

LICENSING SUB COMMITTEE

Minutes of the meeting held on 25 July 2023 at 2.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Alan Currie (Chair); Councillors Dennis and Makinson

In Attendance:

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. APPLICATION FOR A NEW PREMISES LICENCE AT THE SMOKED STREET KITCHEN, 92 HIGH STREET, BROADSTAIRS

Also present:

Thanet District Council: Ms Alison Brock, Technical Support Team Manager
Ms Lois Barnes, Technical Support Officer

Applicant: Mr Jamie Childs, Director – Smoked Street Kitchen

Objectors: Mr Shafto
Mr Williams

The Technical Support Team Manager introduced the item:

- It was a new application advertised under the Licensing Act. No representation was needed from the Police, Fire Service or Environmental Health. The licence requested was only applicable for internal use as it would not apply to music being played in the garden or in front of the business externally

Members asked questions directed to Ms Brock:

- Members asked if the location had been licensed to play music before. Ms Brock responded by saying that there was a licence that did apply at the location which was for longer hours, however it was surrendered when the previous owner gave up the premises. A new licence was applied for since the new owner didn't take up that licence over the 28 day period after
- Members clarified that music could not be played outside the premises as it would be in breach of the conditions agreed upon by the Applicant

Mr Childs addressed the Board:

- He informed the Board, that music would be provided for a restaurant atmosphere, not primarily for drinkers like at a nightclub
- He also told Members that the front garden and decking would be closed at 22:00 during operating hours

Members had no questions for Mr Childs.

Ms Brock had no questions for Mr Childs.

Mr Childs had no questions for Ms Brock.

Mr Shafto and Mr Williams (the objectors) addressed the Board:

- Mr Shafto spoke on the behalf of both Mr Williams and himself, he also spoke on the behalf of the management company of a local flat block located near the restaurant
- Concerns were expressed regarding noise nuisance coming from the restaurant, this was based on previous instances of residents being kept awake by kitchen staff who would go out to the garden after closing the kitchen and other instances of loud music coming from the restaurant. He also spoke about an incident that occurred when the applicant loudly taunted residents of the flat block about playing music "all week"
- Mr Shafto suggested that the open garden times be between 12:00-18:00, after which time the garden would be closed to customers and staff to minimise noise

Mr Childs responded to Mr Shafto and Mr Williams:

- He denied the claims that he verbally taunted residents about the loud music
- Mr Childs also said he would speak with kitchen staff who go out to the garden and advise them to keep any noise down, but limiting access to the garden would not be feasible as the storeroom is located outside of the main building

Members asked a question directed to Mr Shafto and Mr Williams:

- They asked if they were fully aware that with this licence, any and all music would be played inside. Mr Shafto responded by saying that if doors are left open, then the music would have a farther reach. Mr Childs followed up by saying any music played would be with a restaurant in mind as people would be eating

Ms Brock asked a question directed to Mr Childs:

- She asked if Mr Childs wouldn't mind having a condition to keep external doors closed whilst music plays. Mr Childs said that ideally both doors should be kept open during the Summer months in order to create a draft

Mr Shafto and Mr Williams asked a question directed to Ms Brock:

- Mr Shafto asked about original conditions laid out on the application that stated music could be played between the hours of 12:00-23:00. Ms Brock clarified that although it says that on the original application, the agreed times between the applicant and the Environmental Health Team are different entirely
- Members asked Ms Brock if noise mitigation measures could be carried out. Ms Brock responded by saying it is with the board to decide if they want to include a condition to that effect

Mr Childs summed up his position:

- He said that any music played in the restaurant wouldn't happen every night as it was more aimed at Folk Week festivities

Mr Shafto and Mr Williams summed up their positions:

- Mr Shafto went into further detail of noise instances that occurred in July, mainly from music and volume of the staff in the garden

Following the deliberation, the Sub-Committee agreed the following:

“Following the Licencing Sub-Committee considering the application for a new premises licence which was made by Mr Jamie Child for the Smoked Street Kitchen at 92 High Street, Broadstairs; the following decision was made;

Upon considering whether to grant or refuse the licence to serve alcohol and play music at the Smoked Street Kitchen, to Mr Jamie Child and having considered the documentation and representations made by:

- 1 - The Licensing Officer;
- 2 - The Applicant;
- 3 - The Objectors;

It is the decision of the licensing sub-committee to;

“Grant the New Premises Licence with the conditions that were agreed with the Environmental Health Department in respect of The Smoked Street Kitchen.”

Meeting concluded: 2.35 pm