

Minutes of the meeting of the **LICENSING** Sub-Committee held at the Council Offices, Whitfield on Tuesday 9 February 2010 at 10.40 am

Present:

Sub-Committee

Chairman: Councillor B W Butcher

Councillors: A R Smith  
J M Smith

Officers

Legal Advisor: Solicitor to the Council  
Licensing Officer: Licensing Manager  
Administrator: Senior Democratic Support Officer

Persons attending in connection with the Hearing

None.

An apology for absence was received from Councillor V J Revell.

27 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that Councillor A R Smith had been appointed as substitute for Councillor V J Revell.

28 LICENSING ACT 2003 – APPLICATION FOR REVIEW OF THE PREMISES LICENCE IN RESPECT OF THE AFYON CHARCOAL GRILL, 5 BEAUCHAMP AVENUE, DEAL CT14 9EX

The Sub-Committee was advised that the applicant for the Review, Responsible Authority Local Planning Authority, had withdrawn the request for a review as the Licence Holder had recently submitted a planning application to address the issues originally raised.

RESOLVED: That it be noted that the application for review of the premises licence in respect of the Afyon Charcoal Grill, Beauchamp Avenue, Deal had been withdrawn by the applicant.

29 LICENSING ACT 2003 - APPLICATION FOR REVIEW OF THE PREMISES LICENCE IN RESPECT OF RIVALS/ACADEMY, QUEEN STREET, DEAL CT14 6EY

Members were reminded that an application for review of a premises' licence under Section 51 of the Licensing Act 2003 had originally been made by two interested parties and heard on 3 April 2007. That Sub-Committee had imposed conditions on the premises licence including the installation and maintenance of a gate to the alleyway beside the premises in order to restrict access onto Queen Street by patrons leaving the premises and had also reduced the hours of operation for a period of three months. Subsequently the licence holder had appealed to the Magistrates' Court against the reduction in hours and the appeal had been held in

abeyance until such time as the gate had been installed and the effects monitored. The appeal had now been remitted to the Licensing Authority for a new hearing.

On 25 November 2009 the Licence holder had successfully applied for variation of the hours of operation to match those permitted by the Local Planning Authority.

This hearing was in respect of a request to remove the reduction in opening hours as the operation of the gate had been successful and the applicants for the 2007 review and other interested parties had withdrawn their objections.

RESOLVED: That the three months' reduction in opening hours in respect of Rivals/Academy, Queen Street, Deal be removed and the licence terms and conditions be as set out in Notice of Determination No 003/2010.

The meeting ended at 11.10 am.