with admin support to deal with people visiting the Gateways and Tunbridge Wells Town Hall.

Thank you for using the Licensing Partnership self service. Before completing the form, please be aware of the following information:

Form Submission:-

When you have completed the application form please submit it. When you submit the application, you will receive an electronic response which will be sent directly to the email address provided in the application.

Payment:-

If you are submitting an application which requires a payment, please have your credit or debit card to hand as payment can be made upon submitting your application form. Applications requiring a payment will only be validated once payment is confirmed.

General Information:-

If you have any problems with completing the form please contact licensing@sevenoaks.gov.uk

For Official Use Only

Title	Customer Name	Form Filename	
	MOHAMMED TAHER HATAMI	Form Reference	MOHAMMED TAHER HATAMI/
DOB	NINO	Notes	
FEL	01622670400	Caps Reference	
Email	hatemeshah@gmail.com		
Customer Address	39 Bank Street Maidstone Kent ME14 1SN		
Date Form Started	05/10/2017 16:34:31		
Date of E-signing			
Date Submitted			
Validation Ref			
Occupancy type			
Advisor Name (who started form)			
Advisor Department			
Self-Service			

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

PARS Supermarket is an off licence store which is located in the center of Maidstone town with huge local population all around the shop. Therefore it is kindly requested to grant us the opportunity of 24 hours alcohol premises licence to serve the customers till late night specially on the weekends.

We need to grow up our business as well as to keep the business survive in this tough credit crunch time. This licence can play a life line support to the PARS Supermarket business. Therefore we will be grateful if we are granted this licence.

Thank you very much

Regards

Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

To complete this part, choose this option on Page 4

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

To complete this part, choose this option on Page 4

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

To complete this part, choose this option on Page 4

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

To complete this part, choose this option on Page 4

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will the entertainment take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment be <u>indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u>	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption please make selection with an "x" (please read guidance note 7).	On the premises	
Day	Start	Finish		Off the premises	X
Mon	8am	2am			
Tue	8am	2am	State any proposed seasonal variations for the supply of alcohol (please read guidance note 4) There wouldn't be any seasonal variations for the supply of alcohol. It would be just normal daily base routine actually.		
Wed	8am	2am			
Thur	8am	4am			
Fri	8am	4am			
Sat	8am	4am	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) The timings will are going to be the same and we will keep it standard.		
Sun	8am	2am			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)	
Day	Start	Finish	N/A	
Mon				
Tue				

L

Wed			<p>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5)</p> <p style="text-align: center;">N/A</p>
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

N/A

Please make selection with an "x"

I will enclose the premises licence with the declaration

I will enclose the relevant part of the premises licence with the declaration

Neither of above

If checking this box please fill in reasons for not sending the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General - all four licensing objectives (b,c,d,e) (please read guidance note 9)

We are aware of the public safety as well as prevention of crime and disorder. Specially the protection of children from harm is one of our big priorities.
All staff shall be trained in licensing law and prevention of under age sales.
Any area where alcohol is displayed for sale shall be visible to a member of staff at all time when the premises are open.
Good quality of alcohol
Alcohol selling limit on every individual person.
Prevention of free or discounted alcohol.
Age limit and verification method.

b) The prevention of crime and disorder

We have got CCTV cameras which are operating 24/7 with the capacity of more than one month storage space. Our CCTV footage are available to the law and order and security people at any time.
Anyone who is drunk already will not be served.

c) Public safety

Safety appliances and electrical systems shall be tested once in a year.

d) The prevention of public nuisance

Drunken and disorderly behavior will not be tolerated inside or immediately outside the premises and any person found behaving in such a manner will be asked to leave.

e) The protection of children from harm

Chalange 21 scheme shall be adopted so that all cashiers are trained to ask abny unknown customers wishing to purchase alcoihol, who appeas under age of 21 years for evidence of age.
Notice shall be displayed stating that any person who is attempting to purchase alcohol.

Please make selection with an "x"

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

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 NOTIFICATION

Part 5 - Declaration (please read guidance note 10)

Confirmation of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation

Name Date
 Capacity

For joint applications confirmation of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation

Name Date
 Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Name
 Address
 Post Town
 Postcode
 Telephone number (if any)
 If you would prefer us to correspond with you by e-mail your e-mail address (optional)

For Official Use Only

Form Filename: _____ Submission Ref: _____
 Applicant Name: **MOHAMMED TAHER HATAMI/** **23** Date Submitted: _____

Use this page if there is any other information that you think we should know about.
Information entered on this page will be sent to us, along with the data on the rest of the form when you use the "Submit" option.

