

Licensing Sub-Committee

Held at: Council Chamber - Civic Centre Folkestone
Date: Monday, 14 August 2023
Present: Councillors Gary Fuller, Mrs Jennifer Hollingsbee and Paul Thomas

Apologies for Absence

Officers Present: John Bickel (Licensing Specialist), Jake Hamilton (Committee Services Officer), Tim Hixon (Legal Specialist), Sue Lewis (Committee Services Officer), Briony Williamson (Licensing Specialist) and Nicola Wilson (Environmental Health and Licensing Senior Specialist)

Others Present:

67. **Appointment of Chair**

Proposed by Councillor Gary Fuller
Seconded by Councillor Paul Thomas and

Resolved: To appoint Councillor Mrs Jenny Hollingsbee as Chair for the meeting.

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

68. **Declarations of interest**

There were no declarations of interest.

69. **Declarations of lobbying**

There were no declarations of lobbying.

70. **Application for a Premises Licence in respect of: Tofts Cafe Bar, 37 Grace Hill, Folkestone, CT20 1HQ.**

The report outlines the application made by Ms Marceline Powell for a Premises Licence for this premises.

In determining the application the Sub-Committee has carefully considered and given the appropriate weight to the evidence before it today including:-

- (i) The report presented by Licensing Specialist Briony Williamson.
- (ii) The submissions made by the applicant.
- (iii) The representations received.

The applicant, Ms Marceline Powell presented the sub-committee with how she intended to run the café bar, making it a place for the more mature audience, encourage membership and make it a great place to socialise and listen to music.

The venue holds up to 60 people and she hoped that people would book the venue for private events as time went on. She would only allow events that suited the venue and would provide door security if required.

She informed that the venue has CCTV, noise limiter and a zone-controlled audio control to allow control of noise. Any vibrations felt above or music that is deemed too loud can then be controlled and immediately amended.

10 valid representations were received, and the following attended to express their concerns:

Tracey Salisbury, local resident
Louise Forbes, local resident
Kimberley Freeland, local resident
Kenneth Freeland, local resident

The focus of the objections related to the following:

- Residential area – young families, elderly, shift workers, sheltered housing and non-English speaking residents
- Negative impact
- How it has been promoted as a party place
- Excessive Noise and for longer hours
- No proper consultation with residents
- Lack of sleep due to patrons leaving the site
- Detrimental value to residents' properties
- Populated area
- Smoking – this takes place on the front pavement and the garage area to the back, therefore, all conversations can be heard by residents and the front pavement is often blocked for those to get by
- Parking – this is already an issue in the local vicinity and potentially could become difficult for residents.

The Licensing Specialist informed that the applicant had followed procedure when advertising the application and it is not a legal requirement to notify residents.

Following several questions, the applicant confirmed that although a complaint had been made no evidence was provided to say the loud music came from her venue. She also informed that an initial fire assessment had taken place and that she would be providing better smoking ash trays.

Those who presented representations still felt the application should be rejected referring again to all their concerns raised above.

Proposed by Councillor Gary Fuller
Seconded by Councillor Paul Thomas and

Resolved:

Having considered all the evidence, the Sub-Committee has taken the decision to grant the application as follows:

Supply of alcohol on Sales Monday to Sunday 12.00 - 23.00

Recorded Music: Monday to Thursday 23.00 – 23.30 and Friday and Saturday 23.00 – 00.00

Live Music: Monday to Thursday 23.00 – 23.30 and Friday and Saturday 23.00 – 00.00

Opening Hours: Monday to Sunday 12.00 – 00.00

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