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Minutes of the meeting of the **LICENSING SUB-COMMITTEE** held at the Council Offices, Whitfield on Thursday, 8 July 2021 at 2.00 pm.

Present:

Sub-Committee:

Chairman: Councillor Murphy

Councillors: M Bates  
O C de R Richardson

Officers:

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

Persons attending in connection with the Hearing

As shown on the Notice of Determination (NOD/2021/0007V and NOD/2021/0008A).

14 APOLOGIES FOR ABSENCE

There were no apologies for absence from Members.

15 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute members appointed.

16 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

17 LICENSING ACT 2003 - APPLICATION TO VARY A PREMISES LICENCE AT FALLOW FIELDS CAMPING, DRAINLESS ROAD, EASTRY

The Sub-Committee considered the variation of a premises licence for Fallow Fields Camping, Drainless Road, Eastry. The variation sought to include the provision for the supply of alcohol for consumption on the premises and incorporate a mobile bar. The hours requested were

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

Every Day	12.00 – 21.00 hrs
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On the basis of the representations of the applicants, their representatives and other persons, the Sub-Committee found the following facts to be established:

- (i) The variation application was for the supply of alcohol on and off the premises from 12.00 – 21.00 hrs every day and the inclusion of a mobile bar at Fallow Fields Camping. The existing licence at the site permitted the

supply of alcohol for consumption off the premises every day from 08.00 – 20.00 hrs.

- (ii) The Licensing Manager advised that there was an error in the report at paragraph 2.2 and clarified that the licence had been correctly advertised with the correct hours.
- (iii) Follow Fields Camping was a tent only , 7-acre, family campsite. and did not permit adult or single-sex groups. Planning permission permitted the site to operate from 1 April –to 30 September although generally the season was from May bank holiday to mid-September. The site had operated since 2018 with no problems or complaints.
- (iv) There was capacity for 250 guests and due to the family nature of the site, there was quiet time from 22.30 hrs. The site was patrolled until midnight to ensure there was no disruption to campers or neighbouring residents and there was no amplified music at any time on the site. The campsite manager was an experienced hospitality manager with 10 years' experience and an experienced Designated Premises Supervisor (DPS).
- (v) The existing licence permitted the sale of alcohol from the campsite shop. The mobile bar would minimise the number of customers in and out of the shop and cut down on queuing. It was hoped the bar would add value to the site and the alcohol was locally sourced from Kent, except for one drink. All customers were residents of the campsite and were permitted to supply their own alcohol.
- (vi) From 22 May to 3 July 2021 the mobile bar had operated under Temporary Event Notices (TEN) with no complaints made to the licensing authority.
- (vii) There was a cinema on the campsite that was located within a safari tent. The cinema showed children's films only and these were shown between 17.00 -19.00 hrs on Saturdays and also on Wednesdays during the school holidays.
- (viii) There were five representations objecting to the application and were made under the licensing objective Prevention of Public Nuisance. The Licensing Manager advised at the Hearing that Michelle Brown had withdrawn her representation as she was satisfied the sale of alcohol would cease at 21.00 hrs. The remaining objectors were concerned there would be an increase in noise, litter, and potentially, anti-social behaviour and their representations were considered in full by the Sub-Committee.
- (ix) An additional map was provided at the Hearing that showed the site boundaries and distance to the objectors' properties. The two nearest properties were 430 metres from the mobile bar. It was noted that Michelle Brown, who had withdrawn her objection, lived in one of the closest properties to the bar.
- (x) Mr Bradley responded to the objections. The site was for residents only and no visitors from outside were able to access the mobile bar thus there would be no additional traffic movements because of the licence. Reference to previous music events were not at Follow Fields. With regard to a child entering a neighbouring property it was explained that this was when the site first opened and was immediately rectified with the installation of a new

fence. Thefts were not attributed to the site and Mr Bradley too had been victim to thefts.

- (xi) Whilst some of the comments from the objectors cited the outside cinema in their representations it was noted that this was not part of the variation application and was already a licensed activity.
- (xii) The Sub-Committee considered all the information before them from those present and the objections from those not in attendance. The Sub-Committee noted there were no representations made by any of the Responsible Authorities.
- (xiii) The mobile bar, which was small, had operated under a TEN on several occasions and no complaints had been made. The site was well run and managed by an experienced DPS and campsite manager with patrolling of the site at night to maintain minimum noise.
- (xiv) It was noted by the Sub-Committee that the application was seeking a reduction in the number of licensable hours and that the mobile bar was an additional facility for residents of the campsite only and there was no intention to create a site for outside events for non-residents.