PARS Supermarket is an off licence store which is located in the center of Maidstone town with huge local population all around the shop. Therefore it is kindly requested to grant us the opportunity of 24 hours alcohol premises licence to serve the customers till late night specially on the weekends.

We need to grow up our business because we are facing big competition all around as well as to keep the business survive in this tough credit crunch time, this licence can play a life line support to the PARS Supermarket business. Therefore we will be grateful if we are granted this licence.

Thank you very much

Regards

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

XML Specific

Application Type

Licence Case Type

Licence Status

XML Template

CAPS Reference

Payments request

CallingAppID

CallingAppRef

PaymentSourceCode

Customer Message

Response response

PaymentAuthorisationCode

IncomeManagementReceiptNumber

OriginatorsReference

CardScheme

CardType

PaymentAmount

ResponseCode

ResponseDescription

Number of payment lines

Service Message

Payment 1

Receipt Number

DueDate

PaymentType

Pay Description

XML Description

PaymentDue VAT

Paid

Payment Date

Fund

Reference

Payment 2

Receipt Number

DueDate

PaymentType

Pay Description

XMLDescription

PaymentDue VAT

Paid

Payment Date

Fund

Reference

Payment 3

Receipt Number

DueDate

PaymentType

Pay Description

XML Description

PaymentDue VAT

Paid

Payment Date

Fund

Reference

Payment 4

Receipt Number

DueDate

PaymentType

Pay Description

XML Description

PaymentDue VAT

Paid

Payment Date

Fund

Reference

Payment 5

Receipt Number

DueDate

PaymentType

Pay Description

XML Description

PaymentDue VAT

Paid

Payment Date

Fund

Reference

Case Overview

Form file name: Current Date:

Form data set reference: Date From:

Has been E-Signed Date/Time E-Signed:

Date/Time Submitted to main server: Data Validation Reference:

Date/Time Submitted to external server: Date/Time form Started:

Automatic Messaging

Receipt Email Address: Notification Email Address:

Receipt Email Subject: Notification Email Subject:

Receipt Email Message: Notification Email Message:

Mobile Number:

Case Notes

CRM Integration

CRM Case Ref:

Form History

06/10/2017 14:24:00 | Received on Remote Server
 6/10/2017 14:55:26 | Submitted | (,) | Application to Vary a Premises Licence (1.0).wdf, 26728, Licence Inc Bexley, new | Ref: 026728-71006-3J1YVTB
 06/10/2017 14:24:00 | Received on Remote Server
 6/10/2017 14:55:26 | Submitted | (,) | Application to Vary a Premises Licence (1.0).wdf, 26728, Licence Inc Bexley, new | Ref: 026728-71006-3J1YVTB

Form Database

Primary Record ID: Secondary Record ID:

Department Name: Form Status:

Depart Classification / Priority: Search Field 3:

Dept Case Reference:

Date Record Started:

Date Last Modified:

Current User

Title: Surname: First Name: User Record Id:

Tel No: Email address: Address:

User Classification:

Portal Username: Expert for this form:

System Data

Pages active with dynamic paging:

Data Locked for Editing: Date of offline forms creation: Enable high-quality print (WDF):

Type of form - ufx, wdf or txt: If TXT - Optimised for screen-readers: Enable top controls on opening:

Start page for expert users: Print Collation Config:

Form Design Settings

Dynamic paging enabled: Use page titles for page menu: ESigning is available: After ESigning/Submission - go to page No?: TXT form is available:

Pages with forced error checking:

