



Agenda

Meeting: **Licensing Sub-Committee**
Date: **27 July 2020**
Time: **10.00 am**
Place: **Virtual Zoom Meeting**

To: **To Councillors John Collier, Gary Fuller and Philip Martin**

The committee will consider the matters, listed below, at the date and time shown above. The meeting will be open to the press and public and streamed live at bit.ly/YouTubeMeetings

1. **Election of Chairman for the meeting**
2. **Apologies of absence**
3. **Declarations of interest (Pages 3 - 4)**

Members of the Council should declare any interests which fall under the following categories:

- a) disclosable pecuniary interests (DPI)
- b) other significant interests (OSI)
- c) voluntary announcements of other interests

4. **An application for a Review of a Premises Licence in respect of: Spicy Touch, 15 Station Road, Lyminge, Kent, CT18 8HS (Pages 5 - 20)**

This report outlines the application made by Home Office - Immigration Enforcement, for a Review of the Premises Licence at a restaurant in Lyminge following enforcement action taken by them. The Licensing Sub-Committee must determine the outcome for the application.

5. **Declarations of lobbying (Pages 21 - 22)**

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website
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Members should complete the enclosed yellow form and return it to the Committee Administrator or inform them by email if they have been lobbied.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

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This report will be made
public on 17 July 2020



Report **DCL/20/07**

To: Licensing Sub-Committee
Date: 27 July 2020
Status: Non-Executive Decision
Head of service: Amandeep Khroud, Assistant Director - Governance & Law

SUBJECT: An application for a Review of a Premises Licence in respect of:
Spicy Touch, 15 Station Road, Lyminge, Kent, CT18 8HS

SUMMARY: This report outlines the application made by Home Office - Immigration Enforcement, for a Review of the Premises Licence at a restaurant in Lyminge following enforcement action taken by them. The Licensing Sub-Committee must determine the outcome for the application.

REASONS FOR DETERMINATION:

The Committee is asked to consider the Review application for the Premises Licence. When considering the application the Committee must ensure they fully promote the licensing objectives. The Committee is obliged to have regard to the revised national section 182 guidance and the council's own licensing policy.

DETERMINATION:

The Licensing Sub-Committee is asked to:

1. To note the contents of Report DCL/20/07.
2. To determine the application. The options for determining the application are set out in section 4.

1. BACKGROUND

- 1.1 The Licensing Act 2003 provides that the sale or supply of alcohol on and off the premises and other licensable activities must be authorised by a premises licence.

A premises licence holder must comply with the four licensing objectives:

- The prevention of crime and disorder
 - Public Safety
 - The prevention of public nuisance
 - The protection of children from harm
- 1.2 The premises at 15, Station Road, Lyminge, Kent CT18 8HS has held a licence since 2013. The Premises Licence holder and Designated Premises Supervisor was Mr Vishal Nanda until November 2019, when the Licence was transferred by Mr Man Bahadur Limbu to Spicy Touch (UK) Limited and the DPS was transferred to Mr Man Limbu. A copy of the current licence can be found at Appendix 1.

2. APPLICATION

- 2.1 An application to Review the Premises Licence has been received from the Home Office – Immigration Enforcement. The application can be found at Appendix 2.
- 2.2 The application sets out the enforcement action taken by the Home Office on 21st November 2019 when they found a Bangladesh national working illegally at the premises. A civil penalty of £15,000 was imposed on the owner of the premises, Mr Man Bahadur Limbu, on 17th February 2020. There was no objection or appeal from Mr Limbu. The deadline for payment has passed and no payment had been made by the 21st May 2020. The premises has continued to operate since.
- 2.3 The employment of people who do not have the right to work in the UK is a serious crime and can be linked to the exploitation of vulnerable people.
- 2.4 Employing people without making the legally required checks demonstrates that the premises licence holder is not robust and does not take his responsibilities or the Licensing Objectives seriously.
- 2.5 Working illegally is a criminal offence and on conviction an illegal worker may receive a custodial sentence of up to 6 months and an unlimited fine.
- 2.6 An employer who employs an illegal worker may be liable for a civil penalty of up to £20,000 per illegal worker and an employer who knowingly or has reasonable cause to believe that employment is not permitted, may on conviction after indictment, be subject to a custodial sentence of up to five years, and an unlimited fine.
- 2.7 The Home Office (Immigration Enforcement) have submitted this application to Review the premises licence due to the significant risk that

the licensing objective of preventing crime and disorder is being undermined.

