

Licensing Sub-Committee

Held at:	Remote meeting
Date	Tuesday, 15 December 2020
Present	Councillors Gary Fuller, Jim Martin and Philip Martin
Apologies for Absence	None
Officers Present:	Kate Clark (Case Officer - Committee Services), Holly Godwin (Case Officer - Corporate Services), Tim Hixon (Legal Specialist) and Briony Williamson (Licensing Specialist)
Others Present:	Mr and Mrs Stone (The Star Inn), Gillian Smith (St Mary in the Marsh Parish Council) and Mark MacFarlane (Plant Based Chef)

57. **Election of Chairman for the meeting**

Proposed by Councillor Gary Fuller
Seconded by Councillor Jim Martin

RESOLVED:

That Councillor Philip Martin is elected as Chairman for the meeting.

58. **Declarations of interest**

There were no declarations of interest.

59. **Declarations of lobbying**

There were no declarations of lobbying.

60. **An application for a Variation of a Premises Licence in respect of The Star Inn, St Mary in the Marsh, Kent, TN29 0BX**

Report DCL/20/34 outlined the application made by Mr David Stone to vary the current Premises Licence for this premises. The Licensing Sub-Committee determined the outcome for the application.

The Licensing Specialist introduced this report drawing members' attention to the variation requested and that four noise complaints had been received, but no further action had been taken.

Mrs Teresa Stone, Landlady of the Star Inn, spoke and advised members that the outside live music would be for seasonal events during four to five months in the Summer consisting of a duo or one man band. Although the application consists of a request for all weekend hours and non-standard timings for live music, ordinarily the live music is predominantly for Sundays between 3pm and 6pm.

Mrs Stone assured members that every effort is made to maintain a good relationship with the nearby Church and neighbours and would ensure a contact number is given to residents so that direct contact can be made if there are any issues to be resolved.

Mrs Gillian Smith, from St Mary in the Marsh Parish Council was invited to speak. She read out various representations from residents and the Parish Church Council, comments included:

- Loud music most weekends.
- Parking issues on small country roads worsened on Sundays when the church holds various events as well as the events at the pub.
- Inadequate toilet facilities
- Field adjacent to the Star Inn used without permission.
- A need for residents to enjoy quietness and tranquillity in a rural area.

It was confirmed by Mrs Stone that although the application details a weekend extension, live music outside would only be between the hours of 3pm and 6pm on Sundays. With regard to the unauthorised use of the adjacent field, Mrs Stone categorically stated this does not happen although it seems benches and tables have been seen on the field.

Members asked about car parking arrangements and Mrs Stone confirmed there is parking for approximately 10 to 12 cars at the front of the pub with a further 50 car capacity in the pub's garden area.

Members comments included:

- Noise concerns, although the Star Inn's current licence allows for music inside the venue, today's application concentrates on extending the licenced area to the pub's garden.
- Inadequate toilet facilities which could lead to public urination which is an offence.
- Dangerous parking on narrow roads
- Music consisting of either a duo or one man band, so the need for amplification could be questioned.

Members considered the four licensing objectives, concentrating on the prevention of public nuisance in their deliberations.

Proposed by Councillor Jim Martin
Seconded by Councillor Philip Martin; and

RESOLVED:

- 1. That Report DCL/20/34 is received and noted.**
- 2. That the Premises Licence is granted to include the outside beer garden with the condition that amplified music can only be played outside on Sundays from 3pm to 6pm.**

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

61. **An application for a new Premises Licence in respect of: Plant Based Chef, 1 Metropole Road East, Folkestone, Kent, CT20 2AN**

Report DCL/20/42 outlined the application made by Mr Mark MacFarlane for a new Premises Licence. The Licensing Sub-committee determined the outcome for this application.

The Licensing Specialist introduced this report and drew members' attention to the Planning Department's representation. Their main concern was the intention of the applicant to operate until 2am, however the applicant, Mr MacFarlane, confirmed he had given this consideration and felt that an amended time of 11pm would be more suitable.

Members thanked the applicant for attending today's meeting and asked Mr MacFarlane various questions:

- Food preparation – prepared on the premises in large batches, frozen and then reheated in smaller portions on demand.
- Small menu consisting of 6 to 8 dishes.
- Alcohol availability which can be ordered and delivered with food.

Mr MacFarlane plans to build up the business and is hopeful that as the business grows he could possibly move to a commercial premises. He is keen to bring awareness to healthy takeaway food and feels his background as a qualified nutritionist is ideal for this service.

Members had concerns around delivery vehicles disturbing other residents however Mr MacFarlane assured members that his property is separate from the main Metropole building and is situated near the main gate negating any disturbance.

In considering the application and the four licensing objectives members were minded to grant the application with an added condition that licensable activities cease at 11pm.

Proposed by Councillor Gary Fuller
Seconded by Councillor Jim Martin; and

RESOLVED:

- 1. That Report DCL/20/42 is received and noted.**
- 2. That the application is granted with a condition that licensable activities cease at 11pm daily.**

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