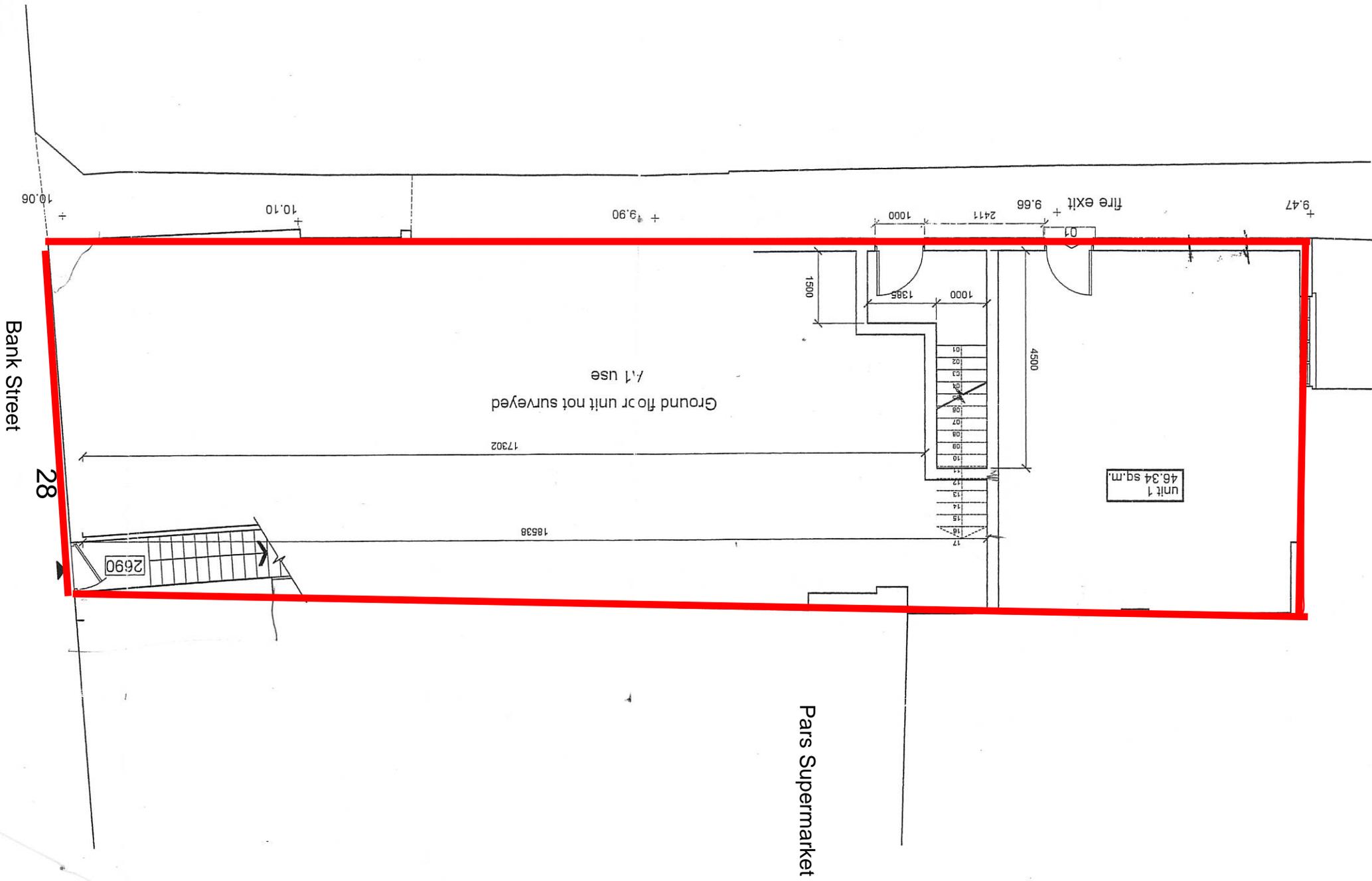
Pages that override forced error checking:

Last visible page: Unregistered users: Registered users: Expert users: Override for TXT version:

Default branding file: e.g. 'UK Revenues & Benefits Branding (1.0)'

Shared Data Dictionary: **27** e.g. 'Victoria Forms UK Government Data (1.0)'

HTML pages within WDF: Page no for thumbnail:





Kent Police

Chief Officer of Police Representation in relation to an application for **variation** of premises licence made under Part 3 **Section 34** Licensing Act 2003 (S35 Licensing Act 2003)

Details of person or body making representation	
Name of Chief Officer of Police	Chief Insp Mick Gardner
Postal Address: (Area Headquarters)	Maidstone Police Station Palace Ave Maidstone. ME15 6NF
E-mail address	10051@kent.pnn.police.uk
Telephone Number:	01622 604403

Details of premises representation is about	
Name of Premises:	Pars Supermarket
Address of premises:	69 Bank Street Maidstone
Date application received by police	18/10/17
Date representation sent to Licensing Authority	02/11/17 <i>Must be within 28 days of receipt – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. Part 4 Reg. 22.</i>