- 2.8 The Immigration Act 2016 brought in amendments to the Licensing Act 2003 relating to illegal working. Under Schedule 4, Section 5 it states that a premises licence may be revoked if considered appropriate for the promotion of the crime prevention objective, in order to prevent illegal working.
- 2.9 The Home Office Guidance issued under section 182 of the Licensing Act 2003 states: It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

3. RELEVANT REPRESENTATIONS

- 3.1. This Hearing has been required by the Licensing Act 2003 because the Review application was made by a Responsible Authority. No other representations were submitted.

Responsible Authority	Comments
Home Office - Immigration	Review application submitted
Kent Police	None
Environmental Health (Pollution)	None
Environmental Health (Commercial)	None
Kent Fire and Rescue	None
Planning	None
Child Protection Agency	None

The application can be found in Appendix 2.

4. OPTIONS

- 4.1. The Licensing Sub-Committee has the following options:
- a) Take no action against the Premises Licence
 - b) Issue an informal warning
 - c) Add conditions to the Licence
 - d) Exclude a licensable activity
 - e) Remove the DPS
 - f) Suspend the Licence for a period up to 3 months
 - g) Revoke the Licence

- 4.2. The Committee is asked to note that it may not add conditions or revoke the licence merely because it considers it desirable to do so. The Committee must only consider evidence that relates to the 4 Licensing Objectives. Any conditions added must promote the Licensing Objectives.

5. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

Briony Williamson, Senior Licensing Officer
Telephone: 01303 853475
Email: briony.williamson@folkestone-hythe.gov.uk

Background documents:

Current Licensing Policy is available under the Policies section of the website:

<https://www.folkestone-hythe.gov.uk/your-council/policies-plans-and-documents/policy-documents>

The Home Secretary has issued Guidance under Section 182 of the Licensing Act 2003. This is available at:

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

The Immigration Act 2016 can be read here:

http://www.legislation.gov.uk/ukpga/2016/19/pdfs/ukpga_20160019_en.pdf

The Committee members are advised to read the new guidance thoroughly. Your attention is drawn to paragraphs 9.42, 9.43 and 9.44 in respect of the determination of the application. Additionally members are advised to refer to section 10 about imposing conditions. It is also good practice that if they propose to apply conditions they should be discussed with the applicant prior to the determination to ensure that they are proportionate.

6. APPENDICES

Appendix 1. Current Premises Licence

Appendix 2. Review Application Form

Premise Licence

Part A

Premises Licence Number: SHEP00624/13



Part 1 – Premise Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Spicy Touch
15 Station Road
Lyminge
Kent
CT18 8HS

WHERE THE LICENCE IS TIME LIMITED THE DATES

START DATE: 14/08/2013 TRANSFER & VDPS: 26/11/2019

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Alcohol Sales On & Off

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Alcohol Sales On & Off

Monday	11:00 23:00
Tuesday	11:00 23:00
Wednesday	11:00 23:00
Thursday	11:00 23:00
Friday	11:00 23:00
Saturday	11:00 23:00
Sunday	11:00 22:00

NON_STANDARD TIMES (IF ANY)

Sundays & Bank Holidays: 11.00 - 22.00

THE OPENING HOURS OF THE PREMISES (IF GIVEN)

Monday	11:00 23:00
Tuesday	11:00 23:00
Wednesday	11:00 23:00
Thursday	11:00 23:00
Friday	11:00 23:00
Saturday	11:00 23:00
Sunday	11:00 22:00

Alcohol sold/served only to customers purchasing or waiting for food.

Off sales of alcohol will be in sealed containers and will accompany the purchase of hot food.

Customers waiting for food to be prepared will be entitled to one alcoholic drink on the premises.

Alcohol will not be sold as part of the delivery service.

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

ON & OFF

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Spicy Touch (UK) Limited
Pentax House
South Hill Avenue
Harrow
HA2 0DU

Telephone: 07578492063

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY
NUMBER (WHERE APPLICABLE)**

10550511

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR
WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Man Bahadur Limbu
56 Roman Way
Folkestone
Kent
CT19 4JZ

Telephone: 07838 837639

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD
BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE
AUTHORISES FOR THE SUPPLY OF ALCOHOL**

ISSUING AUTHORITY:	Folkestone & Hythe District Council
PERSONAL LICENCE NUMBER:	SDC1295

Annex 1- Mandatory Conditions

Mandatory conditions where licence authorises supply of alcohol

- (1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.
- (2) The first condition is that no supply of alcohol may be made under the premises licence-
 - (a) at a time when 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.
- (3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Licensing Conditions Order 2010

1.—(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.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises 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.—(1) 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.