In reaching its findings the Sub-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 the variation of the premises licence at Fallow Fields Camping, Drainless Road, Eastry for the supply of alcohol on and off the premises and with the inclusion of a mobile bar be GRANTED as follows

Supply of Alcohol (ON and OFF the premises)

Every Day	12.00 – 21.00 hrs
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- (i) With the inclusion of the existing conditions and those offered as follows to be included in the operating schedule
  - (a) All ON sales (from the bar) are to be served in PET or plastic cups.
  - (b) All OFF sales (from the shop) are to be sold in sealed containers.
  - (c) Surrounding residents to be provided with a direct contact number in order to raise any concerns with the management of the premises.

- (d) Staff will monitor the area to ensure no underage drinking is taking place on the site.
- (e) Guests will not be allowed to purchase more than 2 drinks at a time without being accompanied by any other adults in their group who will be consuming them so that the staff are able to appropriately ID all parties.

18 LICENSING ACT 2003 - APPLICATION FOR THE GRANT OF A PREMISES LICENCE IN RESPECT OF 68 - 72 PENCESTER ROAD, DOVER

The Sub-Committee considered an application for the grant of a premises licence at 68-72 Pencester Road, Dover as follows:

Supply of Alcohol (for consumption OFF the premises)

Monday – Saturday	08.00 – 23.00 hrs
Sunday	10.00 – 22.30 hrs
Good Friday	08.00 – 22.30 hrs
Christmas Day	12.00 – 15.00 hrs 19.00 – 22.30 hrs

On the basis of the representations of the applicants, their representatives and other persons the Sub-Committee found the following facts to be established:

- (i) The application for a premises licence was for an international supermarket including butchers, off-licence, fruit and vegetables, and general grocery store.
- (ii) The applicant, Yilson Sayin, was an experienced retailer, having operated similar businesses in the Thanet district for more than 10 years. She was a Personal Licence holder and would be the Designated Premises Supervisor at the premises.
- (iii) At the Hearing Ms Sayin amended the hours for the sale of alcohol (for consumption off the premises) on Sundays to 10.00 – 22.00 hrs, reducing the licensable hours by thirty minutes.
- (iv) The shop would initially open with three experienced members of staff from the Thanet premises with the addition of some more local staff. There would be another three Personal Licence holders working in the premises.
- (v) All staff would be fully trained in the sale of alcohol and would adopt a Challenge 25 policy with notices being displayed to advise customers that Challenge 25 was in force. A refusals book would operate, and staff would be trained again at 6 monthly intervals, on the job.
- (vi) There would be a Security Industry Authority (SIA) licence holder on the premises and 62 CCTV cameras monitoring the 3000 square metres of the shop floor and outside. In the application it was said that an SIA licence holder would be supervising during trade hours. At the Hearing Mr Tiktiklar advised that the SIA licence holder would in fact be on the premises every Friday and Saturday from 15.00 – 21.30 hrs and on three other days during

the week from 15.00 – 22.00 hrs. A personal licence holder would be on the premises during trade hours.

- (vii) There were two representations received from Joanna Povey and Jean Lait regarding the application for a premises licence making representation under all four Licensing Objectives. There were no representations made by any of the Responsible Authorities, including the police. The written representations noted the existing problems with nuisance alcohol drinkers in Pencester Park, which was located directly opposite the premises, and that the extensive hours of the proposed licence would be irresponsible.
- (viii) Ms Sayin and Mr Tiktiklar were aware of the problems in Pencester Park and had liaised with the police and Licensing Authority to impose additional conditions to their operating schedule to help to satisfy these concerns. There would be no alcohol sold in the shop that was above 5% abv and having been made aware by PC D Rolfe of the Dover Partnership Against Crime (DPAC) scheme and they would look to introduce this too. The premises had previously been licensed when trading as a Post Office and Costcutter and the therefore if the licence were granted it would not be increasing the number of licensed premises.
- (ix) The Sub-Committee, whilst fully considering the representations made and concerns raised, noted that the applicant had demonstrated they had considered all four of the Licensing Objectives and the Committee was encouraged that Ms Yasin would join the DPAC scheme. Whilst an SIA licence holder could not be on site at all times there was CCTV throughout the premises.

In reaching its findings the Sub-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 68-72 Pencester Road, Dover with the proposed conditions as per the operating schedule and those offered following discussion with Kent Police be GRANTED as follows

Supply of Alcohol (for consumption OFF the premises)

Monday – Saturday	08.00 – 23.00 hrs
Sunday	10.00 – 22.00 hrs
Good Friday	08.00 – 22.30 hrs
Christmas Day	12.00 – 15.00 hrs 19.00 – 22.30 hrs

- (ii) A Security Industry Authority (SIA) licence holder must be on the premises between the hours 16.00 – 23.00 hrs every

Friday and Saturday, in addition to any other days or times the licence holder deems it to be necessary.

The meeting ended at 3.18 pm.