The Chief Officer of Police has received an application for the variation of a premises licence made under the provisions of Section 34 Licensing Act 2003, and under Section 35 of that Act asks the Licensing Authority to consider these representations in respect of: -

Please tick one or more of the licensing objectives that the representation relates to:

Prevention of crime and disorder	X
Public Safety	X
Prevention of public nuisance	X
Protection of children from harm	

The relevant representations within the meaning of S.35(5) of the Licensing Act satisfy the requirements of S.35 (6) of that Act and are as follows:

Please give the reason for the representation and detail the evidence supporting it:

Please see separate sheet

Please use separate sheets where necessary

Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:

Please use separate sheets where necessary

Please see separate sheet.

Signed: 

Date: 02/11/17

Print name: PC Neil Barnes

Force Number: 10051

Pp Chief Officer of Police of Police for the Police Area in which the licensed premises are situated.

Representation may be made at any time during the 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant.

Please return this form along with any additional sheets to the Licensing Authority.

This form must be returned within the Statutory Period.

Please give the reason for the representation and detail the evidence supporting it:

Kent Police make these representations in response to a premises licence variation for Pars Supermarket, 69 Bank Street. The application is asking to extend the hours that alcohol is offered for sale from midnight as per the current premises licence, to 2am on Sundays through to Wednesday and until 4am on Thursdays, Fridays and Saturdays.

Kent Police oppose this application as it will undermine the first 3 licensing objectives.

This venue is located in what can realistically be described as the busiest part of the town centre during the weekend night time economy (NTE). It is a pedestrianised area and it is normal for the whole width of the road to be extremely crowded with people.

The majority of people out and about in town after midnight are already under the influence, but due to the addictive nature of alcohol those persons under it's influence are all too often wanting even more alcohol and can be quite determined to get it.

At the moment there are only one licences selling alcohol after midnight within the town centre area and this means that anyone wishing to obtain alcohol after midnight is not only vetted when they purchase it, they are also monitored as they consume it. In this way even if a sober person purchases alcohol for a drunk friend the situation should be noticed by staff and they will be asked to leave. They will not be allowed to take their drink with them and so this in effect gives us a second safety check on the customers.

If this premises are allowed to sell alcohol after midnight it will lead to an increase in the number of incidents of crime and disorder as the second safety check of monitoring people as they consume alcohol will not be there. Even if the person making the purchase is relatively sober the staff will have no way to check that the alcohol isn't immediately being passed to a drunk friend outside.

The location is a very short walk from the lower High Street, which has a number of late night refreshment establishments and as such leads to people gathering there in the early hours after they have been drinking. This already leads to a number of incidents of crime and disorder in the area as well as the issues of public nuisance from noise and litter. If this premises are allowed to sell alcohol after midnight it will multiply this problem. People will simply purchase alcohol in Bank Street, carry it over to the lower High Street where they will gather in large numbers to consume alcohol, eat food and for all intents and purposes hold an uncontrolled street party. It will significantly delay their exit from town and that it will lead to assaults, disturbances and accidents.

It should be noted that although the NTE lasts for the 12 hours between 19:00hrs and 07:00hrs the next morning, the actual demand upon the Police dramatically rises from around midnight and continues to around 04:00hrs when it slowly starts to die down again. Using arrests and assaults as a guide, then roughly speaking on Fridays and Saturdays this 4 hour time frame actually accounts for around 62% of the assaults and 60% of the arrests from the entire NTE period. It is of course no surprise that the vast majority of these incidents are alcohol fuelled. If this premises are allowed to sell alcohol after midnight it will negatively impact and extend this already busy period.

After midnight people using Bank Street are not those just wishing to pick up a bottle of wine to have at home with their evening meal, they are people who are already heavily intoxicated wishing to carry on drinking with little regard for their own personal safety or the impact of their actions on the wider community.

Suggested conditions that could be added to the licence to remedy the representation or other suggestions the licensing sub committee may take into account:

Kent Police do not believe the addition of conditions to the premises licence will address the concerns raised in this representation and therefore oppose the application outright.

Memorandum



TRADING STANDARDS

From Karen Springford
Trading Standards Officer

Tel 03000414146

Email karen.springford@kent.gov.uk

Date 26 October 2017

Our Ref R/003153

Your Ref 17/03682/LAPRE

To Sevenoaks District Council Licensing Partnership

The Trading Standards Department of Kent County Council as a responsible authority under the Licensing Act 2003, make representation on the grounds of the **protection of children from harm** licensing objective, in connection with the application received from Mohammed Taher Hatami for Pars Supermarket, 69 Bank Street, Maidstone, Kent ME14 1SN.

