

Minutes of the meeting of the **LICENSING SUB-COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 9 June 2015 at 10.00 am.

Present:

Sub-Committee:

Chairman: Councillor B W Butcher

Councillors: M R Eddy
D P Murphy

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/2015/006V and NOD/2015/007A).

1 APOLOGIES FOR ABSENCE

There were no apologies for absence received from Members.

2 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute Members appointed.

3 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

4 LICENSING ACT 2003 - APPLICATION TO VARY A PREMISES LICENCE AT LONDIS, 10/11 MARKET SQUARE, DOVER

The Sub-Committee considered an application from Mr K Varatharajan for the variation of a premises licence for Londis, 10/11 Market Square, Dover, CT16 1NX. The applicant wished to vary the premises licence to increase the hours allowed for alcohol sales:

Supply of Alcohol (for consumption off the premises)

Every Day	06:00 to 23:00 hrs
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On the basis of the representation of the applicant and his representative, the responsible authorities and other persons, the Sub-Committee found the following facts to be established:

- (i) The premises licence for Londis at 12 Market Square, Dover was reviewed by another sub-committee on 16 January 2015, where they took a number of steps due to the failures of the licence holder to effectively promote the licensing objectives.

- (ii) The premises moved from 12 Market Square to 10/11 Market Square with effect from 6 February 2015.
- (iii) An application for a new premises licence for the premises 10/11 Market Square was submitted on 7 January 2015, requesting alcohol sales from 06:00 to midnight. Following representation by Kent Police and Dover Town Council, the applicant amended their application to include the conditions and times imposed by the sub-committee on 16 January 2015 and the licence was issued with effect from 6 February 2015.
- (iv) The premises licence holder is the same as at the previous premises.
- (v) A period of just over 2 months had elapsed between the grant of the new premises licence for 10/11 Market Square, Dover and the receipt of the application to vary.

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

- (i) The Licensing Act 2003 and the guidance given under Section 182 of the Act.
- (ii) The Dover District Council Licensing Policy.
- (iii) Section 35 of the Licensing Act which deals with application for variation to a premises licence.

RESOLVED: That the application for a variation of a premises licence for Londis, 10/11 Market Square, Dover CT16 1NX be REFUSED on the grounds that:

- (a) They did not consider that there had been sufficient time since the previous decision at the review hearing held on 16 January 2015 to allow the licence holders to demonstrate their ability to comply with the conditions of the licence and to demonstrate that they are actively promoting the licensing objectives.
- (b) Although the review hearing concerned a different premises, it was within the same immediate geographical area and the licence holder remained the same.

5 LICENSING ACT 2003 - APPLICATION FOR THE GRANT OF A PREMISES LICENCE AT WHITE CLIFFS CONVENIENCE STORE, 141 FOLKESTONE ROAD, DOVER

The Sub-Committee considered an application from Mr R Patel in respect of White Cliffs Convenience Store, 141 Folkestone Road, Dover, CT17 9SG. The application was for the grant of a premises licence for:

Supply of Alcohol (for consumption OFF the premises)

Every Day	07:00 to 23:00 hrs
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On the basis of the representations of the applicants, the responsible authorities and other persons, the Sub-committee found the following facts to be established:

- (i) That the applicant accepted the conditions suggested by Kent Police.
- (ii) That the applicant runs a similar premises in Canterbury (a convenience store with a pharmacy attached).
- (iii) That the applicant is a responsible and experienced retailer.
- (iv) There was no specific evidence of crime and disorder or public nuisance in the area of the premises.

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

- (i) The Licensing Act 2003 and the guidance given under Section 182 of the Act.

RESOLVED: That the application for a premises licence in respect of White Cliffs Convenience Store, 141 Folkestone Road, Dover CT17 9SG be determined as follows:

(a) GRANT the application for a premises licence for

Supply of Alcohol (for consumption OFF the premises)

Every Day	09:00 to 23:00 hrs
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(b) Subject to the following conditions:

- (i) Supply of alcohol to start at 09:00 each day.
- (ii) CCTV to be stored from a minimum of 28 days and will be made available to Police and Authorised Officers on request.
- (iii) Staff will be fully trained in the CCTV system and there will be at least one member of staff on duty during trading hours who is able to provide a recording of any incident at the request of the Police or Local Authority.
- (iv) All staff will be fully trained in their responsibilities under the Licensing Act 2003 and the training will be fully auditable and a log available to any responsible authority on request.

The meeting ended at 12.04 pm.