

AGENDA

LICENSING ACT 2003 SUB COMMITTEE MEETING



Date: Wednesday 7 November 2012

Time: 10.00 am

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Mrs Hinder, Mrs Joy and Naghi

Legal Representative: Mrs Jayne Bolas

Page No.

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. Report of the Democratic Services Manager - Application for the Review of a Premises Licence for the Beluga Bar, 73 Bank Street, Maidstone, Kent, ME14 1SN 1 - 70

Continued Over/:

Issued on 26 October 2012

The reports 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 LORRAINE NEALE on 01622 602028**. To find out more about the work of the Committee, please visit www.maidstone.gov.uk

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

Agenda Item 4

Agenda Item No:

1 – Summary of Report

Licence Reference

MAID0185/LPRM/3989

Report To:

LICENSING SUB – COMMITTEE
(UNDER THE LICENSING ACT 2003)

Date:

22 OCTOBER 2012

Report Title:

BELUGA BAR, 73 BANK STREET, MAIDSTONE, KENT, ME14 1SN

Application for Review of a Premises Licence

Report Author:

Lorraine Neale

Summary:

1. The Applicant for Review – Richard Strawson on behalf of Kent County Council Trading Standards
2. Type of application applied for: Review of a Premises Licence.
3. Grounds for Review

PREVENTION OF CRIME AND DISORDER PUBLIC SAFETY:

The licence holders of the Beluga Bar are believed to have failed in the Licensing Act objectives of prevention of crime and disorder and public safety, in that 954 bottles of counterfeit Selekt vodka were found in their possession at the premises

Affected Wards:

High Street

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:

HUMAN RIGHTS: In considering this application it is **appropriate** to consider the rights of both the licenceholder 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.

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 Document 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: BELUGA BAR, 73 BANK STREET, MAIDSTONE, KENT, ME14 1SN

Application for Review of a Premises Licence

Purpose of the Report

The report advises Members of an application for the review of a premises licence, brought by Richard Strawson on behalf of Kent County Council Trading Standards in respect of the premises Beluga Bar, 73 Bank Street, Maidstone, Kent, ME14 1SN

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. KCC Trading Standards have submitted a letter (Appendix B) that they have received from the Police in support of their review application.
5. Trading Standards were made aware of Her Majesty's Revenue and Customs seizure on 18 May 2012 and commenced their investigations from that time. The Beluga Bar has submitted a number of applications during that period which have amended the licence. These licences have been attached for your information

- a) The original premises licence in existence prior to May 2012 is attached as Appendix C1

- b) Application was made to Vary the DPS to Emir Reka this licence was granted on 5.10.12 and is attached as Appendix C2.
 - c) An application was made to extend the hours of the licensable activities from 3.30am to 4.30am for alcohol and 3.30am–5.00am for all other licensable activities and also the opening hours from 4.00am-5.00am. This licence was granted 17.09.2012 and is attached as C3
 - d) An application for a minor variation was received to add conditions to the licence and this was granted on 19.10.2012, this is the current premises licence and is attached as Appendix C4.
6. The application has been correctly advertised with a notice displayed on the premises and at the Council offices for the required period.
 7. The applicant is requesting that the Sub-Committee:-
 - 1) Revoke the premise licence.
 8. **Members are advised that they may only modify premises licences if it is appropriate to promote the licensing objectives.**
 9. Relevant sections of **The Guidance issued under section 182 of The Licensing Act 2003;**

Chapter 2	Licensing Objectives – para 2.1 to 2.18 crime and disorder and para 2.19 – 2.31 public safety
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 2008);**

20. Prevention of Crime and Disorder

Concerns

The applicant should consider factors arising from the premises or the activities of their customers within the vicinity of the premises that may impact on the prevention of crime and disorder. These may include:

- Underage drinking
- Drunkenness on premises
- Public drunkenness
- Drugs
- Violent behaviour
- Anti-social behaviour

Additional Steps

The following examples of additional steps are given as examples for applicants to consider in addressing the above concerns in the preparation of their Operating Schedule, having regard to their particular type of premises or activities:-

- Effective and responsible management of premises.
- Training and supervision of staff.
- Adoption of current best practice guidance (some examples are Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit, and other voluntary codes of practice,

including those relating to drinks promotions e.g. The Point of Sale Promotions published by BBPA).

- Acceptance of accredited 'proof of age' pass cards or 'new type' driving licences with photographs, passports or an official identity card issued by H M Forces.
- Provision of effective CCTV in and around premises.
- Employment of Security Industry Authority licensed door staff. (If two or more are employed there must be at least one male and one female).
- Provision of toughened or plastic glasses.
- Provision of secure deposit boxes for confiscated items ('sin bins').
- Provision of litterbins, security measures, e.g. lighting, outside premises.
- Membership of a Pub Watch scheme.
- The current 'Chill Out Hour' operating at the late night venues in the Borough of Maidstone which is the agreement whereby late night venues cease to sell alcohol yet continue to provide music and dancing for a further hour (at a reduced volume and with the heavy bass beat removed) has proved to be a success in reducing late night crime and disorder.
- Membership of Maidsafe (Nite Net).

21. The Promotion of Public Safety

The Licensing Authority wishes to ensure the safety of everyone on licensed premises.

Concerns

Capacity

Where existing legislation does not provide adequately for the safety of the public, club members or guests, the occupancy capacity for premises and events (to include performers and staff) may be an important factor in promoting public safety. Subject to the requirements of the following paragraph the Licensing Authority will expect the issue of occupancy capacity and adequate controls of the numbers of persons on premises or attending an event to be considered by an applicant when completing an Operating Schedule.

Where a relevant representation is received in respect of capacity the Licensing Authority will consider setting capacity limits in consultation with the Kent and Medway Fire and Rescue Authority for the following premises:

- Nightclubs
- Cinemas
- Theatres
- Other premises where regulated entertainment within the meaning of the Act is being provided.

The Applicant might also consider the following concerns when assessing the appropriate capacity for premises or events in the Maidstone area. These could include:-

- The design and layout of the premises.
- The nature of the premises or event.
- The nature of the licensable activities being provided.
- The provision or removal of temporary structures, such as a stage or furniture.
- The number of staff available to supervise customers both ordinarily and in the event of an emergency.
- The customer profile (e.g. age, disability).
- The attendance by customers whose first language is not English.
- Availability of suitable and sufficient sanitary accommodation.
- The nature and provision of facilities for ventilation.
- The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.

Where capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to consider the

arrangements that will be put in place to ensure that the capacity of the premises is not exceeded.

Additional Steps

The following examples of additional steps are given for applicants to consider in the preparation of their Operating Schedule, having regard to their particular type of premises or activities:-

- Suitable and sufficient risk assessments.
- Effective and responsible management of premises.
- Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons.
- Appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons.
- Adoption of best practice guidance.
- Provision of effective CCTV in and around premises.
- Provision of toughened or plastic non disposable glasses/bottles.
- Implementation of crowd management measures.
- Regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety.

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 Secretary of State's 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 | Police letter of support | |
| Appendix C | Copies of Premises Licences | 5 |

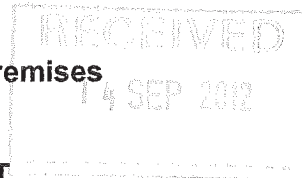
Appendix D	Plan of the premises
Appendix E	Plan of the area
Appendix F	Human Rights Article
Appendix G	Order of Proceedings

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:	lorraineneale@maidstone.gov.uk

**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 Kent County Council Trading Standards

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 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	
Beluga Bar 73 Bank Street	
Post town Maidstone	Post code (if known) ME14 1SN

Name of premises licence holder or club holding club premises certificate (if known)
Mr Hamid Javadi and Mr Majid Javadi

Number of premises licence or club premises certificate (if known)
MAID0185/LPRM/3989

Part 2 - Applicant details

I am

Please tick yes

1) an interested party (please complete (A) or (B) below)

- | | |
|---|--------------------------|
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

- 2) a responsible authority (please complete (C) below) ☒
- 3) a member of the club to which this application relates (please complete (A) below) ☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr ☐

Mrs ☐

Miss ☐

Ms ☐

Other title
(for example, Rev) ☐

Surname

First names

Please tick yes

I am 18 years old or over

☐

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Richard Strawson Area Manager Kent County Council Trading Standards PO Box 286 West Malling Kent ME19 4HW
Telephone number (if any) 01732 525291
E-mail address (optional) Richard.strawson@kent.gov.uk

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

Please tick one or more boxes

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

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

As per the information provided below, the licence holders of the Beluga Bar are believed to have failed the Licensing Act objectives of prevention of crime and disorder and public safety, in that 954 bottles of counterfeit Selekt vodka were found in their possession on the premises.

