
LICENSING SUB-COMMITTEE

MINUTES of the Meeting held in the Second Floor Conference Room, Swale House on Monday, 26 September 2022 from 10.00 am - 12.15 pm.

PRESENT: Councillors Derek Carnell, Mike Whiting (Chair) and Tony Winckless.

OFFICERS PRESENT: Steph Curtis, Chris Hills, Jo Millard and Helen Ward.

ALSO IN ATTENANCE: Dan Hunt, Julian Overton and Ian Pickford.

ALSO IN ATTENDANCE (virtually): Councillor Cameron Beart.

307 EMERGENCY EVACUATION PROCEDURE

The Chair outlined the emergency evacuation procedure.

308 NOTIFICATION OF CHAIR AND OUTLINE OF PROCEDURE

The Chair opened the meeting and asked those in attendance to introduce themselves. He confirmed that those in attendance were aware of and had received a copy of the hearing procedure.

309 DECLARATIONS OF INTEREST

There were no declarations of interest.

310 REVIEW OF PREMISES LICENCE

The Licensing Team Leader introduced the report which asked Members to consider the application for a review of the licence granted under the Licensing Act 2003 for The Warden Bay, Jetty Road, Warden, Sheerness, Kent ME12 4NF. She set out the conditions imposed at the interim steps hearing held on 2nd September 2022 at paragraph 2.4, and said that following that hearing, a variation application had been made and approved for Mrs Yvonne O'Regan to replace Mr Christopher Prime as Designated Premises Supervisor (DPS) on the premises licence.

The Licensing Team Leader said that in response to publicising the review application, six representations had been received as set out in Appendix IV, and further information had been received from Kent Police as at Appendices V and VI.

The Licensing Team Leader referred to the options in paragraphs 3.1 – 3.5 of the report for Members to consider when determining the review application.

Mrs Louise Peartree spoke in support of the premises.

At this point of the meeting Members took a vote to continue the discussion in closed session in order not to prejudice the current Police investigation.

311 EXCLUSION OF THE PRESS AND PUBLIC

Resolved:

That under Section 100A94) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of the Schedule of 12A of the Act:

- 1. Information relating to any individual***
- 2. Information which is likely to reveal the identity of an individual***

The Kent Police Licensing Officer expressed the seriousness of the alleged crime, which was still under investigation, and acknowledged that although it was a stand alone incident, correct procedures were not followed after the incident by any of the staff present. He said that since the expedited hearing on 2 September 2022, there had been constructive negotiation and he shared a suggested list of conditions for the Committee to consider imposing, in reviewing the premises licence.

The Kent Police Licensing Officer responded to questions.

The applicant's solicitor, Mr Overton, said that whilst he did not agree with all the concerns expressed by the Kent Police Licensing Officer, he was in support of the suggested conditions.

Mr Overton responded to questions.

At this point of the meeting, Members agreed for the meeting to return to open session.

Members of the Sub-Committee and the Lawyer (Contentious) adjourned at 10.51 am to make their decision.

Members of the Sub-Committee, the Lawyer (Contentious) and the Democratic Services Manager returned to the meeting at 12.09 pm and the decision, as attached at Appendix I to these minutes was announced.

Resolved:

(1) That the Licensing Sub-Committee considered the application for review by Kent Police and any relevant representations and determined to impose conditions as set out in the Decision Notice.

(2) That the interim steps decision made at the Licensing Sub-Committee meeting of 2nd September 2022 in respect of the additional condition only was appropriate for the promotion of the licensing objectives and the condition that was imposed was to remain as an interim step, as set out in the Decision Noticed attached at Appendix I. The DPS had already been varied and no interim step in that respect was considered necessary.

312 EXEMPT APPENDICIES

Members considered the exempt appendices.

313 ADJOURNMENT OF MEETING

The meeting was adjourned from 10.51 am to 12.09 pm.

Chair

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All Minutes are draft until agreed at the next meeting of the Committee/Panel