(2) 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 - Conditions Consistent with the Operating Schedule

General - To meet all licensing objectives:

Alcohol will only be sold to persons who have ordered and are awaiting takeaway food.

The Prevention of Crime & Disorder:

CCTV installed Inside & Outside of Premise. Authorised and approved ID in form of Passport, drivers licence or PASS Scheme identity card. 'Challenge 25' Policy in place. Posters displayed regarding crime prevention. No Alcohol will be sold to intoxicated persons.

Public Safety:

Work in close contact with the local Community Officers. CCTV installed inside and outside. Adequate lighting. Public Liability Insurance. Fire alarms fitted.

The Prevention of Public Nuisance:

Signs erected requesting that our customers leave the premise in a quiet and orderly manner with respect to our neighbours. CCTV installed inside and outside of premise. No alcohol to be sold to any person/s who is intoxicated. Glasses and bottles will be cleared regularly.

The Protection of Children from Harm:

No person under age of 18 years will be sold alcohol. Challenge 25 policy in place. If in doubt of a persons age approved & authorised ID will be requested in the form of passport, photo driver's licence or a PASS Scheme ID Card.

Annex 3 - Conditions Attached after a Hearing by the Licensing Authority

Licensing Committee Hearing date:

Notice of Determination:

Annex 4 - Plans

Date: 15/07/2013

Licensing Team
Folkestone & Hythe District Council
Civic Centre
Castle Hill Avenue
Folkestone
Kent CT20 2QY
01303 853660
licensing@folkestone-hythe.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 **Andrew Tutton, Immigration Officer 5137**

(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

Spicy Touch (UK) Ltd
15 Station Road
Lyminge
FOLKESTONE

Post town

Post code (if known) CT18 8HS

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

Mr Vishal NANDA

(Mr Man Bahadur LIMBU is listed as the designated premises supervisor)

Number of premises licence or club premises certificate (if known)

N/K

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

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 ✓ yes

Mr

☐

Mrs

☐

Miss

☐

Ms

☐

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

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 Andrew Tutton Immigration Enforcement Frontier House 7 Shorncliffe Road Folkestone CT20 2SH
Telephone number (if any) 07880 079672
E-mail address (optional) Andrew.Tutton@homeoffice.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 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 2)

I would like to apply for a review of the premises licence on the grounds that illegal activity has been carried out and potentially continues to be carried out at Spicy Touch, 15 Station Road, Lyminge – namely that illegal working was undertaken by individuals at this premises; and that the manager and owner of the business knowingly employed illegal workers at the premises. Furthermore, the owner of the premises has to date failed to pay a Civil Penalty issued by the Home Office in respect of illegal workers encountered at the premises. I would therefore request a review of the licence in order to prevent further crime from taking place at the premises.

Please provide as much information as possible to support the application
(please read guidance note 3)

On 21st November 2019 I led a team of 7 Immigration Officers (including myself) on an enforcement visit to the above-named premises. We were accompanied on the visit by Briony Williams, Licensing Officer from Folkestone District Council. Information had been received that illegal working was taking place at the premises – a criminal offence under Section 21(1A) of the Immigration, Asylum and Nationality Act 2006 (as amended). An employer is also liable to a Civil Penalty under Section 15 of the same Act of up to £20,000 per illegal worker encountered working unless the employer is able to provide a statutory excuse as to the employment. Information indicated that Azam UDDIN, 01/01/1986, Bangladeshi male (claiming to be a Myanmar national) was working on the premises in breach of the terms of his permission to be in the United Kingdom. Azam UDDIN was issued a biometric residence permit and accompanying paperwork by the Home Office in August 2018 clearly setting out the terms and conditions under which he is permitted to seek and engage in employment in the United Kingdom. His employment at Spicy Touch did not meet those requirements. It is a criminal offence under Section 24B of the Immigration Act 1971 (as amended) for a person to work at a time when he/she is disqualified from employment by means of his/her immigration status and knows or has reasonable cause to believe that he/she is disqualified from working because of his/her immigration status.