Please provide as much information as possible to support the application

Trading Standards, Police and HMRC have been made aware over the past two years in particular of premises selling illegal alcohol. This includes counterfeit alcohol, non duty paid (smuggled and diverted) alcohol, incorrectly described alcohol, incorrectly labelled alcohol and alcohol which has incomplete or no traceability.

Trading Standards have previously prosecuted businesses in relation to this matter, and issued a number of press releases relating to illegal alcohol, in an attempt to inform both the general public and the trade of the problem and also the potential risks to any business found to have illegal alcohol on their premises.

Non payment of duty and VAT has an impact on both the local and national economy. Businesses willing to stock illegal alcohol receive an unfair trading advantage over other businesses. There is also a risk of counterfeit products entering the market with the inherent risks to the public's health as a result of the use of industrial alcohol and other chemicals not intended for human consumption, poor production methods and quality control and no traceability of the products.

On the 9th May 2012 Her Majesty's Revenue and Customs conducted an inspection at Beluga Bar, Bank Street, Maidstone, Kent. During the visit, officers seized 954 70cl bottles of Selekt vodka bearing incorrect duty stamps. The proprietor was unable to produce invoices or receipts to prove payment of UK exercise Duty and VAT.

Trading Standards were made aware of the seizure on the 18th May 2012 and were concerned that the vodka may be counterfeit and well as non duty paid. Officers liaised with Janice Bailey, an Officer of HM Revenue and Customs and an arrangement was made for 3 bottles of the seized spirit to be handed to Trading Standards for further investigation. **(Item 1- statement of Janice Bailey)**

On the 15th June 2012 one of the three bottles handed to Trading Standards, were sent to the Trade Mark Holder for Selekt vodka (G&J Greenall). A second sample bottle was sent to Kent Scientific Services to test the contents.

An email was received from Elizabeth Maguire from G&J Greenall on the 21st June 2012 confirming that the product was not genuine Selekt vodka **(Item 2- Email from Elizabeth Maguire)**.

A report was received from Kent Scientific Services in relation to the bottle of Selekt vodka that had been submitted for testing **(Item 3)**. It was confirmed that the product was not vodka. The spirit contained 32.2% alcohol, as opposed to the 37.5% (standard) claimed on the label.

The sample also contained traces of isopropyl alcohol which is not a component of vodka - instead it is a component of nail polish remover. Although the individual bottle tested was not found to contain butanol, methanol or harmful levels of isopropyl alcohol, it cannot be confirmed that this was the case in the other 953 bottles seized by HMRC.

On the 10th July 2012 a telephone call was made between a Police Licensing Officer and a Trading Standards Officer, where it was confirmed that the first intelligence received regarding possible non duty paid vodka being supplied by Beluga Bar was received on the 13th January 2012. A subsequent intelligence report was also received on the 13th May 2012 that counterfeit vodka may have been supplied at the premises **(Item 4- statement of Police Licensing Officer)**.

On the 17th August 2012 Mr Hamid Javadi and Mr Majid Javadi attended a meeting at

Kent Trading Standards, 8 Abbey Wood Road, Kings Hill, West Malling, Kent, ME19 4YT in order to ascertain how and why the counterfeit vodka was found at the Beluga Bar.

Mr Hamid Javadi admitted he had made a mistake and bought the alcohol from a man off the street. He did not receive any invoices and did not make any checks to see if the vodka was genuine. He thought it was a cheap product and therefore purchased over 1000 bottles in one consignment. Mr Javadi was unable to give any details of the supplier.

He further stated that he paid £7 per bottle for the vodka. The excise duty on the bottles alone would be £7.04 on a 70cl bottle of vodka, let alone the cost price and VAT; therefore being sold well below the amount one could reasonably expect to pay for a genuine bottle of vodka. **(Item 5 - information from the Wine and Spirit Trade Association website)**

He also claimed that this price was an introductory offer, yet a purchase of 1000 bottles would be excessive in any situation for such first time buyer offers. Also, the fact that the transaction was in cash is also indicative of its' dubious nature

It should be noted that even though he claimed to have only purchased one consignment, intelligence that was received suggested that purchases of counterfeit alcohol were taking back as early as January 2012 . Mr Javadi also stated that the order he placed would have lasted around three months in the premises.

As an established nightclub in the centre of Kent's County Town, with another nightclub in Tunbridge Wells and the premises licence holder having 30 years of experience in the industry; this lack of compliance with the objectives of the Licensing Act has shown recklessness and irresponsibility.

This is not the first licence review taken against the premises. In a review of the licence on the 12th January 2010 the licence committee noted that this is the second licence review undertaken against the establishment in 12 months. **(Item 6- Previous Notice of Determination from January 2010).**

The safety of the public is paramount to the objectives of the Act, and the supply of counterfeit spirits has in the past resulted in death and personal injury to consumers. By not purchasing the vodka from a reputable source, Mr Javadi put at risk the health and safety of his customers for the sake of increased profit. Without the intervention of HMRC, one can not know what the effects would have been.

Maidstone Town Centre's night time economy is very important to Kent County Council and its' regulation is held in high regard by many. Incidents such as this threaten both its reputation and the safety of the public.

Revocations of licences have taken place before in other areas where minimal amounts of bottles have been found, and a case such as this where nearly 1000 bottles are in question is unprecedented.

The Secretary of States licensing guidance (Section 182 paragraph 11.26) states that certain activities such as the sale of bootleg alcohol; the risk put upon the public, resulting risk of crime and disorder and disregard for the warning given in a previous licence review; can be taken into account in any decision. It is recommended by this service that the premises licence should be revoked.

Please tick yes

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

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

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

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



Date

11/9/12

Capacity

Trading Standards Manager

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Jeremy Marsh
Kent County Council Trading Standards
PO Box 286

Post town
West Malling

Post Code
ME19 4HW

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) Jeremy.marsh@kent.gov.uk

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.

WITNESS STATEMENT

ENGLAND AND WALES ONLY

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.27, CP Rules Part 27.1)

Statement of: Janice Margaret Bailey

Age if under 18: Over 18 (If over 18 insert 'over 18')

Occupation: H M Revenue & Customs

This statement (consisting of 1 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: *jm Bailey*

Date: 14.08.12

I am an Officer of HM Revenue & Customs based at Southern House, Wellesley Grove, Croydon, Surrey, CR9 1TR, where I am employed as a Law Enforcement Coordinator (LEC). In my role as an LEC, I am responsible for exchanging information with the Police and other agencies relating to matters of mutual interest.

I have been asked by Kent Trading Standards Officer _____ to supply details of an inspection made by HMRC Officers on 9th May 2012 at Beluga Bar, Bank Street, Maidstone, Kent, ME14 1SN. This is to support possible action against the proprietor, namely their suitability to attain / retain an Alcohol Licence.

I have examined the reports concerning the visit and can confirm that Officers seized a total of 954 70cl bottles of Select Vodka, totalling 667.8 litres.

Several bottles were found on the shelves and the bulk was found in a locked room in the basement, which was only visible through the key hole.

Mr Emir Reka, said to be the Assistant Manager, was present at the time of the seizure and was issued with a Seizure Notice (ENF156).

The goods were seized under section 139 of Customs & Excise Management Act 1979, due to the proprietor's inability to produce invoices or receipts to prove payment of UK Excise Duty and VAT. The revenue due on the seized goods is £9,393.27.

No notice of claim against forfeiture was received within the statutory time limit, therefore the goods were condemned as forfeited in accordance with schedule 3 to the Customs & Excise Management Act 1979.

On 15th June 2012 I delivered 3 of the bottles to Officer _____ at Trading Standards, 8 Abbeywood Road, Kings Hill, West Malling, Kent, who took receipt of the alcohol for testing. *B*

Date: 14.08.12

Signature: *jm Bailey*

(signature of witness)

Signature: _____

(signature witnessed by)

STATEMENT OF WITNESS: ENGLAND AND WALES ONLY

[REDACTED]

From: [REDACTED]
Sent: 21 June 2012 14:26
To: [REDACTED]
Subject: Selekt Vodka

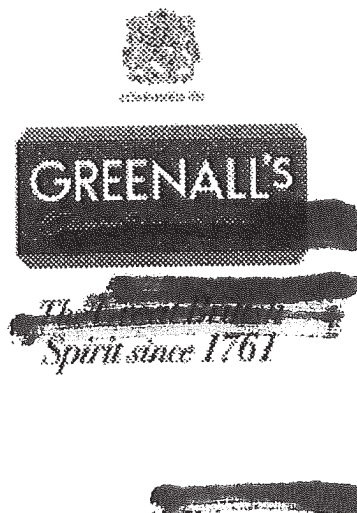
Dear [REDACTED]

Further to our telephone conversation I can confirm the following:

1. The label on the sample does not have a varnish layer; it appears matt whereas the label for genuine Selekt Vodka is varnished giving a gloss appearance.

2. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

3. The sample bottle is manufactured by O-I, shown by details on bottom edge of the bottle, 1255 700 ml 66 mm O-I C3 E08, whilst the bottles used by G&J Greenall are manufactured by Allied Glass Containers Ltd. as shown by the letters AGC on the bottle base.
4. The sample has no lot mark etched on the bottle. All products manufactured at G&J
5. The liquid does not smell of vodka



[REDACTED]
[REDACTED]

I will arrange for the bottle to be returned to you and if you need anything further let me know.

With kind regards

29615061201
12 July 2012
Page 1 of 2 E
KSS No: 120651



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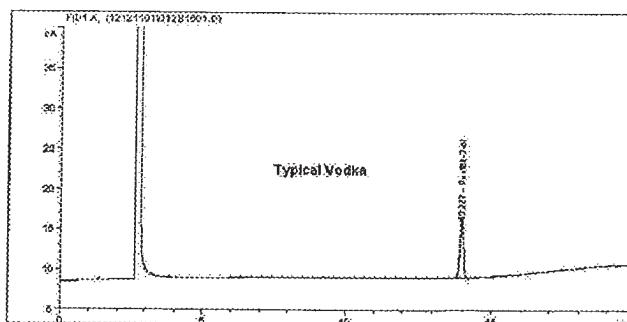
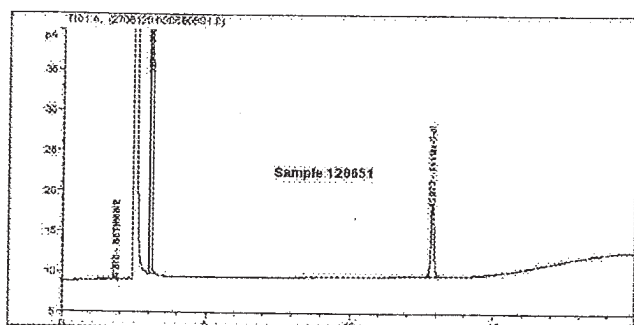
ITEM 3



Opinion Not Satisfactory

ards

Kent Scientific Services
Public Analyst
Peter Maynard
MChemA CChem MRSC



REPORT OF ANALYSIS

Sample: VODKA

Submitted on 15 June 2012, taken at: Beluga Bar, Survey no: CAREQ1213, Brand: SELEKT, Manufacturer: G&J DISTILLERS LTD

My opinion and observations are:

A drink with a declared alcoholic strength of 37.5% vol is permitted under Regulation 30 of The Food Labelling Regulations 1996 to contain not less than 37.2% by volume of alcohol.

The alcohol content was low and outside the permitted range.

Isopropyl alcohol (iso-propanol, propan-2-ol) was present at 0.79g/100mL Genuine vodka does not contain any detectable isopropyl alcohol. The amount found was not however harmful.

The duty stamp fluoresced under ultra-violet light, but the magenta on the label appeared (under magnification) to be solid rather than dot-matrix printed, as it should be.

The label was matt, but should be glossy.

There was a lot mark on the bottle, (which was probably 21:330.3F1) but this was dot-matrix printed under the collar, and should be etched into the glass.

In my opinion the sample was not vodka, and was counterfeit.

Test Name	Test Result	Method Code	Method Recovery %
Alcohol	32.2 %vol	KSS M6	
Methanol	46g/100L alc	KSS M61	

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12 July 2012
Page 2 of 2 E
KSS No: 120651

Total Solids

0.030 g/100mL

[REDACTED]

The test result for a contaminant has been corrected for recovery using the average method recovery indicated and consists of the analytical result followed by the measurement uncertainty value that is based on a coverage factor of 2 providing a level of confidence of approximately 95%. Test methods not in the UKAS Accreditation schedule are marked *. Subcontracted tests are marked +. Labels will be disposed of in 30 days unless KSS are instructed otherwise.

PETER MAYNARD

12 July 2012 pdf 09:42

FSS E

Public Analyst



Kent Scientific Services, 8 Abbey Wood Rd Kings Hill. Kent. ME194YT Telephone: 01732220001 email: kss@kent.gov.uk

WITNESS STATEMENT

ITEM 4

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 50

URN 46

Statement of: **PC Neil Barnes 10051**Age if under 18: **Over 18** (if over 18 insert 'over 18') Occupation: **Police Officer**

This statement (consisting of _____ page 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:  10051Date: **24/08/2012**Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am currently employed as the Police Licensing Officer for Maidstone and as such I deal with all aspects to do with licensed premises within the Maidstone area. One such aspect is the receipt and processing of information given to the Police regarding licensed premises, a role typically referred to as "intel". I can state that Kent Police have received 2 pieces of relevant intelligence regarding the Beluga Bar. The first piece is dated the 13/01/2012 and is in the form of an intelligence report (5x5x5). It reports that a male was importing alcohol in a boat at the docks and it was being distributed to locations around Maidstone. The piece of intel specifically named Hamid Javadi as one of his customers and mentioned the Beluga Bar in Maidstone. The second piece of intel is dated the 7th April 2012 and is in the form of a call from a member of the public (CAD). The report states that the Beluga Bar had a shipment of vodka bottles which were very cheap. The informant reported that they believed that the shipment was suspicious. I phoned the informant and established that their information was hearsay as they had heard it from a relative. However they stated that they were in the trade and when they had questioned their relative about the bottles they believed that the bottles were missing the duty paid stickers as they had asked about them.

Signature:  10051

Signature witnessed by:

Typed by:

ITEM 5



THE WINE AND SPIRIT TRADE ASSOCIATION

The voice of the wine and spirit trade

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MEMBERS AREA

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21 August 2012

No events

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Current rates per bottle (excluding VAT @ 20%)
(Figures are approximate due to rounding up - from 26/03/12)

Wine (75cl) £1.90**Sparkling Wine** Exceeding 5.5% not exceeding 8.5% abv - (75cl) £1.84**Sparkling Wine** Exceeding 8.5% not exceeding 15% abv - (75cl) £2.43**Fortified wines** (75cl) £2.53**Spirits** (per 70cl @37.5%abv) £7.04**Spirit based RTDs** (27.5cl @5.5%) £0.41**Cider** (per pint) £0.21**Beer** (per pint @4%) £0.44

Current rates per 100 litres (set by the March 2012 Budget -from 26.03.12)

Wine (Exceeding 5.5% not exceeding 15% abv) £253.39 per 100 litres**Sparkling Wine** (Exceeding 5.5% not exceeding 8.5% abv) £245.32 per 100 litres**Sparkling Wine** (Exceeding 8.5% not exceeding 15% abv) £324.56 per 100 litres**Fortified wines** (exceeding 15% - not exceeding 22%) £337.82 per 100 litres**Spirits and spirit based - RTDs** (Ready to Drink Products)* £26.81 for every 1% of strength per 100 litres**Beer** £19.51 for every 1% of strength per 100 litres**Cider and Perry** of up to 7.5% £37.68 per 100 litres**Previous rates** (from 2000 onwards):[Click here to download the UK Excise duty rates from 2000 to 2011.](#)

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BY WINE

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WSTA
Annual Conference
16 September 2012

UNDER 25? 25

MyDrinkaware

Download the
Trade Diary app

WSTA

The Wine and Spirit Trade Association - International Wine & Spirit Centre -39-45 Bermondsey Street / LONDON / SE1 3XF - Registered number: 410660 England Limited by Guarantee

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

I can confirm that the excise duty payable on a 70cl bottle of vodka at 37.5% is £7.03.

$0.7l \times 0.375 = 0.2625$ litres of alcohol

Current duty rate is £26.81 per litre of alcohol

Therefore $0.2625 \times £26.81 = £7.03$

VAT is also payable on the cost + duty.

VAT on the duty alone is 20% of £7.03 = £1.40

Therefore duty & VAT due on 70cl bottle of vodka at 37.5% ABV = £8.43.

I hope this makes sense but if you need clarification please call.

With kind regards

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Hi [REDACTED]

Further to our telephone call this morning, I was wondering whether you would be able to send me an email just confirming the cost price of a genuine bottle of Selekt Vodka? This may help to clarify further that including VAT etc the vodka could not have in anyway been bought for £7 for a 70cl bottle.

