

Public Document Pack

Minutes of the meeting of the **LICENSING SUB-COMMITTEE** held at the Council Offices, Whitfield on Monday, 28 June 2021 at 10.06 am.

Present:

Sub-Committee:

Chairman: Councillor N J Collor

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

Officers:

Legal Adviser: Contentious and Regulatory Lawyer
Licensing Officer: Licensing Manager
Administrator: Technical Support Officer - Licensing
Democratic Services Officer

Persons attending in connection with the Hearing

As shown on the Notice of Determination (NOD/2021/0005A).

6 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor S C Manion.

7 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillor K Mills was appointed as substitute for Councillor S C Manion.

8 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

9 LICENSING ACT 2003 - APPLICATION FOR THE GRANT OF A PREMISES LICENCE AT KINGSDOWN CAMPSITE, THE AVENUE, KINGSDOWN

The Sub-Committee considered an application for the grant of a premises licence at Kingsdown Campsite, The Avenue, Kingsdown as follows:

Supply of Alcohol (for consumption ON and OFF the premises

Every day	09.00 – 23.00 hrs
-----------	-------------------

On the basis of the representations of the applicant and other parties, the Sub-Committee found the following facts to be established:

- (i) The application was for the supply of alcohol (for consumption on and off the premises) every day from 09.00 hrs – 23.00 hrs at Kingsdown Campsite. The alcohol would be available for sale in the campsite shop and from a mobile bar unit situated on the camping field (both shown on the plan included with the application).

- (ii) Mr Oliver had operated the campsite for the last 15 years and described the site as a family establishment. There were enforcements in place to maintain the reputation of the campsite, including wardens patrolling the site. Guests had to agree to the terms of the site on arrival and anyone found breaching the terms would be banned. There was no music on site after 10pm.
- (iii) Mr Oliver restricted residents and guests of residents on site to 400-500 people although the site was capable of approximately 1000 people, being 40 acres in size. Day visitors were permitted if they were visiting friends and family of existing guests, and were pre-registered providing their names, addresses and car registrations. These additional guests were included in the 500 persons restricted capacity. As the site was usually fully booked during the summer months, day visitors were normally not permitted.
- (iv) The shop was located within the reception area and both opened at 09:00 hrs. On Friday, and sometimes Thursday and Saturday, it stayed open late, being the days when guests usually arrived.
- (v) The application sought a licence to sell alcohol until 23.00 hrs although the mobile bar would likely close most days at 21.00 hrs. It was intended that the bar would open at approximately 16:00 hrs on a Friday and on a Saturday around noon. The mobile bar would be located approximately 150 metres from the closest residential properties on both sides of the site.
- (vi) There had been seven Temporary Event Notices (TENs) for the mobile bar since 21 May 2021. There had been no complaints regarding the TENs and the bar had been open until 22.00 hrs.
- (vii) The licence until 23.00 hrs would allow some flexibility should events be held on the site. The events referred to included church gatherings, specialist groups (such as motorcycle clubs) and silent discos. There had been only two weddings at the site in the last fifteen years.
- (viii) During the consultation period three representations objecting to the application were received and no representations were made by any of the Responsible Authorities, including Kent Police. No party was present at the Hearing and the Sub-Committee considered all written representations fully, including a letter from Ann Morris to accompany her representation.
- (ix) The licensing objective cited by the objectors to be undermined was the Prevention of Public Nuisance by reason that the licensed premises would attract more visitors to the campsite to purchase alcohol thus creating more traffic in the area, particularly on The Avenue (a private road) and increase noise levels and anti-social behaviour. It was also stated there were already enough drinking establishments in Kingsdown. Mr and Mrs Dobby were of the opinion that if the sale of alcohol was restricted to the campsite residents only, this would not be a problem.

- (x) Mr Oliver addressed the concerns of the objectors. The site had three footpaths that led from the site to the village of Kingsdown and guests were led to these paths to access the local shop and public houses. The supply of alcohol was for residents and their guests only. People were not allowed to access the site solely to purchase alcohol. There would be no increase in traffic throughout the village nor via the direct access on The Avenue because of the licence as people would already be coming to the site to stay.
- (xi) The Sub-Committee considered all information before them, including the objections from those not in attendance. The primary concerns of the objections were an increase in traffic and noise. It was the view of the Sub-Committee that as the guests would already be on site, there would be no additional traffic movements as a result. The bar had operated under a TEN for several months and no complaints had been made. It was the view of the Sub-Committee that the site was well run, wardens monitored who was on site and with strict rules in place.

In reaching its findings the Cub-Committee considered 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: That the application for a premises licence in respect of Kingsdown Campsite, The Avenue, Kingsdown, be GRANTED with the proposed conditions as per the operating schedule and as follows:

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

For the shop

Every day	09.00 – 23.00 hrs
-----------	-------------------

For the bar

Every day	11.00 – 23.00 hrs
-----------	-------------------

The meeting ended at 10.36 am.