
LICENSING SUB-COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent ME10 3HT on Tuesday, 1 May 2018 from 11.34am - 1.37pm.

PRESENT: Councillors Roger Clark (Chairman), Paul Fleming and Prescott.

OFFICERS PRESENT: Tom Dunn, Robin Harris and Jo Millard.

641 FIRE EVACUATION PROCEDURE

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

642 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

The Chairman opened the meeting and the Sub-Committee and officers introduced themselves.

643 DECLARATIONS OF INTEREST

No interests were declared.

644 NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003

The Licensing Officer introduced the application for a new Premises Licence for the Hot Tin Café, St. Saviours Church, Faversham. The application was for the sale of alcohol and showing of films and the proposed hours of the licensable activities were from Monday to Sunday 8am to 11pm. The Licensing Officer explained that representations had been received and conditions agreed with Mid-Kent Environmental Services and Police Licensing, and were attached to the report at Appendix E and F. He added that 23 further representations were received, 16 objections and 7 supporting the application although one objection had now been withdrawn.

The applicant, Ms Romana Bellinger, gave a history of the property, a Grade II Listed Building, and outlined the proposals and planned events to be held in it. She explained that there was an 80 person seated capacity (subject to a planned risk assessment), and highlighted the Noise Management Plan to be agreed by Environmental Health.

Mr Michael Eden, joint owner, spoke in support of the application. He advised of the various uses planned for the building, including exhibitions and events, live performances, art workshops and film screenings. Mr Eden explained that there had been a residents' meeting in March 2018, at which he had answered residents' questions and circulated feedback forms. He added that he hoped the building could be used for the community and stressed that, as the property was also his home, he needed to generate income whilst respecting and working with the neighbouring community.

Mrs Denise Knights-Toomber spoke in objection to the application. She said that she did not object to an Artisan café as originally planned, but to noise and anti-social issues the granting of an alcohol licence might cause. Mrs Knights-Toomber considered there were already enough venues in the local area for live music and socialising and that the restrictions on the Grade II Listed Building would preclude implementing sound measures. She added that the location was unsuitable and raised health and safety concerns.

Mrs Rhonda Root raised concerns around the effect that noise and anti-social issues might have on a nearby supported living accommodation premises.

Mrs Emma Lathrell referred to the impact that deliveries may have in blocking the road and advised that ambulances regularly required access to the supported living accommodation.

The Senior Lawyer (Contentious) reminded those present of the issues that the Licensing Sub-Committee could consider and said that the Committee could not act on speculation. He added that live music had been withdrawn from the application as a licence was not required for less than 500 people. He drew attention that that the Fire Brigade had been consulted but had not made a representation.

In the discussion that followed, the applicant stressed how seriously she took her responsibility as a licence holder and advised that ID would be required for any customer that looked under the age of 21. The joint owner added that the alcohol products they intended to sell would attract a different market than those that had caused anti-social issues in the area, and that alcohol would not be sold from 8am to 11pm in line with the opening hours but on more of an ad-hoc basis. The Senior Lawyer (Contentious) said that the hours allowed for flexibility and it was usual that opening hours and a licence for serving alcohol hours should be the same.

In response to a question from an objector, the Senior Lawyer (Contentious) explained the action that could be taken if issues at the premises occurred including an expedited review and a review of the premises licence, both of which might lead to the licence being revoked.

Members of the Sub-Committee adjourned to make their decision at 12.43pm. Members of the Sub-Committee, the Senior Lawyer (Contentious) and the Senior Democratic Services Officer returned at 1.33pm, when the meeting was re-convened.

The decision, as set out in 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