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

West Malling
Kent
ME19 4UL

Tel.: 01732 525291

Int: 7003 5291



Annex 1

LICENSING AUTHORITY: MAIDSTONE BOROUGH COUNCIL

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

NOTICE OF DETERMINATION OF REVIEW HEARING

Application Ref No: _____

Applicant for Review: Chief Inspector David Pascoe on behalf of the Chief Officer of Police

Regarding the premises or club: The Beluga Bar
Bank Street
Maidstone
Kent

Licence Holder: Hamid Javadi and Majid Javadi

Date of hearing: 12th January 2010

Date of determination: 12th January 2010

Committee Members: [Chairman]: Councillor: P. Sellar
Councillor: Mrs. W. Hinder
Councillor: Mrs. D. Joy

Legal Advisor in attendance at hearing: M. Hawkins (Solicitor, Swale BC)

Senior Licensing Officer in attendance at hearing: L. Neale

This is an application for:

☒ Review

of a:

☒ Premises Licence

A: Representations, evidence and submissions:

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

Applicant for Review:

- Name: Chief Officer of Police
- Witness (1): Peter Hedges – Kent Fire & Rescue Service – Fire Officer
- Witness (2):
- Legal or other representative: PC Barbara Murray

Licence Holder:

- Name: Hamid Javadi and Majid Javadi
- Witness (1): Mr Robin Giles – fire Safety Officer
- Witness (2):
- Legal or other representative: Mr Iain Reed - Solicitor

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

...N/A.....

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

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

Sections 51 – 53 inclusive which relate to the review of a premises licence;

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

Chapter 10 which relates to conditions attached to licences;
Chapter 11 Reviews
Annexes that relate to potential conditions: D part 1 (crime and disorder); part 2 (public safety).

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

Chapter 19 which relates to the 4 licensing objectives;
Chapter 20 which relates to the prevention of crime and disorder;
Chapter 21 which relates to the public safety;

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

Paragraphs and reasons (state in full):

N/A.....

.....

.....

C. Determination:

The Sub-Committee has decided, having regard to the application and the relevant representations, taken the following step(s) members consider necessary for the promotion of the licensing objectives:

- ☐ take no action in respect of the premises licence/club premises certificate;
- ☐ issue a warning to the premises or club in the following words:

N/A.....

☒ Take one or more of the following steps under s. 52 (4) (premises) or 88(4) (clubs) of the Act:

☒ To modify the conditions of the licence. (Note: conditions may be modified for a set period of time up to 3 months if considered appropriate). If so, state the modified conditions and if it is time limited:

In order to promote the licensing objectives of the prevention of Crime and Disorder and the promotion of Public Safety the sub-committee decided to amend the premises license to add the following conditions:

1. An electronic system will be installed at the premises that accurately counts how many persons are in the premises. This system will be installed with the agreement of the police and the fire safety officer. It will be available for inspection by any responsible authority at any time that the premises is open to staff or members of the public.
2. The club shall not be opened to the public at any time that the electronic system is not installed and operating.

To exclude a licensable activity from the scope of the licence (or qualifying club activity from the certificate). (Note: activities can be excluded from the licence for a period of time up to 3 months if considered appropriate. Activities can also be excluded from certain parts of the premises if appropriate). If so, state the activities excluded and if the exclusion is time limited or limited to certain parts of the premises:

.....

.....

To remove the Designated Premises Supervisor
To suspend the licence for a period of not exceeding 3 months
To revoke the licence or withdraw the club premises certificate.

Reasons for determination:

- ☒ Prevention of Crime and Disorder
- ☒ Promotion of Public Safety

Reasons (state in full): for both objectives

In relation to the promotion of the licensing objectives of prevention of crime and disorder and public safety the Sub-Committee after considering the evidence presented decided that it is a necessary and proportionate response to impose conditions on the licence to address the issues as stated by the Police.

N.B. The Sub-Committee wished it be noted that they acknowledge the fact that this is the 2nd occasion that there has been a review of this establishment's premise licence in the last 12 months.

Prevention of Public Nuisance

Reasons (state in full):

.....N/A.....

.....

Children from Harm

Reasons (state in full):

.....N/A.....

.....

PRINT NAME (CHAIRMAN): Councillor Mr Patrick Sellar

Signed [Chairman]: A copy of the original document is held on file

Date: 15.1.2010

.....



**Kent
Police**

APPENDIX B

Protecting and serving the people of Kent

Maidstone Police Station
Palace Avenue
Maidstone
Kent
ME15 6NF

For the attention of K.C.C. Trading Standards,

In regards to your Licensing review against the Beluga Bar, 73 Bank Street, Maidstone (Premises Licence No. MAID0185/LPRM/3989). Kent Police would like to state that we fully support the review.

Although Maidstone Police enjoy a good working relationship with the premises in regards to their general working practices whilst open. We certainly do not condone their actions as highlighted in this review. There is a duty of care to the people who use Maidstone's Night Time Economy and clearly the risks taken here go against the Licensing Objectives. This appears not to be a case that they were let down by their normal supplier but decided to use a new supplier who *cold called* at the venue. Although this form of business can occur quite legitimately, we feel that the venue has a responsibility to confirm that all is correct and in particular we are concerned by the apparent lack of paperwork/audit trail, which we believe raises questions.

We are also concerned as this comes not long after a previous Licence Review against the premises which was also concerned with public safety and again would appear to have been a failing at management level.

It is our understanding that your review is asking for a revocation of Licence and we believe that this is entirely consistent with the government's guidelines.

Yours sincerely

PC Neil Barnes 10051

West Division (Maidstone)
Licensing Dept.
Tel: 01622 604403
10051@kent.pnn.police.uk

PREMISES LICENCE

The Licensing Act 2003 Schedule 12, Part A



Premises Licence Number	10/03893/LAPRE
--------------------------------	----------------

Part 1 – Premises Details

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

Beluga Bar
73 Bank Street
Maidstone
Kent
ME14 1SN

Telephone number 01622 761300

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
Live music
Recorded music
Performances of dance
Facilities for making music
Facilities for dancing
Sale or Supply of Alcohol
Late Night Refreshment

Times the licence authorises the carrying out of licensable activities

Films	Every Day	10:00 - 03:30	Indoors only
Live music	Every Day	10:00 - 03:30	Indoors only
Recorded music	Every Day	10:00 - 03:30	Indoors only
Performances of dance	Every Day	10:00 - 03:30	Indoors only
Facilities for making music	Every Day	10:00 - 03:30	Indoors only
Facilities for dancing	Every Day	10:00 - 03:30	Indoors only
Sale or Supply of Alcohol	Every Day	10:00 - 03:30	

Licence Number: 10/03893/LAPRE
Issue Date: 30/12/2010

Page 1 of 8

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

Late Night Refreshment	Every Day	23:00 - 03:30
The opening hours of the premises		
Every day	10:00 - 04:00	
The non-standard opening hours of the premises		
None		
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 Hamid Javadi 234 Forest Road Tunbridge Wells Kent. TN2 5HS Tel: 07973 188608 Majid Javadi The Barn Oak Lane Blackham Nr Tunbridge Wells Kent. TN3 9UB Tel: 07973 112060 Email: majidjavad@aol.com
Registered number of holder, for example company number, charity number (where applicable) N/A
Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Ms Sylwia Oleszkiewicz Flat 4 72 Bank Street Maidstone Kent. ME14 1SN
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: 10/03773/LAPER Licensing Authority: Maidstone Borough Council



Neil Harris
Democratic Services Manager
Maidstone Borough Council

Licence Number: 10/03893/LAPRE
 Issue Date: 30/12/2010

Page 2 of 8

Licence issued by:
 The Licensing Partnership P.O. Box 129 Sevenoaks Kent TN13 1GP
 Telephone number: 01732 227004

Annex 1 – Mandatory conditions

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

No sale or 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 sale or 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

The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

(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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(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;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) 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.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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 a holographic mark.

The responsible person shall 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) customers are made aware of the availability of these measures.

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).

Door supervision

Any premises which includes a condition that door supervisors must be at the premises to carry out a security activity, shall ensure that each such person is licensed to conduct such activities by the Security Industry Authority.

They shall display or be able to display at least one of the following articles upon request by the Licensing Authority, the Police Authority, a responsible authority, and any other relevant authority including the Security Industry Authority (S.I.A.)

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

Annex 2 – Embedded conditions

Not applicable

Annex 3 – Conditions consistent with the Operating Schedule

All staff shall be trained in Licensing Law and this training supervised and recorded.

