

# Minutes

## Licensing Sub-Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Thursday, 20 May 2021
Present	Councillors John Collier, Philip Martin and David Wimble
Apologies for Absence	None
Officers Present:	Kate Clark (Case Officer - Committee Services), Ewan Green (Director of Place), Tim Hixon (Legal Specialist), Sue Lewis (Committee Services Officer), Jack Pearce (Legal Trainee) and Briony Williamson (Licensing Specialist)
Others Present:	The licence holder, her son and representative in respect of the review of the Mace premise licence The applicant in respect of the Private Hire Driver's Licence

### 1. **Election of Chairman for the meeting**

Proposed by Councillor John Collier  
Seconded by Councillor Philip Martin and

**Resolved: That Councillor David Wimble is Chairman for the meeting.**

(Voting: For 3; Against 0; Abstentions 0)

### 2. **Declarations of interest**

There were no declarations of interest.

### 3. **Exclusion of the public**

Proposed by Councillor Philip Martin  
Seconded by Councillor John Collier and

**Resolved:**

**To exclude the public for the following item of business on the grounds that it is likely to disclose exempt information, as defined in**

**paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 –**

**‘Information relating to any individual.’**

(Voting: For 3; Against 0; Abstentions 0)

**4. An application for a Review of a Premises Licence in respect of: Mace, 129A Canterbury Road, Folkestone, Kent, CT19 5NR**

This report outlines the application made by Kent Police, for a Review of the Premises Licence at a corner shop in Folkestone following enforcement action taken by them. The Licensing Sub-Committee must determine the outcome for the application.

Proposed by Councillor David Wimble  
Seconded by Councillor John Collier and

**Resolved:**

**Having given serious consideration to revoking the licence in accordance with the Home Office regulations and the Licensing Act 2003 and having heard the representation of PC Stephens and the Licence Holder the committee does not consider in these circumstances it to be a proportionate response to revoke the licence in its entirety and nor for it to be suspended.**

**The committee do however consider that the conditions proposed by PC Stephens in his report, with the exception of the suspension, are entirely proportionate and will serve to assist the police and the licensing authority in ensuring the licensing objectives are not undermined.**

**For these reasons the committee imposes the following conditions on the licence:**

- **Pathman Maheswaran must not enter the premises at any time the premises are open to the public.**
- **A personal licence holder must always be working at any time the premises are open to the public.**
- **CCTV conditions to be added:**
  - i) **CCTV will cover exits, entrances, public areas of the premises, store room and till**
  - ii) **Lighting inside and out must be sufficient to compliment the quality of the camera images**
  - iii) **CCTV must provide good quality images and be capable of visually confirming the nature of the crime committed**
  - iv) **The premises licence holder/premises manager/designated premises supervisor will have a working knowledge of the**

**operation of the CCTV system including how to download data when requested by Police, Local Authority Enforcement Officer or Trading Standards**

- v) CCTV images which can identify individuals to be handed over to the police where it is necessary to do so for the prevention or detection of crime; for the prosecution or apprehension of offenders; or where the disclosure is required by law**
- vi) The system must be of a standard that image quality is not lost when making the copy. If the format is non-standard, software will be supplied to ensure that the data can be replayed by the police on a standard computer**
- vii) All equipment shall have constant time/date generation, which must be checked for accuracy daily**
- viii) In the event of a system malfunction, the Manager or Premise Licence Holder or Designated Premise Supervisor must immediately notify the Licensing Authority and the Police Licensing Department. Details of this malfunction must be recorded in the premises incident book. Arrangements for its repair must be made without delay. The Licensing Authority and Police Licensing Department must be notified when the system is again operational.**

(Voting: For 3; Against 0; Abstentions 0)

**5. 11am - Review of whether a licence should be granted to a new Private Hire driver.**

Review of whether a licence should be granted to a new Private Hire driver.

Proposed by Councillor David Wimble  
Seconded by Councillor Philip Martin and

**Resolved: To grant a private hire driver's licence.**

(Voting: For 3; Against 0; Abstentions 0)

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