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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, ME10 3HT on Tuesday, 12 October 2021 from 10.37 am - 10.58 am.

**PRESENT:** Councillors Derek Carnell (Chairman), Carole Jackson and Hannah Perkin.

**OFFICERS PRESENT:** Billy Attaway, Robin Harris and Chris Hills.

**ALSO IN ATTENDANCE (REMOTELY):** Councillor Oliver Eakin.

### 361 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the Emergency Evacuation Procedure.

### 362 NOTIFICATION OF CHAIRMAN AND OUTLINE OF PROCEDURE

In welcoming all Members and members of the public, the Chairman explained which officers were in attendance. All those present at the meeting were asked to introduce themselves.

### 363 DECLARATIONS OF INTEREST

No interests were declared.

### 364 APPLICATION FOR A NEW PREMISES LICENCE

The Licensing Officer introduced the report which was for an application for a new Premises Licence at Christine House, London Road, Rainham. She outlined the proposed activities and hours, set-out at paragraph 3.2 of the Committee report. She informed the Sub-Committee that although no representations from Kent Police or Environmental Health Team had been received, they had sought additional conditions, which were set-out in Appendices III and IV of the Committee report, and which the Applicant had been happy to agree to. The Licensing Officer reported that two representations had been made, one member of public and one from Hartlip Parish Council, and these were set-out at Appendix V of the report.

Members of the Sub-Committee were invited to ask questions and points raised included;

- What plans were being put in place to provide suitable ventilation whilst the doors and windows would be shut?;
- what type of music would be played outside of the venue?;
- how would staff come home after working a late shift at the venue;
- sought clarification on what time people would be leaving the venue; and
- wanted to make sure that the venue would be closed by 1am.

The Chairman invited the Applicant to present their case. Mrs Adeosun said that the venue had not been opened yet as they had problems with supplies and were still

decorating the venue. She had hoped that if the licence was granted they could start taking bookings for Christmas 2021. She clarified that a new ventilation system would be installed and that the music outside the venue was only ambient sound and not live bands. She informed the Sub-Committee that staff were able to stay in the accommodation on site and a company car would be provided to some staff to ensure they got home safely.

Members of the Sub-Committee adjourned to make their decision at 10:45am. Members of the Sub-Committee, the Contentious Team Leader and Democratic Services Officer returned at 10:57am and the decision, attached as Appendix I to these minutes, was announced.

***Resolved:***

- (1) That the Licence set out in Appendix I to these minutes be granted subject to the conditions set out in the Committee report.***

**Appendix I**

Chairman

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



**LICENSING AUTHORITY: SWALE BOROUGH COUNCIL**

**LICENSING ACT 2003  
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**

**NOTICE OF DETERMINATION**

Application Ref No: SIT/SWALE/189/0764

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Applicant: Mrs Christine Adeosun

Regarding **NEW PREMISES LICENCE – Christine House, London Road, Rainham, Kent, ME8 8PT**

Date(s) of hearing: 12 October 2021

Date of determination: 12 October 2021

Committee Members: [Chairman]: Councillor Derek Carnell (Chairman)  
Councillor Carole Jackson  
Councillor Hannah Perkin

Legal Advisor in attendance at hearing(s): Robin Harris

Licensing Officer in attendance at hearing(s): Chris Hills

This was an application for:

- Variation       Grant  
 Provisional Statement     Review     Other .....

for a

- Premises Licence     Club Premises Certificate     Personal Licence  
 Temporary Event Notice

**A: Representations, evidence and submissions:**

The Committee considered the representations, evidence and submissions of the following parties:

**Applicant**

- Name: Mrs Christine Adeosun
- N/A

**Responsible Authorities**

None

**Other Persons**

Hartlip Parish Council and Elaine Jackson.

Witnesses and legal representatives in support of other persons

N/A

**Representations considered in the absence of a party to the hearing:**

N/A

**B: Consideration of the Licensing Act 2003, the Guidance under s. 182 of the Act and the Statement of Licensing Policy of Swale Borough Council**

The Committee has taken into account the following provisions of the Licensing Act 2003 and the Regulations thereto:

Section 16-24 which relate to the grant of a premises licence;

The Committee has taken into account the following provisions of the Guidance under section 182 of the Act:

Chapter 2 which relates to the licensing objectives

Chapter 8 & 9 which relates to premises licences & determinations

Chapter 10 which relates to conditions attached to licences;

The Committee has taken into account its Statement of Licensing Policy:

The Committee has decided to depart from the guidance under section 182 of the Act and or the statement of licensing policy for the following reasons:

Paragraphs and reasons (state in full):

N/A

**C: Determination:**

**The Committee has decided to:**

Grant the application as applied for, subject to the conditions requested by Kent Police and Environmental Health, that have already been accepted.

**Reasons for determination:**

■ **Prevention of Crime and Disorder**

Reasons (state in full):

The Sub-Committee had regard to the representations made in writing and at the hearing today in respect of this licensing objective. The Sub-Committee noted that the premises had agreed conditions with the Police Licensing Officer and were satisfied that these conditions were sufficient to promote this Licensing objective.

■ **Public Safety**

Reasons (state in full):

The Sub-Committee had regard to the representations made in writing prior to the hearing, however, the Sub-Committee noted that these representations either related to other premises or related to matters which do not fall within the scope of this Licensing objective according to the statutory guidance. The Sub-Committee were satisfied that the operating schedule for this premises is sufficient to promote this licensing objective.

■ **Prevention of nuisance**

Reasons (state in full):

The Sub-Committee had regard to the representations made in writing and the further matters raised during the hearing today. The Sub-Committee noted that the Applicant had submitted a noise management plan which was found to be acceptable to the Environmental Health team and had been accepted by the Applicant as being a condition of the Licence going forward. The Sub-Committee heard from the applicant that the outdoor music proposed was only going to be ambient recorded music, the substantive entertainment occurring indoors. Given the above the Sub-Committee were satisfied that the application was capable of promoting this Licensing objective.

■ **Protection of children from harm**

Reasons (state in full):

The Sub-Committee were satisfied that the operating schedule was sufficient to meet this Licensing Objective.

Cllr Derek Carnell (CHAIRMAN):

Signed: DEREK CARNELL

A copy of the original document is held on file

Date: 12 October 2021