CCTV shall be fitted to a standard agreed to by the Police that complies with the CCTV code of practice (2008 edition) produced by the Information Commissioners Office, with all public areas, including all access and egress points covered. This shall also to include any exit doors, alleyways or any other areas use for the ejection of customers.

The CCTV system shall be maintained and serviced on a regular basis and records kept to that effect.

CCTV shall be operational at all times that members of the public and/or staff are on the premises.

Images shall be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate.

The Police or Local Authority shall have access to these images at any reasonable time and in any case within 48 hours of the request for the image being made.

The Police or Local Authority shall be allowed to take a recording by way of tape, CD Rom or any other means of the image within 48 hours on the initial request being made by either the Police or Local Authority.

Staff shall be fully trained in the CCTV system and there shall be at least one member of staff on duty during the trading hours who is able to provide a recording of any incident at the request of the police or local authority.

A personal Licence Holder shall be present at all times that the premises are trading for the sale of alcohol.

Door Supervisors shall be employed at the premises from 20:00hrs, or start of trading whichever is the earlier, until close of trading.

A sufficient number of door staff shall be employed at the premises to provide sufficient safety and security for the capacity. The recommended number is 1 per100 customers.

All security staff shall wear a reflective jacket or tabard.

All security staff shall display their name badges by way of a reflective armband.

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

- The day, date and time of the incident
- The member of staff making the entry
- All members of staff involved in the incident
- An account of the incident
- Details of any persons injured and the injuries sustained
- Any other details thought relevant

A register shall be kept of all security staff working at the premises for every time that the premises are open for trading. This register shall be a bound book and it will contain the following information:-

- a) Day and date of entry
- b) Time that member of security staff starts and finishes work
- c) Full name
- d) SIA registration number
- e) Signature of the member of security staff

A drugs policy shall be produced by the premises licence holder and agreed with the police.

The toilets shall be designed in such a way as to discourage drug use within them, i.e. all flat surfaces will be eliminated or kept to a minimum.

Regular checks shall be made in the toilets in order to discourage drug use within them. These checks shall be a minimum of every 20 minutes during trading hours and will be logged.

Access shall be given at all reasonable times to the police in order for swabs to be taken for the ION Track Drug Testing machine.

Police shall be permitted to use the Ion Track Drug Testing machine as a condition of entry at all reasonable times during trading hours.

Toughened or Polycarbonate glass shall be used at the premises.

Drinks promotions shall not be permitted allowing unlimited supply of alcohol for a set price.

A representative of the premises licence holder shall actively participate in the Nite Net radio system and shall also be a member of the Night Time Economy Forum, attending all meetings in person or sending an appropriate representative. This person would normally be the Designated Premises Supervisor.

A responsible person at the premises shall monitor the Nite Net radio at all times the premises are trading.

No open vessels, bottles or other type of container shall be allowed outside of the licensed premises other than the area marked 'Beer Garden' on the submitted plans.

All staff shall be fully trained in their responsibilities under the Licensing Act and the training shall be fully auditable and available to any responsible authority on request.

The Licence Holder, Manager or Premises Supervisor in situ shall ensure that all existing Health and Safety, Fire and Electrical risk assessments or tests will be carried out, and that all existing policies that ensure the care and safety of patrons are observed.

When the premises are open to the public, there shall be an adequate number of staff on duty to ensure the care and safety of all persons on the premises. The numbers of staff on duty shall be disclosed to a member of the Licensing Authority or local Police Authority on request.

Safety appliances, Fire Equipment 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 manager, DPS or other responsible person shall ensure that no unruly, violent or aggressive behaviour is permitted in or around the premises. Persons behaving in this manner will be asked to leave the premises immediately.

The premises shall be shut promptly at all times that are directed in the Premises Licence schedule. Any licensable activities shall also cease at the stated hours, and shall not exceed any of the times that are indicated.

The premises shall be adequately soundproofed and any air conditioning units shall be used and directed so as not to cause disturbance to surrounding properties.

Sound limiters shall be used to prevent noise nuisance.

Litter and cigarette bins shall be provided and made available for use inside and outside the premises.

It shall be the responsibility of the Designated Premises Supervisor to ensure that any queue forming at the entrance to the premises is orderly and supervised in such a way so that it does not cause a nuisance to other nearby businesses, passing pedestrians and traffic.

A auditable system shall be used to record the number of customers within the premises whenever it is open for trading.

Persons under the age of 16 years shall only be permitted entry at the premises when trading if accompanied by an adult.

No persons under the age of 18 years shall be allowed on the premises in any case after 2300hrs unless attending a private pre booked function or event.

All staff will be fully trained in 'Challenge 25' and the training shall be fully auditable and available to any responsible authority on request.

Notices to advise customers that 'Challenge 25' is in force shall be displayed in prominent areas.

The only proof of age that will be accepted shall be a passport, photographic driving licence or an accredited 'PASS' marked proof of age card.

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

The maximum number of persons (not including staff) permitted on the premises during licensable activities and thereafter until closing on that day shall be 1150.

No licensable activities shall take place on the premises until such time as the Building Control Officer has confirmed completion of the premises in accordance with the plans.

No licensable activities shall take place on the premises until such time as the Kent Fire and Rescue Service have confirmed in writing that they are satisfied with capacity for various floors, numbers of staff to supervise evacuation, including their training and the management strategy for control of numbers and evacuation.

Further CCTV will be fitted to the premises to the satisfaction of the Police so that all areas are covered by a camera and are able to be monitored on the CCTV system;

All door staff will carry their radios by way of a harness or attached to uniform and not by hand and will use earpieces and "push and talk" buttons

An electronic system will be installed at the premises that accurately counts how many persons are in the premises. This system will be installed with the agreement of the police and the fire safety officer. It will be available for inspection by any responsible authority at any time that the premises is open to staff or members of the public.

The club shall not be opened to the public at any time that the electronic system is not installed and operating.

Annex 5 – Plans

Please see attached

PREMISES LICENCE

The Licensing Act 2003

Schedule 12, Part A

Premises Licence Number	10/03893/LAPRE
--------------------------------	-----------------------

Part 1 – Premises Details

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

Beluga Bar
73 Bank Street
Maidstone
Kent
ME14 1SN

Telephone number 01622 761300 01622 686931

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
Live music
Recorded music
Performances of dance
Facilities for making music
Facilities for dancing
Sale or Supply of Alcohol
Late Night Refreshment

Times the licence authorises the carrying out of licensable activities

Films (Indoors)

Every Day

10:00 - 03:30

Live music (Indoors)

Every Day

10:00 - 03:30

Recorded music (Indoors)

Every Day

10:00 - 03:30

Performances of dance (Indoors)

Licence Number: 10/03893/LAPRE
Issue Date: 05/10/2012

Page 1 of 9

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

Every Day	10:00 - 03:30
Facilities for making music (Indoors)	
Every Day	10:00 - 03:30
Facilities for dancing (Indoors)	
Every Day	10:00 - 03:30
Sale or Supply of Alcohol	
Every Day	10:00 - 03:30
Late Night Refreshment (Both Indoors and Outdoors)	
Every Day	23:00 - 03:30

The opening hours of the premises	
Every day	10:00 - 04:00

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 both on and off the premises	

Part 2

Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence	
Mr Majid Javadi	
The Barn	
Oak Lane	
Blackham	
Nr Tunbridge Wells	
Kent	
TN3 9UB	
Mr Hamid Javadi	
234 Forest Road	
Tunbridge Wells	
Kent	
TN2 5HS	

Licence Number: 10/03893/LAPRE
Issue Date: 05/10/2012

Page 2 of 9

Licence issued by:
The Licensing Partnership P.O. Box 137 Sevenoaks Kent TN13 1GP
Telephone number: 01732 227004

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

Mr Ermir Reka
Flat 3
81 - 83 Upper Stone Street
Maidstone
Kent
ME15 6HE

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: MAID0185/LP/1563
Licence Authority: Maidstone Borough Council



Neil Harris
Democratic Services Manager
Maidstone Borough Council

Licence Number: 10/03893/LAPRE
Issue Date: 05/10/2012

Page 3 of 9

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

Annex 1 – Mandatory conditions

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

No sale or 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 sale or 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. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (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;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
- (e) 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.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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 a holographic mark.

5. The responsible person shall 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) customers are made aware of the availability of these measures.

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).

They shall display or be able to display at least one of the following articles upon request by the Licensing Authority, the Police Authority, a responsible authority, and any other relevant authority including the Security Industry Authority (S.I.A.)

(i) A Security Industry Authority (S.I.A.) name badge.

