
LICENSING SUB-COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Monday, 24 November 2025 from 10.52 am - 4.20 pm.

PRESENT: Councillors Derek Carnell (Chair), Carole Jackson and Peter Marchington.

OFFICERS PRESENT: Alona Diachenko, Gail Edwards, Philippa Richardson, Jo Thomas and Helen Ward.

483 EMERGENCY EVACUATION PROCEDURE

The Chair outlined the emergency evacuation procedure.

484 NOTIFICATION OF CHAIR AND OUTLINE OF PROCEDURE

The Chair opened the meeting and asked those present to introduce themselves.

485 DECLARATIONS OF INTEREST

No interests were declared.

486 REVIEW OF PREMISES LICENCE UNDER THE LICENSING ACT 2003

The Senior Lawyer (Contentious) clarified that the additional documents had been circulated towards the end of the previous week and also immediately prior to the meeting. The documents were from all parties who were presented, minus Kent Fire and Rescue Service and would be considered by the Licensing Sub-Committee and their decision on any matters contained in those documents would be part of their decision.

The Chair asked the Licensing Team Leader to introduce the report.

The Licensing Team Leader introduced the report which asked Members to consider a review of premises licence under the Licensing Act 2003 at Langs Bar, St. Michaels Road, Sittingbourne, Kent ME10 3DW.

The Licensing Team Leader referred to the review application as set out at Appendix II of the report.

The Licensing Team Leader explained that as part of the review, the Applicant requested additional conditions be imposed on the premises license and/or suspension or revocation of the license in order to secure the promotion of the licensing objectives. The Applicant included a list of suggested conditions on the final pages of their supplementary document pack which was circulated by email prior to 10 November 2025. She reported that when the review application was received there was the statutory 28-day consultation period during which the responsible authorities, as well as interested parties, had the opportunity to comment on the application. In this case, the Kent Fire and Rescue Service

Building Fire Safety Inspector made comments relating to a recent inspection and this was set out at Appendix IV of the report. The Swale Borough Council Environmental Health Officer made a representation with a request for a noise management plan for the premises as set out at Appendix V of the report.

The Licensing Team Leader reported that during the consultation period three representations were made on behalf of local businesses (Vanguard Properties UK Limited, Loungers UK Limited, Travelodge Hotels Ltd) that were situated near to the premises. These objections were based on three of the four licensing objectives of: prevention of crime and disorder, protection of public safety, and prevention of public nuisance. Their representations were set out at Appendices VI, VII, VIII of the report.

The Licensing Team Leader said that the Applicant and Objectors had submitted further supporting evidence which had been circulated to all interested parties.

The Chair asked the Applicant to present their case.

The Applicant's Legal Representative outlined the landlord's concern about public safety which had led to the review.

The director of the Dacorum Capital Limited, the Landlord for the building, addressed the Sub-Committee and said the following:

- Over 18 months the current license holder had not been acting responsibly, fire safety issues had been outstanding for a long time;
- in April 2024, he had asked the Premises Licence Holder to provide copies of his statutory documentation, including: a fire risk assessment, gas and electrical safety certificates, PAT testing certificates, and an asbestos management report, but had received no responses;
- by late 2024, the Premises Licence Holder sent a gas safety certificate and electrical inspection condition report;
- on 9 December 2024 the Premises Licence Holder sent a fire risk assessment dated 18 November 2024, which listed 23 high priority actions, the majority of which needed to be carried out within one month; the Premises Licence Holder was requested to provide an action plan regarding what he intended to do about the fire safety issues. Despite several reminders, by Mid-January 2025 nothing had changed. The Applicant sent their surveyor who confirmed that the fire safety issues were serious and he also noted the building was generally in disrepair. The Applicant's solicitors then issued a schedule of dilapidations giving the Premises Licence Holder 28 days to resolve all the fire safety issues and carry out other building repairs;
- the Applicant had to declare this to their buildings insurer who then decided to restrict their cover and put a condition on the policy that required the fire safety works to be carried out within 45 days. When this did not happen, the insurers gave the Applicant an extension of time. The insurance company finally took the decision to cancel the insurance on 12 August 2025. The Applicant had to reinsure the building with a specialist insurer at a substantially higher cost after declaring the statement of facts that all these fire safety issues remained outstanding;

- the County Court ordered the Premises Licence Holder to appoint a fire safety expert to communicate with Applicant's fire safety expert. A court order stated that they were to inspect jointly on 14 November 2025. They were to have discussions about agreeing what was outstanding by 21 November 2025 and by 28 November 2025 they should present their reports to the courts; and
- the Premises Licence Holder's expert had not liaised with the Applicant's expert as per the court order. The Applicant's expert had tried to contact him.. The Applicant got numerous emails from the Premises Licence Holder's solicitors stating that in May 2025 all works had been completed. The Premises Licence Holder's own fire risk assessor carried out a fire risk assessment in August 2025 and reduced the risk from high risk to medium risk.

The Applicant had legal proceedings against the Premises Licence Holder for being in breach of his lease.