Trading Standards and the applicant have reached an agreement for the following conditions to be included on any licence variation granted:

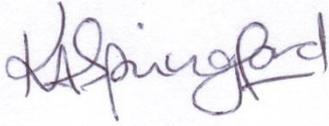
1. The Challenge 25 proof of age scheme shall be operated at the premises. All customers who appear under the age of 25 will be challenged to prove that they are over 18 when attempting to purchase alcohol. Acceptable forms of ID include a photo driving licence, passport, or home office approved identity card bearing the holographic 'PASS' mark. If the person seeking alcohol is unable to produce an acceptable form of identification, no sale or supply of alcohol shall be made to or for that person.
2. All staff shall be trained in the law about the sale of alcohol. Such training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, acceptable forms of ID and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log will be made available for inspection by Police and authorised persons.
3. A refusals log must be kept at the premises, and made immediately available on request to the police or an authorised person. The refusals log is to be inspected on a monthly basis by the DPS and noted in the log and a record made in the log of any actions that appear to be needed to protect young people from harm. The log must record all refused sales of alcohol and include the following:
 - a) the identity of the member of staff who refused the sale
 - b) the date and time of the refusal
 - c) the alcohol requested and reason for refusal
 - d) description of the person refused alcohol

4. Posters of A4 size shall be displayed conspicuously on the premises in customer facing areas:
- a) 'Challenge 25' to advise potential purchasers that suitable proof of age will be required for all purchasers who appear to be under 25.
 - b) 'Proxy purchasing' intended to warn adults not to buy alcohol for those under 18 years-of-age.

A copy of the signed agreement that the conditions be included on the licence and a statement that the applicant agrees that a formal hearing is unnecessary is attached.

I confirm that the Trading Standards Section agrees that the formal hearing can be dispensed with if the above conditions are included on any licence granted.

Trading Standards thanks the applicant for their cooperation in coming to an agreement over the conditions which we would like to see included in their premise licence.

A handwritten signature in blue ink, appearing to read 'K Springford', is centered on a light blue rectangular background.

Karen Springford
Trading Standards Officer – Kent County Council

Licensing conditions agreed with Kent Trading Standards in respect of Pars Supermarket, 69 Bank Street, Maidstone, Kent ME14 1SN

1. The Challenge 25 proof of age scheme shall be operated at the premises. All customers who appear under the age of 25 will be challenged to prove that they are over 18 when attempting to purchase alcohol. Acceptable forms of ID include a photo driving licence, passport, or home office approved identity card bearing the holographic 'PASS' mark. If the person seeking alcohol is unable to produce an acceptable form of identification, no sale or supply of alcohol shall be made to or for that person.

 2. All staff shall be trained in the law about the sale of alcohol. Such training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, acceptable forms of ID and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log will be made available for inspection by Police and authorised persons.

 3. A refusals log must be kept at the premises, and made immediately available on request to the police or an authorised person. The refusals log is to be inspected on a monthly basis by the DPS and noted in the log and a record made in the log of any actions that appear to be needed to protect young people from harm. The log must record all refused sales of alcohol and include the following:
 - a) the identity of the member of staff who refused the sale
 - b) the date and time of the refusal
 - c) the alcohol requested and reason for refusal
 - d) description of the person refused alcohol

 4. Posters of A4 size shall be displayed conspicuously on the premises in customer facing areas:
 - a) 'Challenge 25' to advise potential purchasers that suitable proof of age will be required for all purchasers who appear to be under 25.
 - b) 'Proxy purchasing' intended to warn adults not to buy alcohol for those under 18 years-of-age.
-

I (name of applicant/agent) Mohammed Taher Hatami hereby agree for the conditions listed to be attached to any premises license granted in respect of my application for Pars Supermarket, 69 Bank Street, Maidstone, Kent ME14 1SN

I also agree that a hearing is unnecessary.

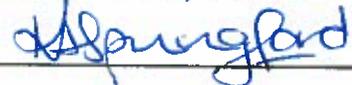
Signed  Date 20/10/17

For Trading Standards use

The above conditions were agreed with the applicant and I agree that a hearing is unnecessary.