(ii) Proof of registration to the Security Industry Authority (S.I.A.) scheme allowing them to carry out security activities at licensed premises.

Door supervision

Any premises which includes a condition that door supervisors must be at the premises to carry out a security activity, shall ensure that each such person is licensed to conduct such activities by the Security Industry Authority.

Annex 2 – Embedded conditions

Licence Number: 10/03893/LAPRE
Issue Date: 05/10/2012

Page 5 of 9

Licence issued by:
The Licensing Partnership P.40 Box 182 Sevenoaks Kent TN13 1GP
Telephone number: 01732 227004

Not applicable

Annex 3 – Conditions consistent with the Operating Schedule

All staff shall be trained in Licensing Law and this training supervised and recorded.

CCTV shall be fitted to a standard agreed to by the Police that complies with the CCTV code of practice (2008 edition) produced by the Information Commissioners Office, with all public areas, including all access and egress points covered. This shall also to include any exit doors, alleyways or any other areas use for the ejection of customers.

The CCTV system shall be maintained and serviced on a regular basis and records kept to that effect.

CCTV shall be operational at all times that members of the public and/or staff are on the premises.

Images shall be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate.

The Police or Local Authority shall have access to these images at any reasonable time and in any case within 48 hours of the request for the image being made.

The Police or Local Authority shall be allowed to take a recording by way of tape, CD Rom or any other means of the image within 48 hours on the initial request being made by either the Police or Local Authority.

Staff shall be fully trained in the CCTV system and there shall be at least one member of staff on duty during the trading hours who is able to provide a recording of any incident at the request of the police or local authority.

A personal Licence Holder shall be present at all times that the premises are trading for the sale of alcohol.

Door Supervisors shall be employed at the premises from 20:00hrs, or start of trading whichever is the earlier, until close of trading.

A sufficient number of door staff shall be employed at the premises to provide sufficient safety and security for the capacity. The recommended number is 1 per 100 customers.

All security staff shall wear a reflective jacket or tabard.

All security staff shall display their name badges by way of a reflective armband.

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

- The day, date and time of the incident
- The member of staff making the entry
- All members of staff involved in the incident
- An account of the incident
- Details of any persons injured and the injuries sustained
- Any other details thought relevant

A register shall be kept of all security staff working at the premises for every time that the premises are open for trading. This register shall be a bound book and it will contain the following information:-

Licence Number: 10/03893/LAPRE
Issue Date: 05/10/2012

Page 6 of 9

Licence issued by:
The Licensing Partnership P.O. Box 1421 Sevenoaks Kent TN13 1GP
Telephone number: 01732 227004

- a) Day and date of entry
- b) Time that member of security staff starts and finishes work
- c) Full name
- d) SIA registration number
- e) Signature of the member of security staff

A drugs policy shall be produced by the premises licence holder and agreed with the police.

The toilets shall be designed in such a way as to discourage drug use within them, i.e. all flat surfaces will be eliminated or kept to a minimum.

Regular checks shall be made in the toilets in order to discourage drug use within them. These checks shall be a minimum of every 20 minutes during trading hours and will be logged.

Access shall be given at all reasonable times to the police in order for swabs to be taken for the ION Track Drug Testing machine.

Police shall be permitted to use the Ion Track Drug Testing machine as a condition of entry at all reasonable times during trading hours.

Toughened or Polycarbonate glass shall be used at the premises.

Drinks promotions shall not be permitted allowing unlimited supply of alcohol for a set price.

A representative of the premises licence holder shall actively participate in the Nite Net radio system and shall also be a member of the Night Time Economy Forum, attending all meetings in person or sending an appropriate representative. This person would normally be the Designated Premises Supervisor.

A responsible person at the premises shall monitor the Nite Net radio at all times the premises are trading.

No open vessels, bottles or other type of container shall be allowed outside of the licensed premises other than the area marked 'Beer Garden' on the submitted plans.

All staff shall be fully trained in their responsibilities under the Licensing Act and the training shall be fully auditable and available to any responsible authority on request.

The Licence Holder, Manager or Premises Supervisor in situ shall ensure that all existing Health and Safety, Fire and Electrical risk assessments or tests will be carried out, and that all existing policies that ensure the care and safety of patrons are observed.

When the premises are open to the public, there shall be an adequate number of staff on duty to ensure the care and safety of all persons on the premises. The numbers of staff on duty shall be disclosed to a member of the Licensing Authority or local Police Authority on request.

Safety appliances, Fire Equipment 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 manager, DPS or other responsible person shall ensure that no unruly, violent or aggressive behaviour is permitted in or around the premises. Persons behaving in this manner will be asked to leave the premises immediately.

The premises shall be shut promptly at all times that are directed in the Premises Licence schedule. Any licensable activities shall also cease at the stated hours, and shall not exceed any of the times that are indicated.

The premises shall be adequately soundproofed and any air conditioning units shall be used and directed so as not to cause disturbance to surrounding properties.

Sound limiters shall be used to prevent noise nuisance.

Litter and cigarette bins shall be provided and made available for use inside and outside the premises.

It shall be the responsibility of the Designated Premises Supervisor to ensure that any queue forming at the entrance to the premises is orderly and supervised in such a way so that it does not cause a nuisance to other nearby businesses, passing pedestrians and traffic.

A auditable system shall be used to record the number of customers within the premises whenever it is open for trading.

Persons under the age of 16 years shall only be permitted entry at the premises when trading if accompanied by an adult.

No persons under the age of 18 years shall be allowed on the premises in any case after 2300hrs unless attending a private pre booked function or event.

All staff will be fully trained in 'Challenge 25' and the training shall be fully auditable and available to any responsible authority on request.

Notices to advise customers that 'Challenge 25' is in force shall be displayed in prominent areas.

The only proof of age that will be accepted shall be a passport, photographic driving licence or an accredited 'PASS' marked proof of age card.

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

The maximum number of persons (not including staff) permitted on the premises during licensable activities and thereafter until closing on that day shall be 1150.

No licensable activities shall take place on the premises until such time as the Building Control Officer has confirmed completion of the premises in accordance with the plans.

No licensable activities shall take place on the premises until such time as the Kent Fire and Rescue Service have confirmed in writing that they are satisfied with capacity for various floors, numbers of staff to supervise evacuation, including their training and the management strategy for control of numbers and evacuation.

Further CCTV will be fitted to the premises to the satisfaction of the Police so that all areas are covered by a camera and are able to be monitored on the CCTV system;

All door staff will carry their radios by way of a harness or attached to uniform and not by hand and will use earpieces and "push and talk" buttons

An electronic system will be installed at the premises that accurately counts how many persons are in the premises. This system will be installed with the agreement of the police and the fire safety officer. It will be available for inspection by any responsible authority at any time that the premises is open to staff or members of the public.

The club shall not be opened to the public at any time that the electronic system is not installed and operating.

Annex 5 – Plans

Please see attached

PREMISES LICENCE

The Licensing Act 2003
Schedule 12, Part A



Premises Licence Number	12/02612/LAPRE
--------------------------------	-----------------------

Part 1 – Premises Details

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

Beluga Bar
 73 Bank Street
 Maidstone
 Kent. ME14 1SN

Telephone number 01622 761300 or 01622 686931

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
 Live music
 Recorded music
 Performances of dance
 Anything similar to E, F, or G
 Facilities for making music
 Facilities for dancing
 Anything similar to I or J
 Sale or Supply of Alcohol
 Late Night Refreshment

Times the licence authorises the carrying out of licensable activities

Films (Indoors)

Every Day 10:00 - 05:00

Live music (Indoors)

Every Day 10:00 - 05:00

Recorded music (Indoors)

Every Day 10:00 - 05:00

Licence Number: 12/02612/LAPRE
 Issue Date: 17/09/2012

Page 1 of 10

Licence issued by:
 The Licensing Partnership P.O. Box 145 Sevenoaks Kent TN13 1GP
 Telephone number: 01732 227004

Performances of dance (Indoors)	
Every Day	10:00 - 05:00
Anything similar to E, F, or G (Indoors)	
Every Day	10:00 - 05:00
Facilities for making music (Indoors)	
Every Day	10:00 - 05:00
Facilities for dancing (Indoors)	
Every Day	10:00 - 05:00
Anything similar to I or J (Indoors)	
Every Day	10:00 - 05:00
Sale or Supply of Alcohol	
Every Day	10:00 - 04:30
Late Night Refreshment (Both Indoors and Outdoors)	
Every Day	23:00 - 05:00

The opening hours of the premises	
Every day	10:00 - 05:00

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 both on and off the premises	

Licence Number: 12/02612/LAPRE
Issue Date: 17/09/2012

Page 2 of 10

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

Part 2

Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence

Mr Hamid Javadi
234 Forest Road
Tunbridge Wells
Kent. TN2 5HS

Mr Majid Javadi
The Barn
Oak Lane
Blackham
Nr Tunbridge Wells
Kent. TN3 9UB

Email address majidjavad@aol.com

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

Mr Ermir Reka
Flat 3
81 - 83 Upper Stone Street
Maidstone
Kent. ME15 6HE

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: MAID0185/LP/1563
Licence Authority: Maidstone Borough Council



Nell Harris
Democratic Services Manager
Maidstone Borough Council

Licence Number: 12/02612/LAPRE
Issue Date: 17/09/2012

Page 4 of 10

Licence issued by:
The Licensing Partnership P.O. 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. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (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;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
- (e) 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.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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 a holographic mark.

