

## Licensing Sub-Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Monday, 6 September 2021
Present	Councillors Nicola Keen, Jim Martin and Philip Martin (Chairman)
Officers Present:	Nicola Murton (Lead Legal Specialist), Jack Pearce (Legal Trainee), Briony Williamson (Licensing Specialist) and Jemma West (Committee Services Specialist)

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

Proposed by Councillor J Martin,  
Seconded by Councillor Keen; and

**RESOLVED:** That Councillor P Martin be elected as Chairman for the meeting.

(Voting figures: 3 for, 0 against, 0 abstentions).

### 15. **Declarations of interest**

There were no declarations of interest.

### 16. **Declarations of lobbying**

Declarations forms received showed no lobbying of councillors.

### 17. **An application for a new Premises Licence in respect of: Broadmead Road Stores, Broadmead Road, Folkestone, Kent, CT19 5AL**

Report DCL/21/20 outlined the application made by Mr Nimalan for a new Premises License for this premises. The Sub-Committee were asked to consider the application, ensuring they fully promoted the licensing objectives, and having regard to the revised national section 182 guidance, and the council's own Licensing Policy.

The Licensing Specialist outlined the report, and advised that there had been no representations had been received from Responsible Authorities, and one representation received from a Member of the public. As the Member of public could not be present for the meeting, the Licensing Specialist read out the letter of representation.

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The Licensing Sub-Committee, the Licensing Specialist, and the Legal Officers asked the applicant various questions, and the following points were discussed:

- A start time of 6am seemed very early, and there could be a risk of disorder at that time.
- How would the Challenge 25 Policy be adhered to?
- The objection was based on concern about public nuisance, how would this be mitigated?
- The location of the premises was highly populated. Who would contact the Police in the event of any incidents?
- Would there be two members of staff behind the counter, so that they could verify age with one another?
- Would there be any door staff?
- Would planning consent be sought for the operating hours?
- The premises licence start date was listed as 5 June 2021 on the application form, but retrospective Licensing consent could not be given.

The applicant responded to some of the issues raised, and made points including the following:

- The hours for supply of alcohol were in line with other nearby premises.
- He had ten years' experience of managing premises, and had not experienced any incidences of anti-social behaviour in that time.
- Photo ID would be required under the Challenge 25 Policy, and all employees would be trained in this. CCTV would be in operation, and a bin would be provided in order to prevent littering at the premises.
- Staff would be responsible for contacting Police to notify of any incidences, and CCTV footage would be provided where appropriate. The staff member would speak to any individuals initially to see if the issue could be resolved.
- Only one member of staff would be on duty, but if no photo ID could be provided, the sale would be refused. Two members of staff would be on duty in the evening, to ensure safety.
- He had been retailing in Folkestone since 2010, at Sidney Street Post Office. The store at Sidney Street had a license until 11pm, and had not experienced any incidences of anti-social behaviour. His time would be shared between the two stores.
- Although the application was for operating hours of 06.00 until 23.00 hours, he would see how it went in terms of opening hours. It could be that 6am was too early, but this would give him the option should he wish to use it.

The following resolutions, agreed by all members, were made:

### **RESOLVED:**

- 1. That report DCL/21/20 be noted and received.**

- 2. That the licence be granted with amendments to the original application, altering the hours for the supply of alcohol to between 11:00 hrs and 23:00 hrs, Monday to Sunday, which the Sub-Committee believed would uphold the Licensing objectives.**

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

The Legal Officer advised that there would be a 21 period to appeal the decision, after which, the license would come into effect.