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## LICENSING SUB-COMMITTEE

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**MINUTES** of the Meeting held in the Assembly Room, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 23 March 2017 from 2.00 pm - 3.25 pm.

**PRESENT:** Councillors Bobbin, Lesley Ingham (Chairman) and Mike Whiting.

**OFFICERS PRESENT:** Tom Dunn, Robin Harris and Kellie MacKenzie.

**ALSO IN ATTENDANCE:** Mr Matthew Champ and Margaret Morris (Queenborough Social Club Committee members), and Mr Chris Le Couteur (objector).

**APOLOGY:** Councillor Tina Booth.

### **1266 FIRE EVACUATION PROCEDURE**

The Chairman made sure that those present were aware of the Fire Evacuation Procedure.

### **1267 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE**

The Chairman opened the meeting by introducing the Sub-Committee and the officers present.

### **1268 CHANGE OF MEMBERSHIP**

Following apologies received from Councillor Tina Booth, the membership of this Sub-Committee was as follows: Councillors Bobbin, Lesley Ingham (Chairman), and Mike Whiting.

### **1269 DECLARATIONS OF INTEREST**

No interests were declared.

### **1270 APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003**

Mr Tom Dunn, Licensing Officer, introduced the application for a premises licence at Queenborough Social Club, North Road, Queenborough. The application was for the provision of Indoor Sporting Events, Live and Recorded Music and Sale of Alcohol Monday to Friday 12:00 – 01:00 and Saturday and Sunday 11:30 – 01:00.

Mr Dunn reported that the application had been correctly advertised and a notice displayed for the whole of the consultation period. Kent Police had requested four conditions to promote the licensing objectives and one valid representation had been received, which was set-out at Appendix C of the Committee report. Mr Dunn reminded Members that the application should be considered on its merits.

Mr Matthew Champ, Queenborough Social Club Committee member, presented their case. Mr Champ provided all those present with a copy of their written representation, which he had previously submitted to the Licensing section. Mr Champ explained that the Club had been informed late December 2016/early January 2017, that the Club had been operating on an incorrect licence in excess of 40 years. Mr Champ stated that the application they had applied for was to legitimise how the Club was operated, and not about extending the previous operating hours.

Mr Champ stated that whenever the Club had night-time events, two accredited door staff were provided. He explained that in eight years there had only been two incidents when the Police had been called, which he considered “spoke for itself”. Mr Champ explained how the loss of the licence had resulted in a loss of income for the club and how that impacted on the club and its staff.

Mr Champ stated that the licence requested was in-line with opening hours of other public houses in the area. Mr Champ stated that they had no issue with the conditions requested by the Police, and had already paid for the CCTV. Mr Champ drew attention to the representation from Mr Le Couteur and stated that it would be unfair to say that Mr Le Couteur was speaking on behalf of other residents as he claimed. Other residents had had the opportunity to make representations but had chosen not to. Mr Champ noted Mr Le Couteur’s other objections and stated that there was no evidence that parking problems in the area were caused by the Club. Mr Champ explained that it was only New Year’s Eve when the premises was open until 01:00, for other event nights patrons had to leave by 23:30. There was no evidence that patrons of the club were responsible for fighting and kicking bins over late at night. Mr Champ stated that patrons were asked to leave quietly.

When asked by the Senior Lawyer – Contentious which of the licensing objectives was relevant to the financial concerns of the Club, Mr Champ stated that whilst he could not, felt it should be considered as a general point. The Senior Lawyer – Contentious stated that it was not a licensing issue and could not therefore be considered. In response to a further query from the Senior Lawyer – Contentious, Mr Champ stated that they could be flexible with the hours requested.

In response to a query from a Member, Mr Champ stated that they had never received any complaints about noise, so had not needed to have the sound decibel levels from the Club monitored.

Mr Le Couteur, objector, showed Members a video which showed young children causing a disturbance whilst, he claimed, their parents were attending an event night at the Club last Saturday. The Chairman stated that there was no evidence that this was caused by patrons at the Club. Mr Champ stated that parenting was not the Club’s responsibility and if there had been an issue that night, why had the Club received no complaints?

The Senior Lawyer – Contentious read-out the four licensing objectives and asked Mr Le Couteur in terms of parking concerns which one he considered was relevant. Mr Le Couteur stated ‘the protection of children from harm’ was relevant as there was a risk of children being knocked down, due to the parking issues. The Senior

Lawyer – Contentious stated that that was not a licensing issue and could not therefore be considered.

Mr Le Couteur complained that recently he had collected 8 to 12 beer cans near to his property. Mr Champ stated that they did not sell beer in cans at the Club.

In response to a request from Mr Le Couteur, Mr Champ agreed that signs asking that patrons leave quietly could be erected.

In response to a query from a Member, Mr Le Couteur stated that they had not complained to the relevant authorities about issues, as they had wanted to resolve these directly with the Club.

Members of the Sub-Committee adjourned to the make their decision at 2.40pm. Members of the Sub-Committee, Senior Lawyer – Contentious and the Democratic Services Officer returned at 3.20pm, when the meeting was re-convened.

The decision, as set out at Appendix I to these minutes was announced.

***Resolved: The Sub-Committee agreed to grant the licence as applied for subject to conditions.***

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel