

## AGENDA

### LICENSING SUB-COMMITTEE MEETING

Date: Tuesday, 16 August 2016

Time: 10.00 am

Venue: Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Paul Fleming, Lesley Ingham and Prescott

Quorum = 3

---

Pages

1. Fire Evacuation Procedure

The Chairman will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chairman has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence and Confirmation of Substitutes

3. Notification of Chairman and Outline of Procedure

#### 4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the room while that item is considered.

**Advice to Members:** If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Director of Corporate Services as Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

#### **Part B report for the Licensing Sub-Committee to decide**

#### 5. Application for a New Premises Licence under the Licensing Act 2003 1 - 30

To consider an application for a new premises licence at Shisha Bar, 2 Minster Road, Halfway, Sheerness, Kent, ME12 3JD

#### **Issued on Monday, 8 August 2016**

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 DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of this Committee, please visit [www.swale.gov.uk](http://www.swale.gov.uk)

## Swale Borough Council

**Report to:** Licensing Sub – Committee (Under the Licensing Act 2003)  
**Date:** 16<sup>th</sup> August 2016 – 10am  
**Report Author:** Angela Seaward – Senior Licensing Officer  
**Subject:** Shisha Bar – 2 Minster Road, Halfway, Sheerness, Kent, ME12 3JD

### **Purpose and summary of report:**

To consider an application, to which a representation has been made, for a new Premises Licence application under the Licensing Act 2003 – application reference number SHE/SWALE/189/0657

### **Recommendations:**

The Committee is asked to determine the application and decide whether to grant a licence. Members asked to consider the application on its merits.

Background papers: The Licensing Act 2003  
DCMS Guidance Documents issued under Section 182 of the Licensing Act 2003 as amended.  
Swale Borough Council Statement of Licensing Policy.

Contacts: Angela Seaward at [angelaseaward@swale.gov.uk](mailto:angelaseaward@swale.gov.uk)  
Telephone: 01795 417 534

The Licensing Act 2003 Act requires the Council to publish a 'Statement of Licensing Policy' that sets out the policies the Council will general apply to promote the licensing objectives when making decision on applications made under the Act. The Policy will be available at the meeting for reference purposes.

Under the 2003 Act, it is the duty of all licensing authorities that, in carrying out their functions, they must have regard to guidance issued by the Secretary of State under section 182. The Guidance cannot anticipate every possible scenario or set of circumstances that may arise. Provided that the licensing authority has properly understood and considered the Guidance, it may depart from it when it has reason to do so. However, as the licensing authority is under a duty to have regard to the Guidance, it will need to give full reasons for its departure from it. This would be a key consideration for the courts should departure from the Guidance result in a determination which gives rise to an appeal or judicial review. Should the need arise the Guidance will be available at the meeting for reference purposes.

The Licensing Authority must, under the Act refer any application for hearing to the Licensing Panel, if relevant representations are made by a responsible authority or other person. A copy of the Council's approved procedure for hearings of the Panel in relation to an application, along with a copy of the Hearings Regulations has been circulated to all parties prior to the meeting.

**Report Title:** Shisha Bar – 2 Minster Road, Halfway, Sheerness, Kent, ME12 3JD

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

**Purpose of the report**

The report advises Members of an application for a Premises Licence to be granted under the Licensing Act 2003, made by Mr Rajan Musha, in respect of the premises Shisha Bar, 2 Minster Road, Sheerness, Kent, ME12 3JD (Appendix A and B) in respect of two representation/s (Appendix C) has been received from an other person. Environmental Health have made representations (Appendix D).

**Issues to be decided**

1. Members are asked to determine whether to (i) grant subject to conditions consistent with the Operating Schedule modified to such an extent as considered appropriate for the promotion of the licensing objectives and any mandatory condition, (ii) grant excluding any of the licensable activities applied for, (iii) grant refusing to specify a premises supervisor, or (iv) reject the application.

