
LICENSING SUB-COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Monday, 30 March 2015 from 10.02 - 11.25 am.

PRESENT: Councillors Monique Bonney, Prescott (Chairman) and Tony Winckless.

OFFICERS PRESENT: Mohammed Bauluck, Jayne Bolas and Kellie MacKenzie.

ALSO IN ATTENDANCE: Mr and Mrs Rousell (objectors) and Mrs Hay and Mr Powell (representing JD Wetherspoons).

PART B MINUTES FOR INFORMATION

592 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

The Chairman welcomed everyone to the meeting and outlined the procedure that would be taken.

593 DECLARATIONS OF INTEREST

No interests were declared.

594 APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003

Mrs Bolas, the Solicitor, introduced the case, referring to the application for a New Premises Licence from JD Wetherspoon plc at The Golden Hope, 1 Park Road, Sittingbourne. Mrs Bolas drew attention to the Police representation set out on page 25 of the report and proposed conditions as set out. Mrs Bolas stated that following consultations between both the applicant and Kent Police the wording of proposed condition (4) should be amended, copies were tabled, to read: *'When the premises is open between 21:00 hrs and 01:30 hrs on Friday and Saturday a minimum of 2 door supervisors shall be employed at the premises. At all other times the DPS will risk assess the need for door supervisors. Should the use of door supervisors be deemed necessary by the risk assessment, a minimum of 2 door supervisors will be employed.'* Mrs Bolas stated that the proposed conditions, as amended, had been agreed to form part of the operating schedule of the application on 26 March 2015 and Kent Police had now withdrawn the objection to the licence. She also referred Members to the objection at page 23 of the report from Mr and Mrs Rousell.

Mrs Hay, legal representative for JD Wetherspoon plc, presented her case and provided an overview of the application. Mrs Hay explained that as well as the application for a new premises licence, the applicant would also be running the premises as a hotel with 3 rooms provided. She explained that JD Wetherspoon plc had been trading for 35 years with their focus being on real ale and that they sought to support local brewers. Mrs Hay drew attention to the tabled paper which provided details of the menu provided at their facilities. Mrs Hay stated that no

music or other form of entertainment was planned at the premises, but there would be tv screens which would have news subtitles. Door staff would be provided on Friday and Saturday evenings. They noted the concerns of Mr and Mrs Rousell and stated that given that 3 hotel rooms were to be provided, it would be in their interests to ensure that disturbance to residents was kept to a minimum. She explained that management at the premises would ensure that dispersal of customers was carried out in a responsible manner. The main entrance would be on the High Street and there would be at least one manager on-site and 2 or 3 at peak times. With regard to problems at the existing Weatherspoons she explained that this had mainly been due to conflicts with customers leaving a nearby venue, but this had largely been resolved following amendments to last entry times as agreed with the Police.

The Chairman then invited Mr and Mrs Rousell, the objectors and licensees of The Ypres Tavern, to ask questions. Mr and Mrs Rousell asked various questions and Mrs Hay and Mr Powell (Area Manager for JD Wetherspoons) responded as follows: deliveries would be made via Park Road and they were not aware of an application for a layby to be provided in the High Street; late night light refreshment meant beverages such as tea, coffee and hot food; off-site alcohol provision was provided at all JD Wetherspoon facilities and referred mainly to customers being able to take wine to their hotel room or flagons of ale off the premises during festivals, it would not enable customers to leave with open bottles; the plans showed that there would in total be 4 entrances with two door staff on all entrances open for the alcohol premises, but until the venue was in operation they could not be certain that this would be all entrances or whether some entrances may have to be closed on a Friday and Saturday evening; would not initially enforce a 'no entry' after a certain time on Friday and Saturday evening but this could be reviewed if problems arise; JD Wetherspoons were signed-up to the Swale Radio System; CCTV would also be provided outside the entrances to the premises; the Thursday opening times were standard for JD Wetherspoons and if it proved that door staff were required, then they would be; it would be unlikely to be necessary as Thursdays were curry club night and customers usually drank with food to 23:00 hours; doorstaff would be provided over the Christmas and New Year periods even if they fell on a weekday; would not be looking to operate 7am – 7am New Year's Eve; two garden areas would be provided; there would be staff on the premises overnight; and managers would ensure that customers dispersed in an orderly fashion.

In response to a query from Mrs Rousell, the Chairman advised that with regard to her concerns about youths congregating on the bench outside the premises and whether it could be removed, she should contact her Ward Members and also Swale Borough Council's planning department.

Mrs Rousell presented her objections and stated that she and her husband lived at the Ypres Tavern and their premises closed at 11pm, Sunday to Thursday. She spoke about problems they had witnessed at The Vineyard with groups of people leaving that venue to take drugs in the alley to the rear. They had reported this to the Police but no action had been taken. Mrs Rousell was concerned that The Vineyard also closed at 1am on a Thursday with no door staff provided; this could lead to potential problems when the customers from both venues left the premises. Mrs Rousell was also concerned that the problems experienced at the current

Wetherspoons would be moved to their end of the town. She was also concerned that the opening hours would affect their quality of life. Mrs Rousell stated that they worked hard and were up early so opposed the 00:30 hours Sunday to Wednesday and 01:30 hours Thursday particularly with no door staff. She felt that at the Ypres Tavern, they managed closing according to business and closed early when there were no customers, but Wetherspoons managers would not have the authority to do this.

In response to a query from a Member the Solicitor gave details of the licensed opening times for both The Vineyard and The Ypres Tavern.

The Chairman invited Mrs Rousell and Mrs Hay to make closing statements.

Members of the Sub-Committee adjourned to make their decision at 10.50am. Members of the Sub-Committee, the Solicitor and Democratic Services Officer returned at 11.20am, when the meeting re-convened.

The decision, as set out at Appendix 1, was announced.

The Chairman advised that an appeal could be lodged within 21 days of the written decision being published.

RESOLVED: The Sub-Committee agreed to grant the application subject to modified conditions and two informatives, details of these are attached as Appendix 1 to these minutes.

Chairman

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