

Minutes of the meeting of the **LICENSING SUB-COMMITTEE** held at the Council Offices, Whitfield on Thursday, 15 August 2019 at 10.00 am.

Present:

Sub-Committee:

Chairman: Councillor D Hannent

Councillors: D G Beaney (as substitute for Councillor K Mills)
C D Zosseder

Officers:

Legal Adviser: Contentious and Regulatory Lawyer

Licensing Officer: Licensing Enforcement Officer

Administrator: Democratic Services Officer

Persons attending in connection with the Hearing

As shown on the Notice of Determination (NOD/19/0009A and NOD/19/0010A).

18 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor K Mills.

19 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, that Councillor D G Beaney had been appointed as substitute for Councillor K Mills.

20 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

21 LICENSING ACT 2003 - APPLICATION FOR THE GRANT OF A PREMISES LICENCE IN RESPECT OF GOODWINS SUITE, KINGSDOWN HOLIDAY PARK, UPPER STREET, KINGSDOWN

The sub-committee considered an application from Jayne Rayner and Dawn Bennett in respect of Goodwin's Suite, Kingsdown Holiday Park, Upper Street, Kingsdown for a premises licence as follows:

Supply of Alcohol (for consumption on the premises)

Every Day	13:00 – 00:00 hrs
Non-Standard Timings New Year's Eve	13:00 – 02:00 hrs

Live Music (Indoors)

Every Day	19:00 – 23:00 hrs
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Recorded Music (Indoors)

Every Day	19:00 – 23:00 hrs
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Films (Indoors and Outdoors)

Every Day	19:00 – 23:00 hrs
Non-Standard Timings	Wet weather film during school holidays 16:00 – 19:00 hrs

On the basis of the representations of the applicants and their representative, the sub-committee found the following facts to be established:

- (i) 'The Kingsdown Social Club' was administered by J Rayner, D Bennett (the applicants) and S Chattenden. They were chalet owners at the holiday park and would be responsible for the running of the Goodwin's Suite. They were volunteers who between them were highly experienced and qualified and abreast of the relevant legislation surrounding a premises licence. They had bar work experience, experience in running a café and had worked with children and vulnerable adults, as well as having valid DBS checks.
- (ii) Kingsdown Holiday Park had been operational since 1934 and had historically held events and activities at the park within the two bars on the site. The Goodwin's Suite was a purpose built modern building designed to hold events, discos, weddings and family entertainment.
- (iii) All events on the site were family orientated and were advertised on site only. Residents and guests of residents were able to attend the planned entertainment, which was centred around family entertainment.
- (iv) At least one of the premises licence holders (the social club's administrators) would be in the bar whilst it was open. There was a security entry system into the Goodwin's Suite of which the administrators were the only ones with access.
- (v) There would be volunteers, who were residents of the park, working behind the bar also. The volunteers would be trained and a Challenge 25 policy would be in place. They would be trained not to serve anyone who was intoxicated.
- (vi) The drinks in the bar were either bottled or in cans. No children would be served at the bar unless they were purchasing food items and were accompanied by an adult.
- (vii) Bar rules and posters would be displayed asking residents and guests to leave quietly. Those who left the site would be the entertainers or guests of residents.
- (viii) The entrance to the holiday park was a shared access and each chalet on the site had its own designated parking space. Additional parking would be required for the entertainers when an event was being held. There would be no additional pressures on parking.

- (ix) There had been no representations made by any of the Responsible Authorities, including the Police. There was no evidence of any noise disturbances or disruption at the site.

In reaching its findings the sub-committee took into account the following:

- (i) Dover District Council's Licensing Policy.
- (ii) The Licensing Act 2003 and the guidance given under Section 182 of the Act.
- (iii) Section 17 of the Crime and Disorder Act 1998.
- (iv) Article 6 of the Human Rights Act.