**2. Background**

The Licensing Act requires the Council as licensing authority to carry out its various licensing functions so as to promote the following four licensing objectives:

- i) the prevention of crime and disorder;
- ii) the protection of public safety;
- iii) the prevention of public nuisance: and
- iv) the protection of children from harm

**3. The Application**

- a. On 28<sup>th</sup> June 2016 an application was received from Mr Rajan Musha for the grant of a premises licence under section 17 of the Licensing Act 2003 in respect of premises Shisha Bar at 2 Minster Road, Sheerness, Kent, ME12 3JD. The application is for provision of Sale of Alcohol. The proposed hours of operation are:

*Monday – Sunday 18:00 - 23:00*

**Opening Hours**

*18:00 – 23:00*

- b. A copy of the application, which includes the operating schedule that details the steps the applicant intends to take to address the licensing objectives, is shown as Appendix A
- c. The application has been advertised in the local press and a notice has been displayed for the whole of the consultation period.
- d. The proposed Designated Premises Supervisor is yet to be provided.

## Representations

Responsible authorities:

- Kent and Medway Fire & Rescue Service – No representations
- Kent County Council Trading Standards – No representations
- Kent County Council Social services Children & Families – No representations
- Planning Department – Swale Borough Council – No representations
- Environmental Pollution – Swale Borough Council – Objection
- Kent County Council Public Health – No representations.
- Kent Police seek the attachment of the following conditions to clarify those proposed in the operating schedule, and assist in the promotion of the licensing objectives – Representation is shown as Appendix D

### **Conditions proposed by the Police:**

- 1 CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.
  - Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.
  - Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 28/31 days and handed to Police upon reasonable request.
  - The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.
  - In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer within 24 hours unless the CCTV will be repaired before that time ([licensing.north.division@kent.pnn.police.uk](mailto:licensing.north.division@kent.pnn.police.uk))
- 2 All staff paid or unpaid who will be making sales of alcohol will be trained with the internal “due diligence” training manuals or will complete a minimum of the BII Level 1ARAR course; prior to making sales of alcohol.
  - Refresher training will take place every quarter
  - All staff will have individual training records that detail the date and nature of training (or certificate if a BII course has been taken)

- All staff to receive training in relation to the conditions applicable to this premises licence
  - All training will be documented and will be made available to the responsible authorities on request along with the content of the training (not applicable if a BII course has been taken as certificates will be made available)
  - All records will be kept for a period of 2 years
3. The licence holder and/or designated premises supervisor shall ensure that at least one personal licence holder is available on the licensed premises while the sale or supply of alcohol is being undertaken at the premises.
  4. When the premise is open between 20:00hrs and 23:00 on Friday's and Saturday's a minimum of 1 door supervisor must be present at the customer entrance/exit of the premises.
  5. The premises shall have a written drugs policy, this will detail the strategies to minimise the use and supply of illegal drugs within the premises. The drugs policy shall include a structured training policy for all staff covering the issues of misuse of drugs in relation to licensed premises. Records must be kept to show members of staff who have taken the training.
  6. The premises licence holder or designated premises supervisor must keep an incident register. Staff are to be trained to complete an incident book/records immediately after the incident but no later than the end of their shift.

The register must be kept on the premises and will detail

- Day, date and time of incident
- Nature of incident
- Resolution
- Each entry is to be checked and signed by the DPS/Licensee no later than 1 week after the entry has been made.

The register must be made available to Police, Police Licensing Officers and authorised officers from the Local Authority either electronically or hard copy.

7. Children under the age of 16 will only be allowed access to the following areas only: restaurant and toilets.
8. The Licence holder shall erect and maintain clear and prominent notices displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

- e. There has been two valid representation received from Other person and Environmental Health. Their comments are shown as Appendix C & D.

Responsible Authority / Other person	Licensing Objective	Associated Documents	Appendix
Other Person	Public Nuisance Crime and disorder	email	C
Environmental Health	Public nuisance	email	D

#### 4. Policy Considerations

The following provisions of the Secretary of State's Guidance apply to this application:

Chapter 2 – The licensing objectives

Chapter 8 – Applications for premises licences

Chapter 9 – Determining applications

Chapter 10 – Conditions attached to Premises Licences

The following paragraphs of the Council's Statement of Licensing Policy apply to this application:

Sections 2.1 to 2.4 – These sections set out the Council's approach with regard to licensing and details other mechanisms to deal with potential problems.