The observations of the Applicant's consultants were presented to the Licensing Sub-Committee which included both concerns as well as positive comments regarding the operation:

- The evidence regarding noise from the premises, both consultants said noise was audible from outside the premise although the report also noted that there were "no obviously nearby residential dwellings that could potentially be impacted" although the music was audible and customers at the nearby Travelodge might experience nuisance;
- identified SIA staff as not wearing their badges when undertaking their duties;
- searching and ID checks were taking place and customer management was broadly good, with one consultant noting the use of clickers;
- noted that door staff were refusing entry at times and were "efficient and friendly" and "presented a professional impression to the public";
- an entry fee was not being charged for persons entering after midnight;
- the evidence provided from one of the consultants that he had seen people being admitted after 01:00 hours was in breach of the condition of the licence, but this was not identified in the second consultant's report.
- the positive aspects of the consultants' reports, including dispersal, for which evidence was provided of a policy was in place.
- their primary concern was regarding public safety, in particular regarding fire safety at the premises. One of the consultants reported that the door marked up as emergency escape was locked with a padlock, and they had seen LPG gas cylinders being stored in the wooden covered area, probably being used for patio heaters; and
- evidence which referred to persons of "questionable age" and an overheard conversation of a customer saying he was 19, and that others "looked very young".

The Chair invited Members of the panel and officers to ask the Applicant question.

In response, the Applicant's Legal Representative had a witness statement regarding an allegation of drug use at the premises. The Applicant provided further evidence at the hearing that this was a person he had asked to enter the premises

to conduct a visit. They noted that no information had been passed to the Police regarding the allegations made in the witness statement.

The Applicant's Legal Representative made it clear to Members that the landlord had asked the one consultant to attend the premises separately from another one. He also confirmed that the padlock had been removed.

The landlord clarified that the information had been requested to ensure that the property was compliant; regarding the witness statement he said that it was draft comments from the court appointment fire expert. The Applicant's submissions regarding the "bottomless brunch" was an irresponsible drinks promotion in particular in respect of how it was being advertised.

The Chair invited the Premises Licence Holder's legal representative to ask the Applicant questions.

The Premises Licence Holder's Legal representative responded and referred to paragraph 5 of the County Court order, and clarified that the parties joint experts were to meet on 21 November 2025, and the expert reports must be exchanged on or before 28 November 2025, and that a joint statement by the experts in relation to each discipline was not due before 5 December 2025.

The Applicant's Legal Representative clarified that the bundle had been prepared by the agents who were dealing with the application they gathered together evidence from different sources including the witness statement prepared by the Applicant's consultant.

The evidence provided from one of the Applicant's consultants stated that he had seen people being admitted after 01:00 hours in breach of the condition of the licence, was not accepted by the Premises Licence Holder although they had not provided any corroborative evidence.

The Chair invited the Travelodge representative to make their case.

The Travelodge representative presented the complaints which broadly fell into two categories; those from external internet reviews (Tripadvisor and Google), and those from the internal review system. These internal reviews were not contemporaneous but would have been comments responding to a feedback request and would have been provided within two weeks of a guest's stay. No complaints had been made directly at the Travelodge, nor had Travelodge themselves raised any concern with either Langs bar directly or with the Council since the hotel premises opened in 2020.

The Travelodge representative put forward to the Licensing Sub-Committee an issue regarding noise management.

The Chair invited Members of the panel and officers to ask the Travelodge representative questions.

The Travelodge representative clarified that the hotel's clients complained via their App, the hotel had 53 rooms, and the Travelodge hotel did not contact Lang's Bar directly.

Following a lunch break, the Chair invited the Kent Fire and Rescue Service representative to make their statement.

The Kent Fire and Rescue Service representative provided evidence to the Licensing Sub-Committee and explained that they had visited the premises on multiple occasions, announced and unannounced, and although they acknowledged that there had been issues at times, they did not have cause for concern. They explained that the Premises Licence Holder had co-operated with all of their requests. They could not comment on the evidence provided within the Fire Risk Assessments (FRA) and other Reports provided in evidence to the Review, although they noted that the FRA provided by the Applicant was not conducted by a member of the Institution of Fire Engineers. They explained that this was a large and complex area and experts might have competencies in different areas.

The Kent Fire and Rescue Service representative explained that they had their own enforcement powers and, in this case, they considered that providing fire safety advice was a suitable and sufficient step.

The Chair invited the Premises Licence Holder's legal representative to make his statement.

The Premises Licence Holder's Legal representative refuted that SIA staff were not wearing their badges when undertaking their duties and did provide evidence of their SIA accreditation and the agreement in place with the door security provider.

The Premises Licence Holder explained that the fee was added to the price of drinks at the bar after midnight, as an entry fee on the door would be off-putting for customers.

The Premises Licence Holder provided evidence of how they managed the promotion "bottomless brunch", including drawing customers' attention to rules, a "cooling off" period and the closure of the premises after the promotion and before re-opening for regular trading.

The Premises Licence Holder's Legal representative outlined that the current Designated Premises Supervisor and Premises Licence Holders had been working at the premises for a number of years without concern or enforcement action. They noted that the Designated Premises Supervisor had also worked at other licensed premises for a number of years. They considered the evidence provided in terms of the policies and staff management procedures in place, and did not have concerns regarding management of the premises.

The Premises Licence Holder raised concern with the reduction of hours to 23:00 hours to minimise the risk of disturbance, and that this would have the significant impact on their business.

The Premises Licence Holder provided evidence that under 21's (but not under 18's) were permitted to access the premises for the "bottomless brunch" events.

The Chair invited final statements and closing words.

Members of the Sub-Committee adjourned at 16:07 to make their decision.

Members of the Sub-Committee, the Contentious Lawyer returned to the meeting at 16:20, the Chair informed that the decision will be made in five working days.

The decision notice is attached to the online version of these minutes.

Resolved:

(1) That no action be taken.

487 ADJOURNMENT OF MEETING

The meeting was adjourned from 12.30 pm until 1.34 pm, 2.10 pm until 2.11 pm and 4.07 pm until 4.18 pm.

APPENDIX I - The Notice of Determination

Chair

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

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