5. The responsible person shall 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) customers are made aware of the availability of these measures.

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).

Door supervision

Any premises which includes a condition that door supervisors must be at the premises to carry out a security activity, shall ensure that each such person is licensed to conduct such activities by the Security Industry Authority.

They shall display or be able to display at least one of the following articles upon request by the Licensing Authority, the Police Authority, a responsible authority, and any other relevant authority including the Security Industry Authority (S.I.A.)

- (i) A Security Industry Authority (S.I.A.) name badge.

(ii) Proof of registration to the Security Industry Authority (S.I.A.) scheme allowing them to carry out security activities at licensed premises.

Annex 2 – Embedded conditions

Not applicable

Annex 3 – Conditions consistent with the Operating Schedule

All staff shall be trained in Licensing Law and this training supervised and recorded.

CCTV shall be fitted to a standard agreed to by the Police that complies with the CCTV code of practice (2008 edition) produced by the Information Commissioners Office, with all public areas, including all access and egress points covered. This shall also to include any exit doors, alleyways or any other areas use for the ejection of customers.

The CCTV system shall be maintained and serviced on a regular basis and records kept to that effect.

CCTV shall be operational at all times that members of the public and/or staff are on the premises.

Images shall be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate.

The Police or Local Authority shall have access to these images at any reasonable time and in any case within 48 hours of the request for the image being made.

The Police or Local Authority shall be allowed to take a recording by way of tape, CD Rom or any other means of the image within 48 hours on the initial request being made by either the Police or Local Authority.

Staff shall be fully trained in the CCTV system and there shall be at least one member of staff on duty during the trading hours who is able to provide a recording of any incident at the request of the police or local authority.

A personal Licence Holder shall be present at all times that the premises are trading for the sale of alcohol.

Door Supervisors shall be employed at the premises from 20:00hrs, or start of trading whichever is the earlier, until close of trading.

A sufficient number of door staff shall be employed at the premises to provide sufficient safety and security for the capacity. The recommended number is 1 per100 customers.

All security staff shall wear a reflective jacket or tabard.

All security staff shall display their name badges by way of a reflective armband.

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

- The day, date and time of the incident
- The member of staff making the entry
- All members of staff involved in the incident
- An account of the incident
- Details of any persons injured and the injuries sustained
- Any other details thought relevant

A register shall be kept of all security staff working at the premises for every time that the premises are open for trading. This register shall be a bound book and it will contain the following information:-

- a) Day and date of entry
- b) Time that member of security staff starts and finishes work
- c) Full name
- d) SIA registration number
- e) Signature of the member of security staff

A drugs policy shall be produced by the premises licence holder and agreed with the police.

The toilets shall be designed in such a way as to discourage drug use within them, i.e. all flat surfaces will be eliminated or kept to a minimum.

Regular checks shall be made in the toilets in order to discourage drug use within them. These checks shall be a minimum of every 20 minutes during trading hours and will be logged.

Access shall be given at all reasonable times to the police in order for swabs to be taken for the ION Track Drug Testing machine.

Police shall be permitted to use the Ion Track Drug Testing machine as a condition of entry at all reasonable times during trading hours.

Toughened or Polycarbonate glass shall be used at the premises.

Drinks promotions shall not be permitted allowing unlimited supply of alcohol for a set price.

A representative of the premises licence holder shall actively participate in the Nite Net radio system and shall also be a member of the Night Time Economy Forum, attending all meetings in person or sending an appropriate representative. This person would normally be the Designated Premises Supervisor.

A responsible person at the premises shall monitor the Nite Net radio at all times the premises are trading.

No open vessels, bottles or other type of container shall be allowed outside of the licensed premises other than the area marked 'Beer Garden' on the submitted plans.

All staff shall be fully trained in their responsibilities under the Licensing Act and the training shall be fully auditable and available to any responsible authority on request.

The Licence Holder, Manager or Premises Supervisor in situ shall ensure that all existing Health and Safety, Fire and Electrical risk assessments or tests will be carried out, and that all existing policies that ensure the care and safety of patrons are observed.

When the premises are open to the public, there shall be an adequate number of staff on duty to ensure the care and safety of all persons on the premises. The numbers of staff on duty shall be disclosed to a member of the Licensing Authority or local Police Authority on request.

Safety appliances, Fire Equipment 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 manager, DPS or other responsible person shall ensure that no unruly, violent or aggressive behaviour is permitted in or around the premises. Persons behaving in this manner will be asked to leave the premises immediately.

The premises shall be shut promptly at all times that are directed in the Premises Licence schedule. Any licensable activities shall also cease at the stated hours, and shall not exceed any of the times that are indicated.

The premises shall be adequately soundproofed and any air conditioning units shall be used and directed so as not to cause disturbance to surrounding properties.

Sound limiters shall be used to prevent noise nuisance.

Litter and cigarette bins shall be provided and made available for use inside and outside the premises.

It shall be the responsibility of the Designated Premises Supervisor to ensure that any queue forming at the entrance to the premises is orderly and supervised in such a way so that it does not cause a nuisance to other nearby businesses, passing pedestrians and traffic.

A auditable system shall be used to record the number of customers within the premises whenever it is open for trading.

Persons under the age of 16 years shall only be permitted entry at the premises when trading if accompanied by an adult.

No persons under the age of 18 years shall be allowed on the premises in any case after 2300hrs unless attending a private pre booked function or event.

All staff will be fully trained in 'Challenge 25' and the training shall be fully auditable and available to any responsible authority on request.

Notices to advise customers that 'Challenge 25' is in force shall be displayed in prominent areas.

The only proof of age that will be accepted shall be a passport, photographic driving licence or an accredited 'PASS' marked proof of age card.

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

The maximum number of persons (not including staff) permitted on the premises during licensable activities and thereafter until closing on that day shall be 1150.

No licensable activities shall take place on the premises until such time as the Building Control Officer has confirmed completion of the premises in accordance with the plans.

No licensable activities shall take place on the premises until such time as the Kent Fire and Rescue Service have confirmed in writing that they are satisfied with capacity for various floors, numbers of staff to supervise evacuation, including their training and the management strategy for control of numbers and evacuation.

Further CCTV will be fitted to the premises to the satisfaction of the Police so that all areas are covered by a camera and are able to be monitored on the CCTV system;

All door staff will carry their radios by way of a harness or attached to uniform and not by hand and will use earpieces and "push and talk" buttons

An electronic system will be installed at the premises that accurately counts how many persons are in the premises. This system will be installed with the agreement of the police and the fire safety officer. It will be available for inspection by any responsible authority at any time that the premises is open to staff or members of the public.

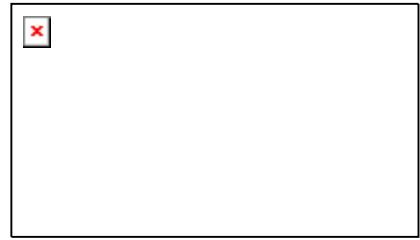
The club shall not be opened to the public at any time that the electronic system is not installed and operating.