Section 1.1 to 1.4 – These sections set out the four licensing objectives and identifies matters that may be relevant to the promotion of each licensing objective.

#### 5. Determining the application – Options of the Panel

The Panel must, when reaching a decision on the outcome of the application, take into account the licensing objectives. Having had proper regard to the matters above the Panel may:

1. Grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application; modified to such an extent as the Licensing sub-committee considers appropriate for the promotion of the licensing objectives and any relevant mandatory condition.
2. Exclude from the licence any of the licensable activities applied for.
3. Refuse to specify a person in the licence as premises supervisor.
4. Reject the application.

Members of the Licensing Act 2003 – Licensing Sub – Committee are reminded of their duty under the Section 17 of the Crime and Disorder Act 1989 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 is reasonably can to prevent crime and disorder in its area”.

## **6. Implications Assessment**

The decision should be made with regard to the Secretary of the State’s guidance and the Council’s Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal / challenge is increased.

## **7. 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 a fair hearing.
- Article 10 – Freedom of Expression

## **8. Recommendations**

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

## **9. List of Appendices**

Appendix A – Application form  
Appendix B – Plan of premises  
Appendix C – Representation (Other Persons)  
Appendix D – Representation Environmental Health  
Appendix E – Representation Police.  
Appendix F – Plan of area  
Appendix G – Order of proceedings

## **10. Appeals**

The applicant or any other person (objector) may appeal the Licensing Act 2003 Sub Committee’s decision within 21 days beginning with the day on which the Appellant is notified. All/any appeals must be lodged with the Magistrates’ Court. Parties should be aware that they MAY incur an Adverse Cost Order should they bring an appeal.





\* required information

**Section 1 of 19**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	permit 1	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes
  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

* First name	Rajan	
* Family name	Musha	
* E-mail	[REDACTED]	
Main telephone number	[REDACTED]	Include country code.
Other telephone number		

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

- \* Is your business registered in the UK with Companies House?  Yes  No  
 \* Is your business registered outside the UK?  Yes  No

* Business name	The Shisha Bar	If your business is registered, use its registered name.
* VAT number	- none	Put "none" if you are not registered for VAT.
* Legal status	Sole Trader	

Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a provisional statement under section 29 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal address of premises.**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 19**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following:**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 19**

**INDIVIDUAL APPLICANT DETAILS**

**Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes       No

Continued from previous page...

### Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="156"/>
Street	<input type="text" value="Park Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Sittingbourne"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="ME101EW"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text"/>
<input type="button" value="Add another applicant"/>	

What is your nature of interest in the premises?

### Section 5 of 19

#### SCHEDULE OF WORK

Is the premises:

- About to be constructed  
 Being extended or altered

Give details of the work and attach plans of the work being done or about to be done at the premises

*Continued from previous page...*

Give particulars of the premises to which the application relates. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where you are completing section 16 and your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

The shisha bar is behind an Indian restaurant (in the back garden), however the supply of the alcohol will only be available at the shisha bar. The shisha bar will be separate from the Indian restaurant

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Give further details here

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

unamplified, just low music in the background to make a romantic atmosphere

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

none

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

none

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

Yes  No

**Section 13 of 19**

**PROVISION OF ANYTHING SIMILAR TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 19**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If you wish people to be able to consume alcohol on the premises, tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, tick 'off the premises'. If you wish people to be able to do both, tick 'both'

State any seasonal variations for the supply of alcohol

For example (but not exclusively) where the activity will occur on additional days during the summer months.

none

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

none

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Please highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, gambling machines etc.

none



Continued from previous page...

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

none

**Continued from previous page...**

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

none

**Section 18 of 19**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

list below here steps you will take to promote all four licensing objectives together.

