



LICENSING AUTHORITY: SWALE BOROUGH COUNCIL

**LICENSING ACT 2003
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**

NOTICE OF DETERMINATION

Application Ref No: SIT/SWALE/189/0764

Applicant: Mrs Christine Adeosun

Regarding **NEW PREMISES LICENCE – Christine House, London Road, Rainham, Kent, ME8 8PT**

Date(s) of hearing: 12 October 2021

Date of determination: 12 October 2021

Committee Members: [Chairman]: Councillor Derek Carnell (Chairman)
Councillor Carole Jackson
Councillor Hannah Perkin

Legal Advisor in attendance at hearing(s): Robin Harris

Licensing Officer in attendance at hearing(s): Chris Hills

This was an application for:

- Variation Grant
 Provisional Statement Review Other

for a

- Premises Licence Club Premises Certificate Personal Licence
 Temporary Event Notice

A: Representations, evidence and submissions:

The Committee considered the representations, evidence and submissions of the following parties:

Applicant

- Name: Mrs Christine Adeosun
- N/A

Responsible Authorities

None

Other Persons

Hartlip Parish Council and Elaine Jackson.

Witnesses and legal representatives in support of other persons

N/A

Representations considered in the absence of a party to the hearing:

N/A

B: Consideration of the Licensing Act 2003, the Guidance under s. 182 of the Act and the Statement of Licensing Policy of Swale Borough Council

The Committee has taken into account the following provisions of the Licensing Act 2003 and the Regulations thereto:

Section 16-24 which relate to the grant of a premises licence;

The Committee has taken into account the following provisions of the Guidance under section 182 of the Act:

Chapter 2 which relates to the licensing objectives

Chapter 8 & 9 which relates to premises licences & determinations

Chapter 10 which relates to conditions attached to licences;

The Committee has taken into account its Statement of Licensing Policy:

The Committee has decided to depart from the guidance under section 182 of the Act and or the statement of licensing policy for the following reasons:

Paragraphs and reasons (state in full):

N/A

C: Determination:

The Committee has decided to:

Grant the application as applied for, subject to the conditions requested by Kent Police and Environmental Health, that have already been accepted.

Reasons for determination:

■ **Prevention of Crime and Disorder**

Reasons (state in full):

The Sub-Committee had regard to the representations made in writing and at the hearing today in respect of this licensing objective. The Sub-Committee noted that the premises had agreed conditions with the Police Licensing Officer and were satisfied that these conditions were sufficient to promote this Licensing objective.

■ **Public Safety**

Reasons (state in full):

The Sub-Committee had regard to the representations made in writing prior to the hearing, however, the Sub-Committee noted that these representations either related to other premises or related to matters which do not fall within the scope of this Licensing objective according to the statutory guidance. The Sub-Committee were satisfied that the operating schedule for this premises is sufficient to promote this licensing objective.

■ **Prevention of nuisance**

Reasons (state in full):

The Sub-Committee had regard to the representations made in writing and the further matters raised during the hearing today. The Sub-Committee noted that the Applicant had submitted a noise management plan which was found to be acceptable to the Environmental Health team and had been accepted by the Applicant as being a condition of the Licence going forward. The Sub-Committee heard from the applicant that the outdoor music proposed was only going to be ambient recorded music, the substantive entertainment occurring indoors. Given the above the Sub-Committee were satisfied that the application was capable of promoting this Licensing objective.

■ **Protection of children from harm**

Reasons (state in full):

The Sub-Committee were satisfied that the operating schedule was sufficient to meet this Licensing Objective.

Cllr Derek Carnell (CHAIRMAN):

Signed: DEREK CARNELL

A copy of the original document is held on file

Date: 12 October 2021