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## LICENSING SUB-COMMITTEE

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 30 September 2015 from 2.00 - 3.03 pm.

**PRESENT:** Councillors Paul Fleming, Lesley Ingham and Mike Whiting.

**OFFICERS PRESENT:** Mohammad Bauluck, Philippa Davies and Robin Harris.

**ALSO IN ATTENDANCE:** Mr James Browning (applicant), Mr Les Biggs (objector), and Councillor Nigel Kay.

### 246 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

The Chairman welcomed everyone to the meeting.

### 247 DECLARATIONS OF INTEREST

No interests were declared.

### 248 APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE

Mr Bauluck, Licensing Officer, introduced the application in respect of West Faversham Community Centre for an extension of the hours for licensable activities on Friday nights to midnight, and removal of condition 'all glasses used on the premises will be polycarbonates or toughened glass. No glass bottles will be served other than wine/champagne.' He outlined the current opening hours, in particular Friday night, which was 23.30.

The Licensing Officer explained that one valid representation had been received from Mr Martin Tyler, who was represented at the meeting by Mr Les Biggs. A further representation had been submitted, but was not valid as it was received after the consultation deadline.

Mr Browning, the applicant, presented his case. He explained that the Community Centre was struggling financially and he considered the extension of the opening time on Friday evenings to midnight would increase bookings for the Centre. He reported that he had not heard of any complaints regarding the Centre and that staff were taking measures to reduce any outside nuisance by switching outside lights off to deter customers from going outside. Mr Browning suggested that outside furniture could be moved inside. He explained that he had contacted local residents, and 14 were in support of the proposed extension of opening hours. In response to a question, Mr Browning advised that the doors to the outside were closed at 10pm to try and discourage customers from drinking outside.

Mr Biggs, representing Mr Tyler, outlined Mr Tyler's objections to the application. He explained that there had been noise issues since the Community Centre had opened; customers were sometimes outside at 11 – 11.30pm and complaints had been made to the Council. Mr Biggs requested that no guests were to go outside

after 10pm; a 12pm opening would have an impact on local residents as guests were not quiet when they left the premises; guests' cars were often parked on the road outside the Centre; emptying bottle banks caused noise at night and in the mornings. He explained there was no soundproofing at the Centre and a previous noise assessment had shown that it was over the limit for a residential area; and additional opening times would exacerbate these issues further.

In response to questions, the Applicant advised that staff did their best to endeavour to keep the external doors closed, and stated that if there were any issues, that they be reported to the Centre.

Mr Biggs advised that complaints had been made; he considered support should be given to local residents and he was also advised to contact the Licensing Department if he wanted to complain.

A Ward Member, also the Chairman of the Community Centre, Councillor Nigel Kay, outlined the background of the Community Centre and explained that the Management Team tried to work alongside neighbouring residents. He explained that some parts of the Centre were not used as the soundproofing was not effective. Councillor Kay explained that a hand-held sound monitor was also used to address and double check any sound issues.

Members of the Sub-Committee, adjourned to make their decision at 2.24pm. Members of the Sub-Committee, the Senior Lawyer (Contentious) and the Democratic Services Officer returned at 3.02pm, 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 variation as applied for.***

Chairman

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