Il have a strong management of control, effecyive training of all staff so there aware of the licensing requirements the four objectives that need to at their attention

b) The prevention of crime and disorder

having security at the door and around the premise to watch customers to prevent crime. Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit

c) Public safety

on a weekly basis with check all areas of the premise for safety hazards. tell my staff to inform me of any potential risk as soon as possible.

d) The prevention of public nuisance

Our local area will be at our best interest. Any complaints will be solved as soon as possible. Our cleanness will be the shisha bar priority as it represent our business. After closing hours, customers will be encourage to move from the area or be told not to speak loudly.

e) The protection of children from harm

no children permitted in the shisha bar, strictly over 18 only.  
"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Log Book will be kept upon the premises all the time of people trying to attend under 18.

Continued from previous page...

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £315

### DECLARATION

\* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

Rajan musha

\* Capacity

owner

\* Date

28 / 06 / 2016  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/swale/apply-2> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

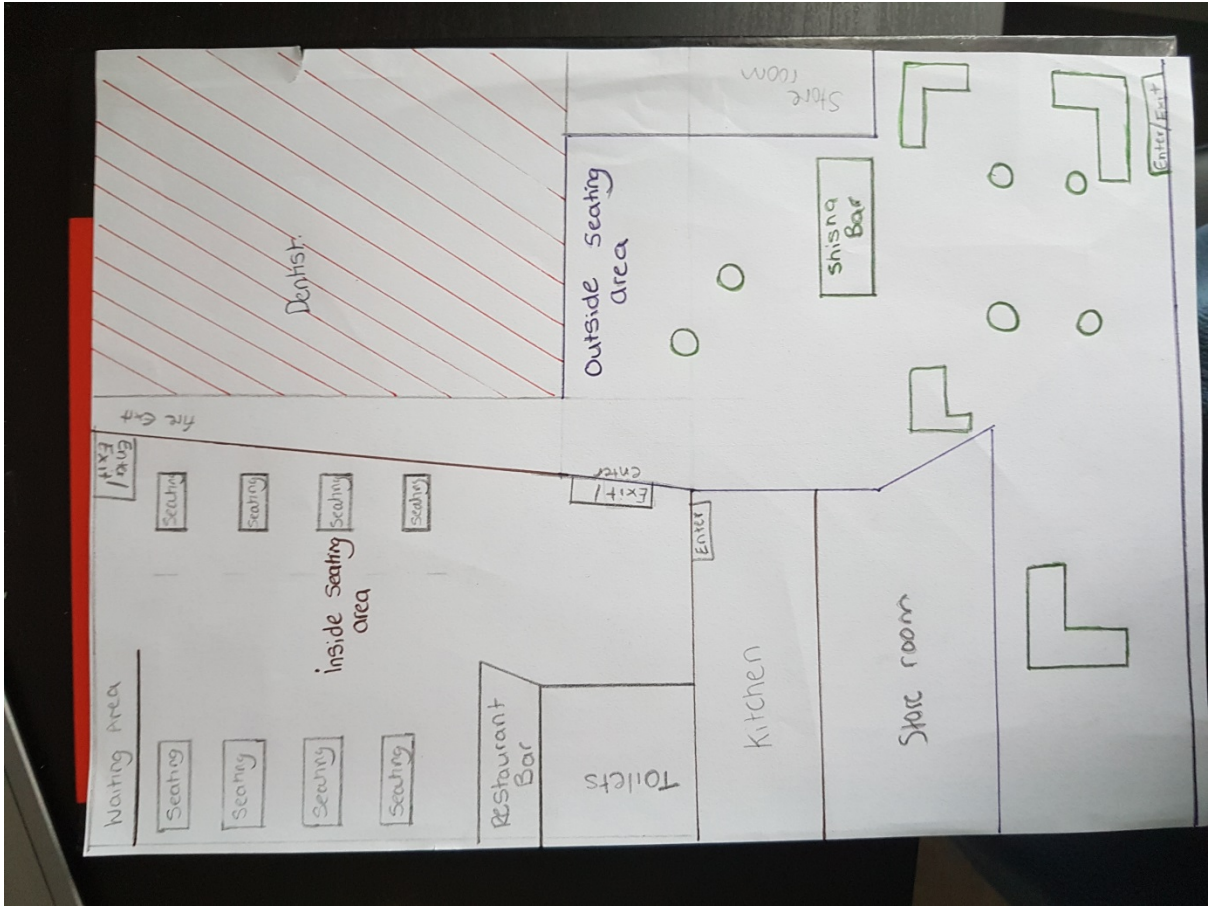
An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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**

