

Licensing Hearing Panel – Supplementary agenda no. 1

A meeting of the Licensing Hearing Panel will be held on:

Date: 9 July 2019

Time: 9.30am

Venue: Meeting Room 2 - Level 3, Gun Wharf, Dock Road, Chatham
ME4 4TR

Revised Membership: Councillors Mrs Diane Chambers, Kemp, McDonald and Prenter
as the fourth Member.

Note: Councillor McDonald replaces Councillor Browne and
Councillor Prenter replaces Councillor Mahil.

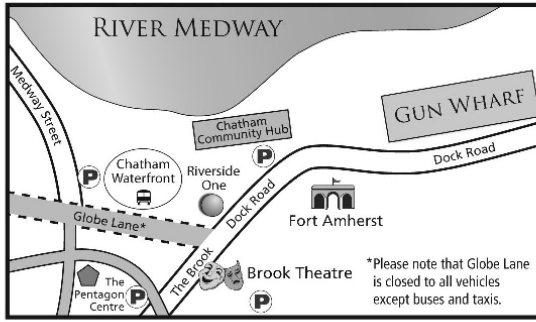
Items

- 6 Licensing Act 2003 - Application for Review a Premises Licence, (Pages
Bas Bar, 14 Cliffe Road, Strood, Kent ME2 3DS 3 - 10)**

The premises licence at Appendix B to the agenda report published
on 1 July 2019 is incorrect and is replaced by the attached version.

**For further information please contact Stephen Platt, Democratic Services
Officer on Telephone: 01634 332011 or Email:
democratic.services@medway.gov.uk**

Date: 5 July 2019



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available on our website
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A summary of this information can be made available in other formats from **01634 333333**

If you have any questions about this meeting and you want to speak to someone in your own language please ring **01634 335577**

বাংলা	331780	ગુજરાતી	331782	ਪੰਜਾਬੀ	331784	کوردی	331841	اردو	331785	Русский	332374
中文	331781	हिंदी	331783	Polski	332373	ଏଞ୍ଜେଲିକ	331786	فارسی	331840	Lietuviškai	332372

MEDWAY COUNCIL

Licensing Authority, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

Premises Licence

Premises Licence Number




Medway-05-PREM-0507

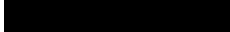
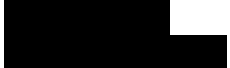
Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
Bas Bar 14 Cliffe Road Strood	
Post town	Rochester, Kent
Post code	ME2 3DS
Telephone number	01634 730812
Where the licence is time limited the dates: Not Applicable	
Licensable Activities authorised by the licence Sale of Retail of Alcohol, Live Music (on the premises), Recorded Music (on the premises), Dancing (on the premises), Films (on the premises), Indoor Sporting Events and Late Night Refreshment (on the premises).	
The times the licence authorises the carrying out of licensable activities <u>Sale of Retail of Alcohol</u> Sunday to Thursday 11:00 to 00:30 and Friday to Saturday 11:00 to 01:00. Non-Standard Times: Extended until 01:00 on the following occasions:- Bank Holidays (set by Government) Easter – Sun & Mon, May – Mon, Whitsun – Mon, August – Mon, Christmas – Christmas Eve, Christmas Day, Boxing Day, 27 December & 28 December / St. Patricks Day / St. Georges Day / Burns Nights. Extended New Years Eve 11:00 to New Years Day end of hours.	
<u>Live Music, Recorded Music and Dancing</u> Monday to Sunday 11:00 to 00:00. Non-Standard Times: Extended until 01:00 on the following occasions:- Bank Holidays (set by Government) Easter – Sun & Mon, May – Mon, Whitsun – Mon, August – Mon, Christmas – Christmas Eve, Christmas Day, Boxing Day, 27 December & 28 December / St. Patricks Day / St. Georges Day / Burns Nights. Extended New Years Eve 11:00 to New Years Day end of hours.	
<u>Films</u> Sunday to Thursday 11:00 to 00:00 and Friday to Saturday 11:00 to 01:00. Non-Standard Times: Extended New Years Eve 11:00 to New Years Day end of hours.	
<u>Indoor Sporting Events</u> Sunday to Thursday 11:00 to 00:00 and Friday to Saturday 11:00 to 01:00. Non-Standard Times: Extended until 01:00 on the following occasions:- Bank Holidays (set by Government) Easter – Sun & Mon, May – Mon, Whitsun – Mon, August – Mon, Christmas – Christmas Eve, Christmas Day, Boxing Day, 27 December & 28 December / St. Patricks Day / St. Georges Day / Burns Nights. Extended New Years Eve 11:00 to New Years Day end of hours.	
<u>Late Night Refreshment</u> Sunday to Thursday 23:00 to 00:00 and Friday to Saturday 23:00 to 01:00. Non-Standard Times: Extended New Years Eve 11:00 to New Years Day end of hours.	

