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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 Friday, 20 November 2015 from 10.00 - 11.31 am.

**PRESENT:** Councillors Paul Fleming, Lesley Ingham and Ghlin Whelan.

**OFFICERS PRESENT:** Mohammad Bauluck, Jayne Bolas, Janet Dart and Philippa Davies.

**ALSO IN ATTENDANCE:** Mr Ertan Kara (Operations Director), Mr Babar Mumtaz (Director), Mr Michael Kent (objector) and Mrs Weston (observer on behalf of Mr Weston, an objector).

### 352 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

Members checked that there were no other attendees at 10am and decided to proceed with present attendees as no answers to notices indicating a wish to attend and representations on papers were clear.

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

### 353 DECLARATIONS OF INTEREST

No interests were declared.

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

Mr Mohammad Bauluck, Licensing Officer, introduced the application in respect of Domino's Pizza, 1 & 2 Limes Place, Preston Street, Faversham for the provision of late night refreshments. The proposed hours of operation were Sunday to Thursday 23:00 to 00:00, and Friday to Saturday 23:00 to 02:00. Representations had been received from Kent Police; they requested five conditions which were set out in the report, which were accepted into their operating schedule by the applicant and the representation withdrawn. The Planning Department had also commented and 13 representations from the public, both letters and emails had been received. Four representations had been received after the consultation period had expired.

Mr Ertan Kara, on behalf of the Applicant, provided a background to Domino's Pizza's work, both globally and nationally. He acknowledged the representations that had been submitted, and explained the company wanted to 'do the right thing'. They wanted to expand the business, create jobs and train young people, and did not want to disturb neighbouring residents. Mr Kara acknowledged the unsociable hours that were worked at the premises, but explained that he would try and accommodate the issues the neighbours had raised.

Mr Kent, an objector to the application, stated that although the staff were good and courteous, the position of the business within a cul-de-sac residential area, off Preston Street, caused issues with the motorbikes making their deliveries. He suggested it be sited on an industrial estate where no disruption would be caused.

The Applicant explained that the business was not in a cul-de-sac. He stated that the Domino's Pizza business as a whole, not the franchise, decided where the business would be located. He believed it was in the right position. Deliveries were operated from the front of the building; the back had been used for deliveries when Preston Street was shut during the Hop Festival. The Applicant considered any additional noise from extended opening hours would be minimal.

Mr Kent stated that deliveries were made from the rear of the property.

In response to a question, the Applicant advised that the opening hours varied across Domino's Pizza branches. He further explained that one bike and one car were used for deliveries during the day, and at peak times there were four bikes and eight cars, with around half leaving at 21:00 to 22:00.

In response to a question, the Licensing Officer advised that one contact had been received with regard to the opening hours but no complaints. He had visited the premises and there had been no issues to report.

Mr Kent considered the extended hours would result in staff leaving the premises at the rear at 3am into a quiet residential area.

The Applicant advised that he could switch lights off early; and ensure that staff were considerate when they left the premises.

Mrs Weston advised that she had complained about noise at the premises after 11pm and this was the contact referred to by the officer.

The Applicant reported that other premises were open in the area until midnight.

Members of the Sub-Committee adjourned to make their decision at 10.43am. Members of the Sub-Committee, the Solicitor, the PA to the Council Leader/Cabinet and the Democratic Services Officer returned at 11.30am, 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 in accordance with the decision appended to these minutes; the Notice of Determination sets out the full decision and reasons.***

Chairman

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