Entry to the premises was gained at 18:21 hours by means of a warrant issued under Section 10(3) of Schedule 10 to the Immigration Act 2016 on 11/11/2019 by East Kent Magistrates Court. On entering the premises officers encountered Azam UDDIN dressed in chef's whites and preparing food in the kitchen area of the restaurant. Also present was Miraj LIMBU (manager of the premises and son of the current owner – Man Bahadur LIMBU) and Mohammed Farag Hassan Abduldqadir AMER, 10/10/1999, Egyptian male. AMER was also encountered in the kitchen area wearing an apron and was seen to be chopping vegetables upon entry to the kitchen. On seeing us enter the kitchen AMER put down the knife he was holding and took off his apron. Checks conducted on AMER indicated that he had no permission to work in the United Kingdom. UDDIN and AMER were both interviewed by officers with respect to illegal working. I interviewed Miraj LIMBU, as the premises manager, with respect to the employment of the 2 individuals and any statutory checks that had been undertaken on them. On the basis of these 3 interviews I was satisfied that there were grounds to issue a Notice of Penalty Liability to Miraj LIMBU in respect of the 2 workers. Both UDDIN and AMER were subsequently escorted from the premises as they had no right to work. As Mr LIMBU had no other workers present, or that he could call on, the premises were closed as we left.

UDDIN was taken to his place of residence by the team as we intended to conduct a search of his residence under Paragraph 25(A) of Schedule 2 to the Immigration Act 1971 (as amended) in order to locate and retain any nationality/identity documents he may have at the address. UDDIN gave his address as 56 Roman Way, Folkestone, Kent, CT19 4JZ. Enquiries with the manager, Miraj LIMBU, revealed that this was his and his parents' address, and that Mr UDDIN was residing in a converted garage at the address. On arrival at this address it was found that the above was true with UDDIN sleeping in a converted garage. Given the conditions encountered at UDDIN's place of abode, he was questioned as to whether he was being exploited and if any form of modern slavery was taking place. However, UDDIN gave no indication he was being exploited, held against his will or was being forced to work. Mr LIMBU's mother was also present at the address. UDDIN was bailed after his arrest to reside at this address. He is still registered with the Home Office at this address.

Subsequent to the visit I sent a report to the Immigration Enforcement Civil Penalties Compliance Team (CPCT) referring the owner of Spicy Touch Ltd (Man Bahadur LIMBU) for a civil penalty in respect of the 2 illegal workers encountered. On 17th February 2020 I was informed by CPCT that a penalty of £15,000 had been served on Spicy Touch Ltd in respect of Azam UDDIN. CPCT informed that while there was some evidence that AMER was working illegally, there was insufficient evidence to issue a penalty in this case. On

21st May 2020 I was informed by CPCT that the above civil penalty was still outstanding. The owner's right to appeal the penalty had expired on 17th March 2020 without him exercising that option. No correspondence has been received to date from the owner and the penalty remains outstanding. It would appear that Spicy Touch (UK) Ltd continues to trade and the 'Just Eat' website has the business registered for deliveries and is taking orders for food deliveries for the business. In addition, Azam UDDIN is still registered

I understand that the premises licence holder for Spicy Touch is currently listed as Vishal NANDA and that Man Bahadur LIMBU is listed as the designated premises supervisor. However, when I spoke with Miraj LIMBU (the manager and son of Man Bahadur LIMBU) he stated that his father had purchased the business from Vishal NANDA. Companies House has a listing for Spicy Touch Ltd as a dissolved company (Company Number 08540445, dissolved 30/10/2018) with Vishal NANDA as 1 of 2 directors. Companies House also has a listing for Spicy Touch (UK) Ltd as currently active (Company Number 10550511 incorporated on 06/01/2017) with Man Bahadur LIMBU as the sole director.

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day Month Year

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

Please tick ✓ yes

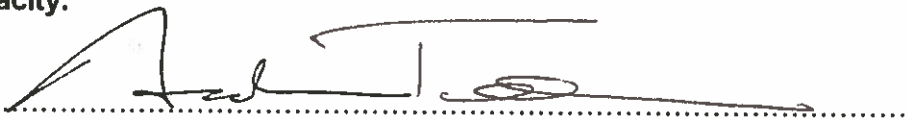
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

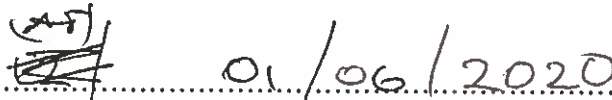
Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature



Date



Capacity **Applicant**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Folkestone and Hythe District Council

Licensing Sub-Committee
27 July 2020

Declarations of Lobbying

Members of the Licensing Sub-Committee are asked to indicate if they have been lobbied or not, and if so, how they have been (i.e., letter, telephone call, etc.) in respect of the applications below:

Application No.	Type of lobbying

SIGNED:

When completed, please return this form to the Committee Administrator at the meeting.

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