<p>The opening hours of the premises Sunday to Thursday 11:00 to 00:30 and Friday to Saturday 11:00 to 01:30.</p> <p>Non-Standard Times: Opening hours will end 30 minutes after the time and occasions listed.</p> <p>The premises may open outside authorised hours for non-licensable activities subject to planning or other legislation.</p>
<p>Where the licence authorises supplies of alcohol whether these are on and/or off supplies On and Off Supplies</p>

Part 2

<p>Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence Sukhbir Singh   </p>
<p>Registered number of holder, for example company number, charity number (where applicable) N/A</p>

<p>Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol Sukhbir Singh  </p>
<p>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol Medway/17/00856/PERS Medway Council</p>

Annex 1 – Mandatory Conditions

Condition 1

No supply of alcohol maybe made under this licence:-

- (a) At a time when there is no designated premises supervisor in respect of it or
- (b) At a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

Condition 2

Only individuals licensed by the Security Industry Authority (SIA) maybe used at the premises to guard against:-

- (a) Unauthorised access or occupation (e.g. through door supervision)
- (b) Outbreaks of disorder
- (c) Damage

Condition 3

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made by:-

- (a) The British Board of Film classification (BBFC), where the film has been classified by that Board or
- (b) The Licensing Authority where no classification certificate has been granted by the BBFC, or, where the Licensing Authority has notified the licence holder that section 20 (3) (b) applies to the film in question and the admission of children must be in accordance with any recommendation made by the Licensing Authority.

Condition 4

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.**
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale of supply of alcohol for consumption on the premises**
 - (a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to**
 - (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol) or**
 - (ii) Drink as much alcohol as possible (whether within a time limit or otherwise)**
 - (b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;**
 - (c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries significant risk of undermining a licensing objective;**
 - (d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;**
 - (e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).**

Condition 5

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

Condition 6

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol**
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.**
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either**
 - (a) a holographic mark, or**
 - (b) an ultraviolet feature**

Condition 7

The responsible person must ensure that:-

- (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:-**
 - (i) beer or cider: ½ pint;**
 - (ii) gin, rum, vodka or whisky: 25ml or 35 ml; and**

- (iii) still wine in a glass: 125ml; and
- (b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Condition 8

- (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purpose of the condition set out in paragraph 1:-
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
 - (b) “permitted price” is the price found by applying the formula:- $P = D + (D \times V)$ where:-
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence:-
 - (i) the holder of the premises licence
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(7)
- (3) Where the permitted price given by Paragraph (b) of paragraph (2) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph (2) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

Condition 9

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 31 days and handed to Police on demand. 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 on demand. The recording equipment and hard drive shall be kept in a secure environment under the control of the DPS or other responsible named individual. 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 immediately (licensing.north.division@kent.pnn.police.uk).

Condition 10

When regulated entertainment, which generates significant noise, is taking place, doors and windows will be kept shut.

Condition 11

Reproduced or live music is to be set at a level so as not to be audible at the façade of the nearest residential property.

Condition 12

The designated premises supervisor, duty manager or relevant person should assess noise levels on a regular basis.

Condition 13

All persons that sell or supply alcohol to customers must have licensing training. Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place. Refresher training should be repeated a minimum of every six months or earlier if required due to changes of legislation. Training records must be kept on the premises and shall contain the nature, content and frequency of all training. Records must be made available for inspection by Police, Police Licensing Officer and authorised officers from the Local Authority on demand either electronically or hard copy.

Condition 14

Regulated entertainment outdoors will be limited to 5 events a calendar year.

Condition 15

Regulated entertainment outdoors will cease no later than 21:30 (9.30pm).

Condition 16

Outdoor areas will not be used after 23:00 (11pm) on all days.

Condition 17

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.

Condition 18

The premises licence holder or designated premises supervisor must keep an incident register. Staff 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 (a) Day, date and time of incident (b) Nature of incident (c) 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 on demand either electronically or hard copy.

Condition 19

The licensee shall ensure that no customers will take glasses or open bottles from the premises

Condition 20

The Premises Licence Holder will risk assess any event that takes place at the premises to decide whether door staff should be retained and if so will arrange a minimum of 2 door supervisors to be present at the customer entrance/exit of the premises.

Condition 21

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.

