

Minutes

Licensing Sub-Committee

Held at: Council Chamber - Civic Centre Folkestone

Date: Monday, 26 June 2023

Present: Councillors Gary Fuller, Mrs Jennifer Hollingsbee and Paul Thomas

Apologies for Absence

Officers Present: John Bickel (Licensing Specialist), Jake Hamilton (Case Officer (Committee)), Tim Hixon (Legal Specialist), Rhys Hughes (Legal Trainee), Sue Lewis (Case Officer (Committee)), Andrew Rush (Chief Officer Place & Regulatory Services) and Briony Williamson (Licensing Specialist)

Others Present:

55. Election of Chairman for the meeting

Councillor Mrs Jenny Hollingsbee was appointed Chair for the meeting.

56. Declarations of interest

There were no declarations of interest.

57. An application for a Premises Licence in respect of: Shanghai Inn, 27 Tontine Street, Folkestone, CT20 1JT

This report outlines the application made by Ngoc Pham for a Premises Licence for this premises. The Licensing Sub-Committee must determine the outcome for the application.

In reaching its decision the Sub-Committee carefully considered all the information provided at the hearing including:-

- (i) The report presented by Licensing Specialist Briony Williamson
- (ii) The Applicant's submissions ;
- (iii) The representations received;
- (ii) The provisions of the Licensing Act 2003 and the four licensing objectives;

- (iii) The Council's Statement of Licensing Policy ["the Policy"]
- (iv) The guidance issued by the Secretary of State under s.182 of the Licensing Act 2003 (December 2022)

The Sub-Committee gave the following reasons for their decision:

The Sub-Committee has considered the recommended closing times detailed in the Licensing Policy and is satisfied that the departure from those hours as applied for is justified and does not undermine any of the four licensing objectives.

Proposed by Councillor Gary Fuller
Seconded by Councillor Paul Thomas

Resolved:

Having considered all the evidence presented at the hearing, the Sub-Committee took the decision to:

Grant the application.

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

58. An application to Vary the Premises Licence in respect of: The Portland Hotel & Skuba Bar, 2-4 Langhorne Gardens, Folkestone, Kent, CT20 2EA

This report outlines the application made by The Portland Hotel & Skuba Bar to Vary the existing Premises Licence for this premises. The Licensing Sub-Committee must determine the outcome for the application.

In reaching its decision the Sub-Committee carefully considered all the information provided at the hearing including:-

- (i) The report presented by Licensing Specialist Briony Williamson
- (ii) The Applicant's submissions ;
- (iii) The representations received;
- (v) The provisions of the Licensing Act 2003 and the four licensing objectives;
- (vi) The Council's Statement of Licensing Policy ["the Policy"]
- (vii) The guidance issued by the Secretary of State under s.182 of the Licensing Act 2003 (December 2022)

The Sub-Committee gave the following reasons for their decision:

In deciding the application, the Sub-Committee considered all relevant verbal and written representations. The Sub-Committee recognised the concerns expressed by objectors however a number of issues raised did not fall within the remit of this application and therefore were not open to the Sub-Committee for consideration.

The Sub-Committee considered that the Applicant has run previous events under temporary events notices and had taken positive steps to mitigate any

noise emanating from those events. It was further considered that no Responsible Authorities had objected to the application, in particular the Council's Environmental Health department.

In considering the promotion of the four licensing objectives the Sub Committee did not deem it justified or proportionate to impose additional conditions restricting the use of the outside areas of the premises.

The Sub-Committee considered that granting the application was consistent with the Council's Statement of Licensing Policy.

Proposed by Councillor Gary Fuller
Seconded by Councillor Paul Thomas

Resolved: Having considered all the evidence presented at the hearing, the Sub-Committee took the decision to:

Grant the application to vary the Premises Licence.

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

59. **Exclusion of the Public**

Due to the last item being removed from the agenda there was no need to take an exclusion of the public vote.

60. **Review of Dual Driver licence**

Following publication of the agenda pack this item was deferred to a future meeting.

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