Signed on behalf of Kent Trading Standards

Name Karen Springford

Signed  Date 23/10/17

PREMISES LICENCE

The Licensing Act 2003
Schedule 12, Part A



Premises Licence Number	16/01178/LAPRE
--------------------------------	----------------

Part 1 – Premises Details

Postal address of premises , or if none, ordnance survey map reference or description, including Post Town & Post Code

Pars Supermarket
69 Bank Street
Maidstone
Kent
ME14 1SN

Telephone number

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Sale or Supply of Alcohol

Times the licence authorises the carrying out of licensable activities

Sale or Supply of Alcohol

Monday to Saturday

07:00 - 23:00

The opening hours of the premises

Monday to Saturday 07:00 - 23:00

The non-standard opening hours of the premises

Not applicable

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

Alcohol is supplied for consumption off the premises.

Licence Number: 16/01178/LAPRE
Issue Date: 12/05/2016

Page 1 of 6

Licence issued by:
The Licensing Partnership P³ Box 182 Sevenoaks Kent TN13 1GP
Telephone number: 01732 227004

Annex 1 – Mandatory conditions

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 06 April 2010

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)

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 of alcohol.

Licence Number: 16/01178/LAPRE
Issue Date: 12/05/2016

Page 3 of 6

Licence issued by:
The Licensing Partnership P.39 Box 182 Sevenoaks Kent TN13 1GP
Telephone number: 01732 227004

(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; and

(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.

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 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.

Annex 2 – Embedded conditions

None

Annex 3 – Conditions consistent with the Operating Schedule

The Prevention of Crime and Disorder

3. A CCTV system will be installed, or the existing system maintained and kept in good working order.

4. The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality videotape or digitally onto CD/DVD or other equivalent medium.

Licence Number: 16/01178/LAPRE
Issue Date: 12/05/2016

Page 4 of 6

5. Any recording shall be retained and stored in a suitable and secure manner for a minimum of 28 days and shall be available, subject to compliance with the Data Protection legislation to the Police or Officers of the Licensing Authority on request.
6. The precise positions of the cameras shall be agreed, subject to compliance with Data Protection legislation, with Police.
7. The system will display, on any recording, the correct time and date of the recording.
8. A system will be in place to maintain the recorded image and a complete audit trail maintained.
9. The CCTV system will be maintained so as to be fully operational throughout the hours that the premises are open for any licensable activity.
10. Appropriate signage informing customers CCTV is in operation to be displayed in store.

The Protection of Children from Harm

11. 'Challenge 21' scheme shall be adopted so that all cashiers are trained to ask any unknown customers wishing to purchase alcohol, who appear under the age of 21 years for evidence of age.
12. Notices shall be displayed stating that any person who is attempting to purchase alcohol and who appears to be under the age of 21 will be asked to provide identification to prove their age.
13. Anyone who appears to be under 21 and is attempting to purchase alcohol in the licensed premises shall be requested to provide any member of staff of the licensed premises with adequate and acceptable proof of age.

Proof of age may be illustrated by a:-

- a) A PASS approved scheme
- b) 'New type' driving licence with photograph
- c) Valid UK passport
- d) Official identity card issued by HM armed forces.

Public Safety

14. Safety appliances and Electrical systems shall be tested at least once in any 12 month period, and certification obtained stating that the appliances tested are in a satisfactory condition. Relevant certificates shall be retained and presented for inspection at the request of an officer of the Licensing Authority, local Police or Fire Authority or any other relevant person.

The Prevention of Public Nuisance

15. Drunken or disorderly behaviour will not be tolerated inside or immediately outside the premises and any person found behaving in such a manner will be asked to leave.

General

16. All staff shall be trained in Licensing law and prevention of under age sales.
17. Consumption of alcohol will not be encouraged or permitted immediately outside the premises.
18. Any area where alcohol is displayed for sale shall be visible to a member of staff at all times when the premises are open.