Condition 22

A member of staff every 30 minutes whilst the premises is trading will remove all empty drinking vessels, bottles or containers after the contents have been consumed or they become empty. The licence holder and the Designated premises Supervisor shall ensure that the arrangement for the storage of empty bottles prevents unauthorised access to those bottles.

Condition 23

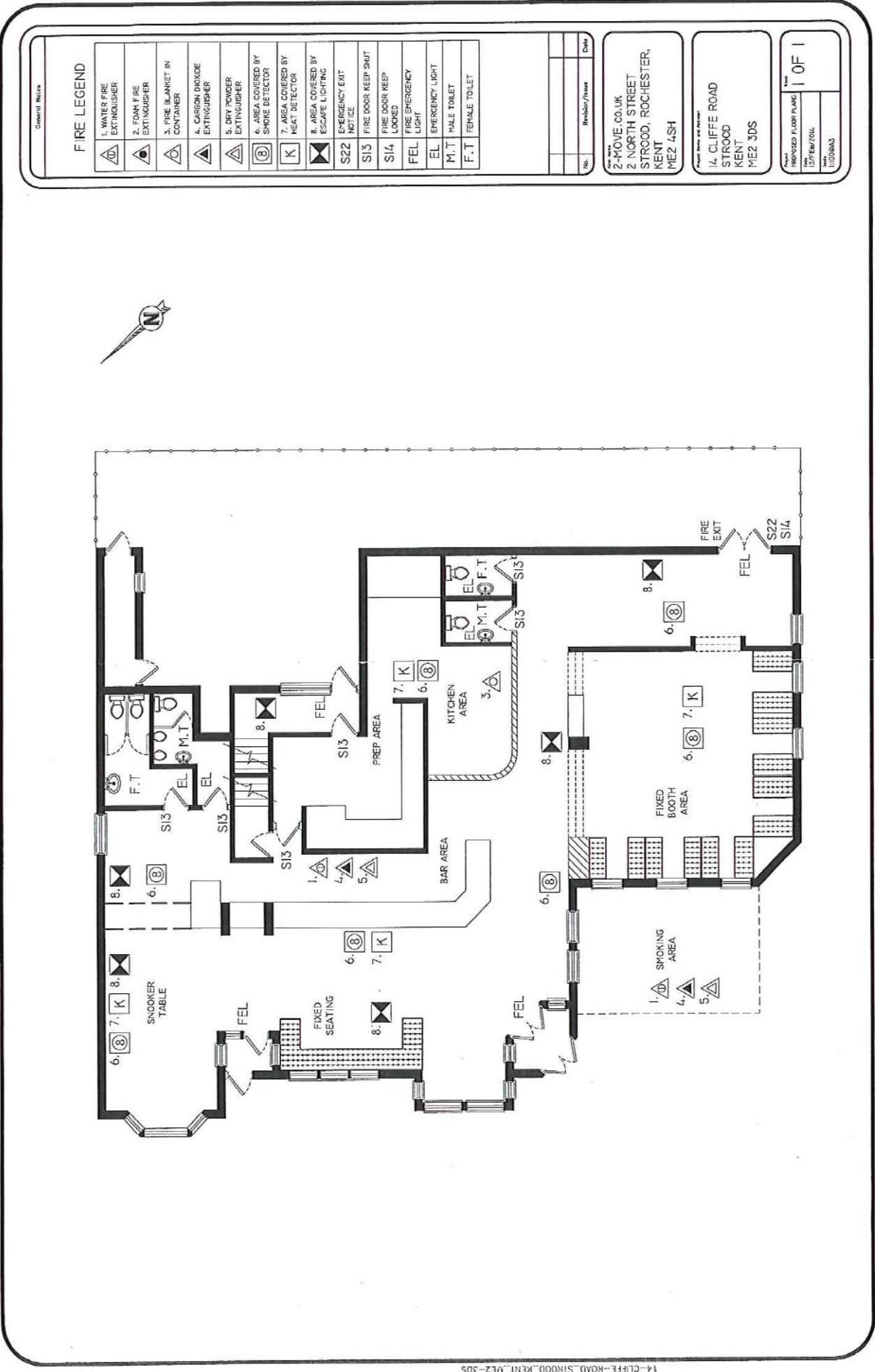
The area immediately at the front of the premise shall not be used by patrons after 21:00 hours and all smokers must use the designated smoking area at all times and prominent, clear notices shall be displayed in the smoking area requesting that customers keep the noise down and to respect the needs of local residents when using the smoking area.

Condition 24

Within 3 months of the Premises Licence being approved (Granted 19 March 2014) the Premises Licence Holder will apply to vary the designated premises supervisor (DPS).

Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable



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