

Minutes of the meeting of the **LICENSING SUB-COMMITTEE** held at the Council Offices, Whitfield on Monday, 22 September 2014 at 2.32 pm.

Present:

Sub-Committee:

Chairman: Councillor A R Smith

Councillors: M J Ovenden  
R J Thompson

Officers:

Legal Adviser: Senior Solicitor  
Licensing Officer: Licensing Team Leader  
Administrator: Democratic Support Officer

Persons attending in connection with the Hearing

As shown on the Notice of Determination (NOD/2014/004A).

45 APOLOGIES FOR ABSENCE

There were no apologies for absence received from Members.

46 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute Members appointed.

47 DECLARATIONS OF INTEREST

There were no declarations of interest received from Members.

48 LICENSING ACT 2003 - APPLICATION FOR THE GRANT OF A PREMISES LICENCE IN RESPECT OF: 5A SOUTH STREET, DEAL

The Sub-Committee considered an application from Mr R Norris in respect of 5 South Street, Deal, CT14 7AW. The application was for the grant of a premises licence for an existing café/diner to incorporate the provision of hot food and alcohol.

Supply of Alcohol (for consumption on and off the premises)

Every day	09:00 to 00:00 hrs
<u>Seasonal Variations</u>	
Christmas Eve	09:00 to 01:00 hrs the day following
Boxing Day	09:00 to 01: 00 hrs the day following
New Year's Eve	09:00 hrs to start of business the day following

Late Night Refreshment

Every day	23:00 to 00:00 hrs
<u>Seasonal Variations</u>	
Christmas Eve	23:00 to 01:00 hrs the day following
Boxing Day	23:00 to 01:00 hrs the day following
New Year's Eve	23:00 to 05:00 hrs the day following

On the basis of the representations of the applicant and his representatives, the responsible authorities and other persons, the Sub-Committee found the following facts to be established:

- (i) The applicant was willing to comply with the conditions suggested by PC Alexander.
- (ii) The applicant was an experienced operator.
- (iii) The premises would operate a Challenge 21 Policy.

In reaching its finding, the Sub-Committee took into account the following:

- (i) Sections 17 & 18 of the Licensing Act 2003 which deal with applications for premises licence and determination of such applications.
- (ii) The judgement in the case of R. (on the application of Daniel Thwaites PLC) v Wirral Borough Magistrates Court in which it was held that speculative representations should be disregarded unless supported by previous facts as evidence.
- (iii) Guidance issued under s.182 Licensing Act 2003.
- (iv) Dover District Council Licensing Policy.

RESOLVED: That the application for a premises licence for 5 South Street, Deal, CT14 7AW be determined as follows:

- (a) GRANT the application for a premises licence for an existing café/diner to incorporate the provision of hot food and alcohol.

Supply of Alcohol (for consumption on and off the premises)

Every day	09:00 to 00:00 hrs
<u>Seasonal Variations</u>	
Christmas Eve	09:00 to 01:00 hrs the day following
Boxing Day	09:00 to 01:00 hrs the day following
New Year's Eve	09:00 hrs to start of business the day following

Late Night Refreshment

Every day	23:00 to 00:00 hrs
<u>Seasonal Variations</u>	
Christmas Eve	23:00 to 01:00 hrs the day following
Boxing Day	23:00 to 01:00 hrs the day following
New Year's Eve	23:00 hrs to 05:00 the day following

- (b) That CCTV be available to the Police and the Local Authority on request.

REASON: In order to promote the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder.

- (c) That CCTV be stored for 30 days.

REASON: In order to promote the licensing objective of the prevention of crime and disorder.

- (d) That there will be no music played in the outside garden area at any time.

REASON: In order to promote the licensing objective of prevention of public nuisance.

The meeting ended at 3.22 pm.