Licence Number: 16/01178/LAPRE
Issue Date: 12/05/2016

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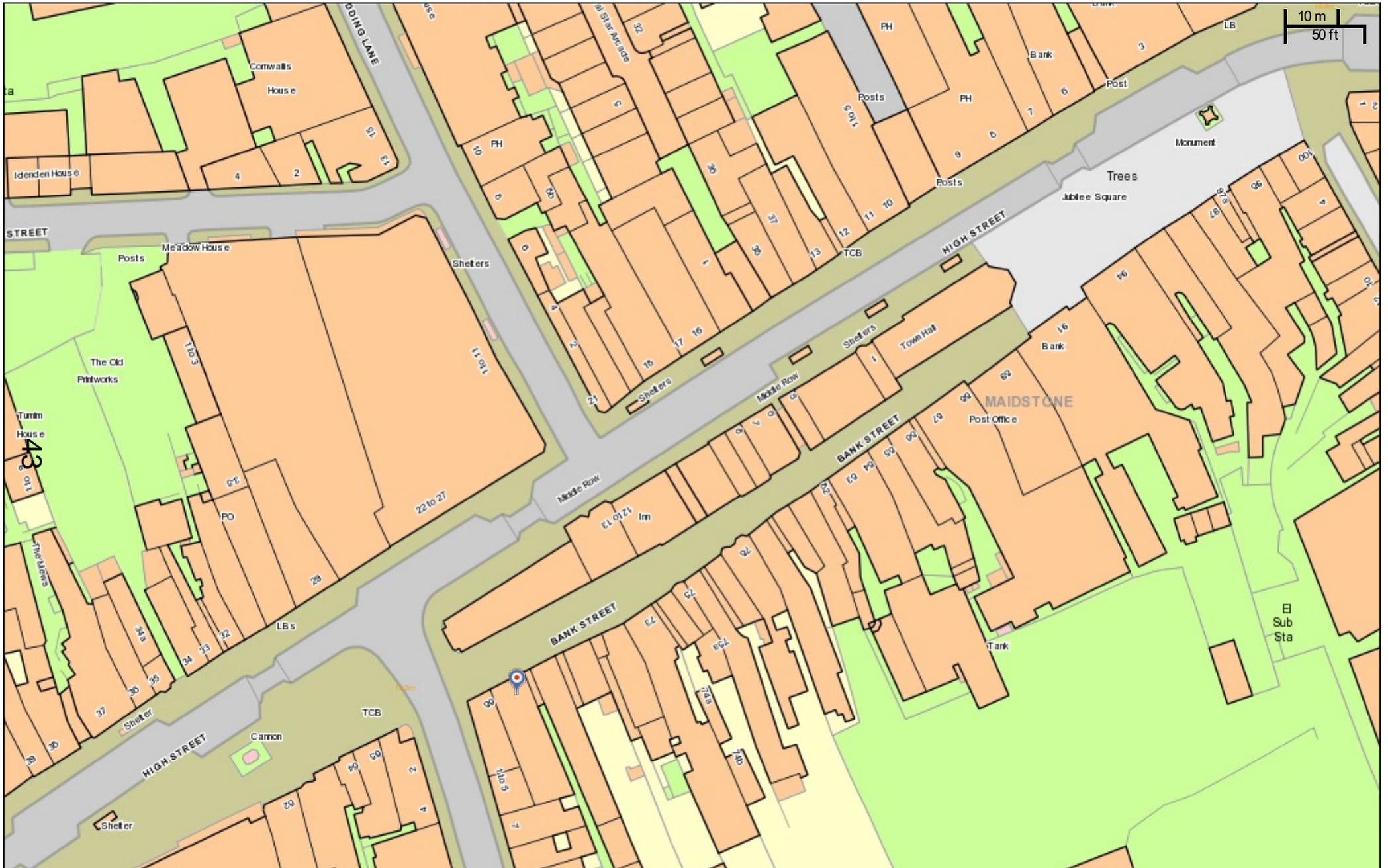
19. The area outside the premises shall have adequate lighting.

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

None

Annex 5 – Plans

Please see attached



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 New Premises Licences/Club Premises Certificates and Variations to existing licences and certificates

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
- Applicant (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.

- **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 applicant 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

- Opening remarks by the applicant (or their representative).
- Evidence of the applicant and any witnesses.
- After each person has given evidence the person may be questioned by each responsible authority, interested party and sub-committee member.
- If necessary, the applicant (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, each other responsible authority, interested party and sub-committee member.
- If necessary, the officer (or 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, 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.

Closing Speeches

In the following order:

- Each Responsible Authority**
- Each Interested Party**
- The Applicant**

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 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 invite the legal advisor to remain with the sub-committee during its deliberations and 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. Parties should be aware that the Magistrates Court may make an order with respect to costs on any appeal.
- The hearing is formally closed.

Agenda Item 5

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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Agenda Item 6

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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