RESOLVED: (a) GRANT the application for a Premises Licence in respect of Goodwin's Suite, Kingsdown Holiday Park, Upper Street, Kingsdown as follows:

Supply of Alcohol (for consumption on the premises)

Every day	13:00 – 00:00 hrs
Non Standard Timings New Year's Eve	13:00 – 02:00 hrs

Live Music (Indoors)

Every day	19:00 – 23:00 hrs
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Recorded Music (Indoors)

Every day	19:00 – 23:00 hrs
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- (b) The sub-committee felt that reference to wet weather was an unnecessary condition and thus varied the showing of films as follows:

Films (Indoors and Outdoors)

Every day	19:00 – 23:00 hrs
Non Standard Timings	Film during school holidays 16:00 – 19:00 hrs

22 LICENSING ACT 2003 - APPLICATION FOR THE GRANT OF A PREMISES LICENCE IN RESPECT OF LILLYROOS, LOOKERS COTTAGE, FOULMEAD FARM, SANDWICH ROAD, HACKLINGE

The sub-committee considered an application from Sarah Brown in respect of Lillyroos, Lookers Cottage, Foulmead Farm, Sandwich Road, Hacklinge. The application was for a premises licence as follows:

Supply of Alcohol (for consumption ON and OFF the premises)

Sunday – Thursday	12:00 – 23:00 hrs
Friday – Saturday	12:00 – 01:00 hrs

Late Night Refreshment

Sunday	23:00 – 00:00 hrs
Friday – Saturday	23:00 – 01:00 hrs

Live Music

Sunday	12:00 – 22:00 hrs
Friday – Saturday	12:00 – 00:00 hrs

Recorded Music

Sunday - Thursday	12:00 – 22:00 hrs
Friday – Saturday	12:00 – 00:00 hrs

Films

Sunday – Thursday	12:00 – 22:00 hrs
Friday – Saturday	12:00 – 23:00 hrs

On the basis of the representations of the applicant, their witnesses, and other persons, the sub-committee found the following facts to be established:

- (i) The application was for a premises licence on a family glamping site. The site was an open field with six 5 metre bell tents and provision for camping, caravans and motorhomes, accommodating 100 people.
- (ii) There was an outbuilding and covered communal area with an open bar area and seating for up to 30 people. There was a small area where music would take place. Music was not intended to go beyond 23:00 hours and would only be played when a private event was taking place.
- (iii) The applicant had a converted mobile van with provision to serve hot and cold refreshments along with alcohol. This would be offered as an option to clients who booked the site for events. The van, if required, could move to anywhere within the site.
- (iv) There had been eight Temporary Event Notices (TENs) utilised at the premises since April 2019. These events did not go beyond 23:55hrs and there were no complaints made.
- (v) Two representations were received objecting to the application. Mrs Bowkett and Ms Dewen were present at the hearing. There were no representations made by any of the Responsible Authorities, including the Police.
- (vi) Following the eight events authorised under the TENs the objectors were concerned by the increase and speed of traffic entering and leaving the

premises along with the loud music and wandering people late at night. They were reluctant to sit in the garden and it had caused distress to the neighbours' livestock. Mrs Dewen was unable sleep at the back of her house during events and her windows must remain closed.

- (vii) For clarity Mrs Bowkett and Mrs Dewen annotated the map provided in the agenda pack to clearly identify the location of their properties and a riding school adjacent to Foulmead Cottage. This was agreed by all parties.
- (viii) The access to the properties annotated on the map was via a private road, as well as a public road. There were two commercial buildings beyond the premises which also had the use of these roads.
- (ix) Following complaints from neighbours the applicants have installed signage directing traffic to the glamping site by an alternative route and 'drive slowly' signs. New improved signage was being made and they were exploring the possibility of also having a tourist board signage.
- (x) When queried, the objectors advised that they had experienced traffic problems at times when there was not an event authorised under a TEN.
- (xi) The site was an open site with no barriers to deaden the noise from music or people. The applicants suggested that the noise could be mitigated by way of hay bale barriers. The stage area for music acts was facing in the direction of Sandwich Bay and away from the neighbouring properties. The applicant amended their application to end music at 23:00 hours.

In reaching its findings the sub-committee took into account the following:

- (i) Dover District Council's Licensing Policy.
- (ii) The Licensing Act 2003 and the guidance given under Section 182 of the Act.
- (iii) Section 17 of the Crime and Disorder Act 1998.
- (iv) Article 6 of the Human Rights Act.

RESOLVED: (a) GRANT the application for a premises licence in respect of Lillyroos, Lookers Cottage, Foulmead Farm, Sandwich Road, Hacklinge as follows:

Supply of Alcohol (for consumption ON and OFF the premises)

Every day	12:00 – 23:00 hrs
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Films

Sunday – Thursday	12:00 – 22:00 hrs
Friday – Saturday	12:00 – 23:00 hrs

- (b) Live and recorded music is deregulated during the hours sought. No licence is required for either activity between the hours of 08:00 and 23:00 hrs when selling alcohol, provided the audience does not exceed 500.
- (c) Refused application for late night refreshment.

The meeting ended at 12.34 pm.