**OFFICE USE ONLY**

Applicant reference number	permit 1
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >



This page is intentionally left blank

Good afternoon,

I would like to raise an objection to the application for a alcohol license for the above named establishment.

The reasons being that there will be a further influx of traffic to the surrounding area which being residential has a high number of children and as such a significant rise in traffic will directly affect their ability to safely use the area surrounding the establishment.

A further problem would be that the alcohol consumed during the evening and into the later night has the possibility of causing rowdiness and violence. I already have replaced the panels of my boundary fence on numerous occasions as drivers using the insurance company's car park show no regard for others property and again the area will undoubtedly be used by patrons of the bar thereby multiplying the possibility of further damage on a regular basis.

There is also the possibility that access to my property will be hampered by the excess of vehicles using the same available (although private) parking area.

I feel that the area will suffer both in safety and violence if this license is approved - it should also be noted that the Shisha Bar is approximately 10 metres from my home and will significantly increase noise levels in the area.

Mr Russell Cashman  
■ Halfway Road  
ME12 3AU

This page is intentionally left blank



MIDKENT ENVIRONMENTAL HEALTH SHARED SERVICE  
MEMORANDUM

<b>From:</b> Billie Day <b>Environmental protection</b>	<b>To:</b> <b>licensing</b>
<b>Date:</b> 26th July 2016	<b>Our Ref:</b>
<b>License Application : premises license application</b>	
<b>Address:</b> <u>2 minster road, Halfway, Sheerness, ME12 3JD</u>	

I have assessed the above application and have the following comments:

The application requests a outside bar and shisha smoking. Due to the close proximity of residential property to the above site, the extent of the hours requested I believe that the premise is likely to give rise to noise disturbance. Promoting drinking and shisha smoking outside in a residential area will have a detrimental effect on residential amenity. Therefore I object to the application as currently applied for.

Please contact me for further advice or information.

Regards

Billie Day  
Student Scientific Officer

This page is intentionally left blank

**Agreed Police Conditions:**

- 1 CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.
  - Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.
  - Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 28/31 days and handed to Police upon reasonable request.
  - The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.
  - In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer within 24 hours unless the CCTV will be repaired before that time ([licensing.north.division@kent.pnn.police.uk](mailto:licensing.north.division@kent.pnn.police.uk))
  
- 2 All staff paid or unpaid who will be making sales of alcohol will be trained with the internal “due diligence” training manuals or will complete a minimum of the BII Level 1ARAR course; prior to making sales of alcohol.
  - Refresher training will take place every quarter
  - All staff will have individual training records that detail the date and nature of training (or certificate if a BII course has been taken)
  - All staff to receive training in relation to the conditions applicable to this premises licence
  - All training will be documented and will be made available to the responsible authorities on request along with the content of the training (not applicable if a BII course has been taken as certificates will be made available)
  - All records will be kept for a period of 2 years
  
3. The licence holder and/or designated premises supervisor shall ensure that at least one personal licence holder is available on the licensed premises while the sale or supply of alcohol is being undertaken at the premises.
  
4. When the premise is open between 20:00hrs and 23:00 on Friday’s and Saturday’s a minimum of 1 door supervisor must be present at the customer entrance/exit of the premises.

5. The premises shall have a written drugs policy, this will detail the strategies to minimise the use and supply of illegal drugs within the premises. The drugs policy shall include a structured training policy for all staff covering the issues of misuse of drugs in relation to licensed premises. Records must be kept to show members of staff who have taken the training.
6. The premises licence holder or designated premises supervisor must keep an incident register. Staff are to be trained to complete an incident book/records immediately after the incident but no later than the end of their shift.

