

Public Document Pack

Minutes of the meeting of the **LICENSING SUB-COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 28 May 2019 at 2.00 pm.

Present:

Sub-Committee:

Chairman: Councillor K Mills

Councillors: S H Beer
D P Murphy

Officers:

Legal Adviser: Head of Governance
Licensing Officer: Licensing Team Leader
Administrator: Licensing Enforcement Officer
Democratic Services Officer

Persons attending in connection with the Hearing

As shown on the Notice of Determination (NOD/19/0004A).

1 APOLOGIES FOR ABSENCE

There were no apologies for absence 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 FOR THE GRANT OF A PREMISES LICENCE IN RESPECT OF THE OLD PHARMACY, 31A KING STREET, SANDWICH

The sub-committee considered an application from P A J S Ayers in respect of The Old Pharmacy, 39A King Street, Sandwich CT13 9BL. The application was for a premises licence as follows:

Supply of Alcohol (for consumption on the premises)

Monday – Wednesday	11:00 to 17:00 hrs
Thursday – Saturday	11:00 – 21:00 hrs
Sunday	11:00 – 16:00 hrs

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

- (i) The Old Pharmacy is currently being refurbished and will be a ground floor café bar lounge selling breakfasts, lunches and alcohol. It will have a

European feel, offering canapes with drinks and will have a display case food counter, instead of a bar. The applicant hopes to create a café/bar culture.

- (ii) The applicant is experienced in running bars and pubs and has a degree in catering management. His business partner is a cabin manager for an airline.
- (iii) There have been no representations made by any of the Responsible Authorities, including the Police.
- (iv) One objection to the application was received from Ms R Collins. Her concerns were regarding potential noise and anti-social behaviour as a result of customers using the premises. Ms Collins lives at 33 King Street and has experienced issues with the licensed premises opposite her property and expects the same from the proposed premises.
- (v) The premises will be open until 21:00 hrs three days a week and planning permission will need to be sought to extend beyond that. The applicant did not intend to extend the licence.
- (vi) The licensed premises on King Street is licensed until 22:00 hrs and the Chinese take-away on The Chain is open until 23:00 hrs.
- (vii) The entrance to the proposed premises is on The Chain. The access to the courtyard, which has seating for six to seven people, is through the premises only. The gate in the courtyard is a fire exit only.
- (viii) There will be no smoking at the front of the premises.
- (ix) Mr Ayers stated that customers will not be permitted to loiter at the front of the premises and will be asked to move on. There will be two members of staff on duty at any time to ensure this is enforced.

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 The Old Pharmacy, 39A King Street, Sandwich CT13 9BL as follows:

Supply of Alcohol (for consumption on the premises)

Monday – Wednesday	11:00 to 17:00 hrs
Thursday – Saturday	11:00 – 21:00 hrs
Sunday	11:00 – 16:00 hrs

- (i) Subject to the following condition

'No drinks shall be taken outside to the front of the premises'.

The meeting ended at 2.43 pm.