

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON FRIDAY 21 JUNE 2024

Present: Cllrs Derek Beer, Les Fry and Val Potheary

Also present: Mustafa Cakir & Sharon Cakir (Applicant)
Sarah Bernardes, James Hankins, Paul Shynn (Objectors)

Officers present (for all or part of the meeting):

Elaine Tibble (Senior Democratic Services Officer), Lara Altree (Senior Lawyer - Regulatory), Kathryn Miller (Senior Licensing Officer), John Miles (Democratic Services Officer) and Laura Goff (Licensing Officer)

Officers present remotely (for all or part of the meeting):

27. Election of Chair and Statement for the Procedure of the Meeting

Proposed By Cllr Fry, seconded by Cllr Potheary.

Decision: that Cllr Derek Beer be appointed Chair for the duration of the meeting.

28. Apologies

Apologies for absence were received from Cllrs Shortell and Wheller, substituted by Cllrs Fry and Potheary

29. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

30. Urgent items

There were no urgent items.

31. Variation of a Premises Licence Application for 3 Salisbury Street, Blandford, Dorset.

The report for consideration of a variation to the licence for 3 Salisbury Street, Blandford, Dorset, was presented by the Senior Licensing Officer.

The application sought additional hours on the licence for films, live and recorded music indoors, additional opening hours and the removal of condition 17 on the

current licence to allow for the purchase of alcohol without the need for a substantial meal.

The application was for the inside of the building only and did not include the external areas.

The applicant had previously agreed to the following 3 conditions requested by Environmental Protection:

1. Amplified music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.
2. Except for access and egress, doors and windows shall be kept closed at all times that music levels are above background.
3. No music or speech shall be relayed via external speakers (other than for events where the prior approval of the licensing authority has been obtained).

The 8 relevant representations received related to concerns regarding the potential increase in noise and anti-social behaviour (ASB) from the premises.

All those present were invited to ask questions of the Senior Licensing Officer.

The Applicant was invited to put his case forward. He advised that he would like the opportunity to hold occasional theme nights such as Turkish or Latin evenings. The premises were large and he was keen to make use of the space, he also wanted to be able to serve drinks without forcing customers to buy food.

He told the Sub-committee that there had been lots of coming and going whilst the restaurant was being set up but any disruption that had caused was finished, he even parked his car away from the restaurant so as not to disturb the neighbours when he left at night-time. He had no plans to turn the venue into a nightclub.

He felt that he has been harassed by his neighbours and been accused of various things which he had not been involved with.

He was happy to work with his neighbours and was happy with the conditions requested by Environmental Health.

The Sub-committee were invited to ask questions of the applicant.

In response to a question relating to customers entering and exiting the back door and the potential for ASB particularly in the summer months. The applicant advised that it was only staff that used the back door and the outside area, members of the public used the front door.

The Senior Licensing Officer confirmed that the outside area was not included in the licence and therefore not part of this application.

Those who had made representations were given the opportunity to put forward questions to the applicant.

They wanted to know how the applicant would manage the rear exit as it was a fire door which could not be locked plus minimising the possible noise from internal speakers when the door was opened.

The Senior Licensing Officer reminded the Sub-committee that under the Live Music Act it was not possible to condition anything before 2300hrs, however members could suggest alternative conditions to monitor noise levels should they wish.

Three neighbours who had made representations were in attendance and were invited to put their cases forward.

Their concerns focussed on the fear that the premises would turn into a late -night drinking bar and that allowing music until 1am would cause a noise disturbance to the neighbouring residents. They were fearful that the removal of condition 17 on the current licence could allow the business to become more of a nightclub than a restaurant, resulting in an increase of crime and disorder if people were wandering around the area after drinking late into the night.

They advised the Sub-committee that they had already seen an increase in ASB and staff at the premises had been noisy when clearing up after closing. The objectors wanted to support the restaurant to be successful but felt that the new licence application was a threat to community life in the area, especially as other nearby licenced premises closed at 10.30pm

The Sub-committee, Senior Licensing Officer and the applicant were all given the opportunity to ask questions of the objectors.

The Sub-committee members suggested some conditions that would alleviate some of the residents' concerns which the applicant was happy to agree to. The applicant assured the residents that it was not their intention to stay open late every night and that neighbours could contact them directly should they have any complaints or concerns.

All parties were given the opportunity to sum up their cases prior to the Sub-committee retiring to make their decision.

Decision

To VARY the Premises Licence to add films and live and recorded music, to set out the times that the Premises is open to the public and to remove the condition numbered 17 on the Premises Licence.

To amend Conditions 10 and 12 (prevention of public nuisance) and add new Conditions in addition to the Mandatory Conditions on the licence.

32. **Exempt Business**

There was no exempt business.

Duration of meeting: 11.30 am - 1.50 pm

Chairman

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