The register must be kept on the premises and will detail

- Day, date and time of incident
- Nature of incident
- Resolution
- Each entry is to be checked and signed by the DPS/Licensee no later than 1 week after the entry has been made.

The register must be made available to Police, Police Licensing Officers and authorised officers from the Local Authority either electronically or hard copy.

7. Children under the age of 16 will only be allowed access to the following areas only: restaurant and toilets.
8. The Licence holder shall erect and maintain clear and prominent notices displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.



**Making Swale a Better Place**

**LICENSING AUTHORITY:  
SWALE BOROUGH COUNCIL**

**Licensing Act 2003 Sub-committee Hearing Procedure**  
**Applications for New Premises Licences/Club Premises Certificates and Variations to existing**  
**licences and certificates**

**1. Introductions**

The Chairman will request all those persons participating in the hearing to identify themselves or introduce them.

Members/Officers/Applicant and any representative/Responsible Authorities/any other persons (objectors)

**2. Procedural Matters**

The Chairman will:

- i) Confirm that all parties are aware of the sub-committee **hearing procedure** and that each party has a copy of the hearing procedure document.
- ii) Confirm that all sub-committee members have **pre-read all the papers** and any other documents contained in the report regarding the hearing.
- iii) Explain that the sub-committee will allow all parties to put their case fully and make full **submissions**, within a reasonable time frame. The procedure will be discussion led by the Sub-Committee and **questions** will usually be permitted.
- iv) 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). If this happens, the person may give the sub-committee in writing any information which the person would have been entitled to give orally.
- v) Enquire whether any draft **conditions** have been agreed between the applicant and any of the other parties for the sub-committee to consider.
- vi) Enquire whether any parties request to have **any witness** give evidence at the hearing; and if so grant the request unless the request is unreasonable.
- vii) Invite the parties, where appropriate, to appoint a **spokesperson**.

### 3. The Hearing

- A) The Chairman will ask the legal advisor or licensing officer to briefly outline the application and all representations regarding the application.
- B)
  - i) Ask the **Applicant** (or their representative) to put forward their case opening remarks and evidence (including witnesses).
  - ii) **Allow** appropriate **questions** from any Responsible Authority and/or other person/members of the subcommittee
  - iii) Any points of clarification.
- C)
  - i) Ask **Responsible Authorities** (where applicable) to put forward their case. Opening remarks and evidence (including witnesses) by the officer representing the responsible authority (or their representative).
  - ii) Allow appropriate **questions** from :  
the Applicant/other Responsible Authorities/other persons/member of the Sub-Committee.
  - iii) Any points of clarification.
- D)
  - i) Opening remarks and evidence by the **other person/s** (or spokesperson/representative).
  - ii) Allow appropriate **questions** from :  
the Applicant, Responsible Authorities, each further other person and sub-committee members.
  - iii) Any points of clarification.
- E) **Closing Summary**  
  
Responsible Authorities/Other Persons/The Applicant
- F) **End of Hearing**
  - i) The Chairman will ask the members of the sub-committee if they have any final questions for any party to the hearing.
  - ii) The Chairman will ask the legal advisor whether there are any further matters to be raised or resolved before the hearing is closed.
  - iii) 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.
  - iv) The Chairman will invite the legal advisor to remain with the sub-committee during its deliberations to provide any advice required.

G) **The Decision**

The Chairman shall declare in public session:

- i) The sub-committee's **determination** and indicate that all parties to the hearing will receive a copy of the written Determination Notice regarding the sub-committee's determination; and
- ii) that all parties may **appeal** against the sub-committee's decision within 21 days beginning with the day on which the appellant is notified of the Licensing Authority's written determination. Appeals must be lodged with the Magistrates' Court. Parties should be aware that the Magistrates Court may make an order with respect to costs on any appeal.
- iii) Formally close the meeting.

This page is intentionally left blank