

Minutes of the meeting of the **LICENSING SUB-COMMITTEE** held at the Council Offices, Whitfield on Friday, 18 October 2019 at 9.30 am.

Present:

Sub-Committee:

Chairman: Councillor D Hannent

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

Officers:

Legal Adviser: Contentious and Regulatory Lawyer

Licensing Officer: Licensing Team Leader

Administrator: Democratic Services Officer

Persons attending in connection with the Hearing

As shown on the Notice of Determination (NOD/19/0011V).

23 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor C D Zosseder.

24 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillor D G Beaney was appointed as substitute member for Councillor C D Zosseder.

25 DECLARATIONS OF INTEREST

There were no declarations of interest made.

26 LICENSING ACT 2003 - APPLICATION TO VARY A PREMISES LICENCE AT ROUTE ONE, 70 BEACH STREET, DEAL

The sub-committee considered an application from Carol Woolls and Louise Grinstead in respect of Route One, 70 Beach Street, Deal. The application was for the variation of the premises licence to include the provision of the supply of alcohol off the premises as follows

Supply of Alcohol (for consumption OFF the premises)

Sunday	11:00 – 20:00 hrs
Monday – Saturday	11:00 – 22:00 hrs

The premises was licensed as follows

Supply of Alcohol (for consumption ON the premises)

Sunday	11:00 – 20:00 hrs
Monday – Saturday	11:00 – 22:00 hrs

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

- (i) The applicants had held a premises licence with Dover District Council since 2017.
- (ii) During the consultation period three representations were received objecting to the application. These stated that there were already many premises in the vicinity providing off sales of alcohol and that the extra sales could lead to an increase in unacceptable behaviour and be a public nuisance.
- (iii) Other premises in the area that had off sales provision attached to their licence included The Port Arms, The King's Head, Clarendon and The Royal.
- (iv) The objectors were not in attendance at the Hearing. The committee took their written correspondence into account in their absence.
- (v) There had been no representations from any of the Responsible Authorities including the police. There had been no complaints or reports made to the council's Environmental Health or the Licensing department regarding the premises.
- (vi) The applicants were not in attendance at the Hearing. Mark Wools and Nick Stevens were in attendance in their stead and presented the application to the committee.
- (vii) Route One was a small business located on the seafront. The business was seasonal because of its location and had provision for 10 tables and 40 chairs outside. Seating at the premises became limited during the summer months and the applicants were applying for the variation to allow customers to purchase drinks whilst waiting for seating to become available. There was a seawall adjacent to the premises where customers would be able to sit and wait.
- (viii) The applicants were responsible traders who had experience in running businesses in Deal and Dymchurch Amusement Park without having received any complaints.
- (ix) Councillor D G Beaney expressed concern about glass bottles on the beach and the possibility of breakages.
- (x) The applicant's representatives advised that they intended to serve drinks being consumed beyond the premises in plastic containers.
- (xi) Staff at the premises regularly collected litter beyond the boundary of the premises to keep the exterior clean and presentable and would continue to do so.
- (xii) There would be no additional drink provision for off sales. The drink offer would be the same for on and off sales.

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) Article 6 of the Human Rights Act
- (iv) Section 17 of the Crime and Disorder act 1998.

RESOLVED: GRANT the variation to the application for the supply of alcohol for consumption OFF the premises as follows:

Supply of Alcohol (for consumption OFF the premises)

Sunday	11:00 – 20:00 hrs
Monday – Saturday	11:00 – 22:00 hrs

The sub-committee made the following observations which were not made as conditions:

- (a) The supply of plastic containers for drinks could be of harm to the environment considering its location and that it would recommend the avoidance of plastic unless necessary. They would encourage the use of glass, which can be recycled, and that customers be requested to return the glasses to the premises.
- (b) The applicants were already clearing the area of litter immediately in front of the premises and the sub-committee commended them for this and the sub-committee would encourage them to continue this. It was suggested that glasses could be marked in some way to be able to identify their glasses in the vicinity of the premises.

The meeting ended at 10.09 am.