Annex 5 – Plans

Please see attached

PREMISES LICENCE

The Licensing Act 2003
Schedule 12, Part A



Premises Licence Number	12/03464/LAPMV
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Part 1 – Premises Details

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

Beluga Bar
 73 Bank Street
 Maidstone
 Kent. ME14 1SN

Telephone number 01622 761300 or 01622 686931

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
 Live music
 Recorded music
 Performances of dance
 Anything similar to E, F, or G
 Facilities for making music
 Facilities for dancing
 Anything similar to I or J
 Sale or Supply of Alcohol
 Late Night Refreshment

Times the licence authorises the carrying out of licensable activities

Films (Indoors)

Every Day 10:00 - 05:00

Live music (Indoors)

Every Day 10:00 - 05:00

Recorded music (Indoors)

Every Day 10:00 - 05:00

Licence Number: 12/03464/LAPMV
 Issue Date: 19/10/2012

Page 1 of 8

Licence issued by:
 The Licensing Partnership P.O. Box 135 Sevenoaks Kent TN13 1GP
 Telephone number: 01732 227004

Performances of dance (Indoors)	
Every Day	10:00 - 05:00
Anything similar to E, F, or G (Indoors)	
Every Day	10:00 - 05:00
Facilities for making music (Indoors)	
Every Day	10:00 - 05:00
Facilities for dancing (Indoors)	
Every Day	10:00 - 05:00
Anything similar to I or J (Indoors)	
Every Day	10:00 - 05:00
Sale or Supply of Alcohol	
Every Day	10:00 - 04:30
Late Night Refreshment (Both Indoors and Outdoors)	
Every Day	23:00 - 05:00

The opening hours of the premises
Every day 10:00 - 05:00

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 both on and off the premises

Part 2

Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence
Mr Majid Javadi The Barn Oak Lane Blackham Nr Tunbridge Wells Kent. TN3 9UB
Email address
majidjavad@aol.com

Licence Number: 12/03464/LAPMV
Issue Date: 19/10/2012

Page 2 of 8

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

Mr Hamid Javadi
234 Forest Road
Tunbridge Wells
Kent. TN2 5HS

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

Mr Ermir Reka
Flat 3
81 - 83 Upper Stone Street
Maidstone
Kent. ME15 6HE

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: MAID0185/LP/1563
Licence Authority: Maidstone Borough Council



Neil Harris
Head of Democratic Services
Maidstone Borough Council

Licence Number: 12/03464/LAPMV
Issue Date: 19/10/2012

Page 3 of 8

Licence issued by:
The Licensing Partnership P.O. Box 187 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. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

- (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (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;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
- (e) 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.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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 a holographic mark.

5. The responsible person shall 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) customers are made aware of the availability of these measures.

Annex 2 – Embedded conditions

Not applicable

Annex 3 – Conditions consistent with the Operating Schedule

CCTV shall be fitted to a standard agreed to by the Police that complies with the CCTV code of practice (2008 edition) produced by the Information Commissioners Office, with all public areas, including all access and egress points covered. This shall also to include any exit doors, alleyways or any other areas use for the ejection of customers.

The CCTV system shall be maintained and serviced on a regular basis and records kept to that effect.

CCTV shall be operational at all times that members of the public and/or staff are on the premises.

Images shall be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate.

The Police or Local Authority shall have access to these images at any reasonable time and in any case within 48 hours of the request for the image being made.

The Police or Local Authority shall be allowed to take a recording by way of tape, CD Rom or any other means of the image within 48 hours on the initial request being made by either the Police or Local Authority.

Staff shall be fully trained in the CCTV system and there shall be at least one member of staff on duty during the trading hours who is able to provide a recording of any incident at the request of the police or local authority.

A personal Licence Holder shall be present at all times that the premises are trading for the sale of alcohol.

Door Supervisors shall be employed at the premises from 20:00hrs, or start of trading whichever is the earlier, until close of trading.

Licence Number: 12/03464/LAPMV
Issue Date: 19/10/2012

Page 5 of 8

Licence issued by:
The Licensing Partnership P.O. Box 152 Sevenoaks Kent TN13 1GP
Telephone number: 01732 227004

A sufficient number of door staff shall be employed at the premises to provide sufficient safety and security for the capacity. The recommended number is 1 per 100 customers.

All security staff shall wear a reflective jacket or tabard.

All security staff shall display their name badges by way of a reflective armband.

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

- The day, date and time of the incident
- The member of staff making the entry
- All members of staff involved in the incident
- An account of the incident
- Details of any persons injured and the injuries sustained
- Any other details thought relevant

A register shall be kept of all security staff working at the premises for every time that the premises are open for trading. This register shall be a bound book and it will contain the following information:-

- a) Day and date of entry
- b) Time that member of security staff starts and finishes work
- c) Full name
- d) SIA registration number
- e) Signature of the member of security staff

A drugs policy shall be produced by the premises licence holder and agreed with the police.

The toilets shall be designed in such a way as to discourage drug use within them, i.e. all flat surfaces will be eliminated or kept to a minimum.

Regular checks shall be made in the toilets in order to discourage drug use within them. These checks shall be a minimum of every 20 minutes during trading hours and will be logged.

Access shall be given at all reasonable times to the police in order for swabs to be taken for the ION Track Drug Testing machine.

Police shall be permitted to use the Ion Track Drug Testing machine as a condition of entry at all reasonable times during trading hours.

Toughened or Polycarbonate glass shall be used at the premises.

Drinks promotions shall not be permitted allowing unlimited supply of alcohol for a set price.

A representative of the premises licence holder shall actively participate in the Nite Net radio system and shall also be a member of the Night Time Economy Forum, attending all meetings in person or sending an appropriate representative. This person would normally be the Designated Premises Supervisor.

A responsible person at the premises shall monitor the Nite Net radio at all times the premises are trading.

No open vessels, bottles or other type of container shall be allowed outside of the licensed premises other than the area marked 'Beer Garden' on the submitted plans.

All staff shall be fully trained in their responsibilities under the Licensing Act and the training shall be fully auditable and available to any responsible authority on request.

The Licence Holder, Manager or Premises Supervisor in situ shall ensure that all existing Health and Safety, Fire and Electrical risk assessments or tests will be carried out, and that all existing policies that ensure the care and safety of patrons are observed.

When the premises are open to the public, there shall be an adequate number of staff on duty to ensure the care and safety of all persons on the premises. The numbers of staff on duty shall be disclosed to a member of the Licensing Authority or local Police Authority on request.

Safety appliances, Fire Equipment 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 manager, DPS or other responsible person shall ensure that no unruly, violent or aggressive behaviour is permitted in or around the premises. Persons behaving in this manner will be asked to leave the premises immediately.

The premises shall be shut promptly at all times that are directed in the Premises Licence schedule. Any licensable activities shall also cease at the stated hours, and shall not exceed any of the times that are indicated.

The premises shall be adequately soundproofed and any air conditioning units shall be used and directed so as not to cause disturbance to surrounding properties.

Sound limiters shall be used to prevent noise nuisance.

Litter and cigarette bins shall be provided and made available for use inside and outside the premises.

It shall be the responsibility of the Designated Premises Supervisor to ensure that any queue forming at the entrance to the premises is orderly and supervised in such a way so that it does not cause a nuisance to other nearby businesses, passing pedestrians and traffic.

A auditable system shall be used to record the number of customers within the premises whenever it is open for trading.

Persons under the age of 16 years shall only be permitted entry at the premises when trading if accompanied by an adult.

No persons under the age of 18 years shall be allowed on the premises in any case after 2300hrs unless attending a private pre booked function or event.

All staff will be fully trained in 'Challenge 25' and the training shall be fully auditable and available to any responsible authority on request.

Notices to advise customers that 'Challenge 25' is in force shall be displayed in prominent areas.

The only proof of age that will be accepted shall be a passport, photographic driving licence or an accredited 'PASS' marked proof of age card.

The maximum number of persons (not including staff) permitted on the premises during licensable activities and thereafter until closing on that day shall be 1150.

No licensable activities shall take place on the premises until such time as the Building Control Officer has confirmed completion of the premises in accordance with the plans.

No licensable activities shall take place on the premises until such time as the Kent Fire and Rescue Service have confirmed in writing that they are satisfied with capacity for various floors, numbers of staff to supervise evacuation, including their training and the management strategy for control of numbers and evacuation.

Further CCTV will be fitted to the premises to the satisfaction of the Police so that all areas are covered by a camera and are able to be monitored on the CCTV system;

All door staff will carry their radios by way of a harness or attached to uniform and not by hand and will use earpieces and "push and talk" buttons

By 1, May 2010 an electronic system will be installed at the premises that accurately counts how many persons are in the premises. This system will be installed with the agreement of the police and the fire safety officer. It will be available for inspection by any responsible authority at any time that the premises is open to staff or members of the public.

The club shall not be opened to the public at any time, after 1, May 2010 that the electronic system is not installed and operating.

Alcohol purchased for supply at the premises shall only be obtained from bon fide suppliers who have been verified as such and where the suppliers physical address is confirmed.

Mr Hamid Javadi shall not authorise the purchase of alcohol for supply at the premises.

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

Not applicable

Annex 5 – Plans

Please see attached

73 Bank Street, Maidstone



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Appendix F

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.