

**LICENSING SUB-COMMITTEE****Friday, 5 November 2021****Present: Councillor Bob Backhouse (Chairman)  
Councillors Pope and Thomson****Officers in Attendance:** Trevor Horner (Licensing Officer), Robin Harris (Team Leader (Contentious)) and Sharon Degiorgio (Senior Licensing Officer)**Other Members in Attendance:** None**CHAIRMAN'S INTRODUCTION**

LSC1/19 The Chairman opened the meeting, introduced the members of the Sub-Committee panel, the officers in attendance, and outlined the procedures for this Sub-Committee hearing. The applicant and those persons speaking to reiterate their submitted representations were also introduced.

**APOLOGIES FOR ABSENCE**

LSC2/19 No apologies were received.

**DECLARATIONS OF INTEREST:**

LSC3/19 No declarations of interest were made by members at the meeting.

**APPLICATION 21/02058/LAPRE - KYPSELI, 15 STONE STREET, CRANBROOK, KENT, TN17 3HF**

LSC4/19 Mr Horner, the Licensing Officer first confirmed that all parties present at the hearing had had sufficient time to read their reports. Mr Horner then summarised the facts, relevant representations and matters relevant to the local authority licensing policy statement and statutory guidance in relation to the application, including the previous adjournment. This information had been provided in more detail within the agenda report. No questions were put to Mr Horner.

The applicant, Mrs Smith, presented the background and details of the application, a copy of which had been attached to the agenda report. A secondary escape route had been discussed with the freeholder of the property to open up a fire escape route, but further negotiation with leaseholders and tenants was now required. Two secondary access options were being considered – the first was to open a corridor within the property boundary that would also provide a secondary fire escape for the flat above to the front road. The second option was via a neighbouring garden at the rear of the property. The preferred option was for a corridor and discussions were now ongoing with the freeholder, leaseholder and tenants.

In order for negotiations to continue that would hopefully resolve the objections raised by Kent Fire and Rescue, Mrs Smith requested the hearing be adjourned. This would allow time to liaise with the freeholders, leaseholders, tenants of the row of buildings along which Kypseli stood, as well as other stakeholders, including Kent Fire and Rescue, and come to a larger solution regarding the lack of escape routes and fire safety precautions

to the rear of the property.

Mrs Jayne Taylor, Company fire officer for the applicant, then spoke and agreed with Kent Fire & Rescue's initial assessment regarding the issue of the secondary escape route, but that due to the property's age and location within a row of similar buildings, the solution required further discussions with freeholders and leaseholders of properties along the row.

Discussion and responses to Member questions included the following matters:

- It was confirmed that the property (as with all the properties along the row) was predominantly a brick structure on the ground floor and timber framed on the upper level.
- Kypseli was not trading/open at the time due to the lack of Licencing approval. The applicant also ran a community centre further down Stone Street which was now at capacity so expansion was necessary into another business.
- During her evidence, the applicant mentioned two potential options for a secondary escape route, but she confirmed that neither was in effect yet. Mrs Smith stated that there were issues along the whole of the street as there was meant to be a gate to the rear to allow access through the gardens, but at some point this gate was turned into fencing, this meant there was now no available access.
- It was clarified that the applicant was still asking for a further adjournment to be able to have further discussions to resolve the issues.

The objectors, Kent Fire and Rescue Service, were given the opportunity to respond to what had been discussed and if they agreed an adjournment based on what the applicant had described would be likely lead to a solution. Ms Longley stated that Kent Fire and Rescue Service saw no viable options or safe solution from the information they had, and from her understanding the corridor Mrs Smith previously mentioned was not an option as it ran through a residential property. Mrs Smith responded to this, stating that the whole property in question was owned by the same freeholder so was just a matter of putting an agreement in place. The applicants reiterated their request for Kent Fire and Rescue Service to come to a meeting with all the stakeholders in the road to come to a communal solution.

Members of the Sub-Committee retired to discuss the application and the possibility of an adjournment, accompanied by the Council's legal representative and the Democratic Services Officer.

**Decision:** The hearing was reconvened. The Chairman confirmed the Sub-Committee had agreed to allow the adjournment of the hearing for a period of 28 days, to 3<sup>rd</sup> December 2021 at 2pm. This date would be subject to change if requested by one of the parties, including the Council.

**RESOLVED** – Hearing adjourned to Friday 3<sup>rd</sup> December 2021 at 2pm, subject to change and confirmation.

NOTE: The meeting concluded at 2.48 pm.