



LICENSING AUTHORITY: SWALE BOROUGH COUNCIL

LICENSING ACT 2003
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

NOTICE OF DETERMINATION

Application Ref No: SIT/SWALE/189/0107

Applicant: Mr Marino Clarence Rajendran – Milton Mini Mart

Regarding **VARIATION OF PREMISES LICENCE**

Date(s) of hearing: 20 April 2017

Date of determination: 20 April 2017

Committee Members: [Chairman]: Councillor Bobbin
Councillor Prescott
Councillor Anita Walker

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

Licensing Officer in attendance at hearing(s): Angela Seaward

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: Mr Marino Clarence Rajendran
- Legal or other representative: Alan Furze

Responsible Authorities

a) Police

Other Persons –

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

None

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

Section 34

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): not applicable

C: Determination:

The Committee has decided to:

- Grant the application subject to modified conditions necessary for the promotion of the licensing objectives. If so, state the modified conditions:

The conditions agreed between the Police and the Applicant which will be incorporated into the Operating Schedule of the Premises.

Reasons for determination:

■ **Prevention of Crime and Disorder**

Reasons (state in full):

The Sub-Committee noted that the Police representation had been dealt with by way of agreed conditions with the premises, and therefore no further steps were necessary under this licensing objective.

■ **Public Safety**

Reasons (state in full):

The Sub-Committee noted that there were no representations received in respect of this licensing objective.

■ **Prevention of nuisance**

Reasons (state in full):

The Sub-Committee noted the representations made in writing. The Sub-Committee considered that the representation made by the Applicant that the extension of hours was by 1 hour in the morning would not impact further on residents late in the evening, and noted that there were no objections from Environmental Health under this heading, neither had there been any complaints made about the premises. The Sub-Committee also noted that licensing hours running side-by-side with opening hours is considered best practice in the Section 182 Guidance.

■ **Protection of children from harm**

Reasons (state in full):

The Sub-Committee noted that there were no representations received in respect of this licensing objective.

Parties aggrieved by a decision of the Licensing Sub-Committee have 21 days to appeal the decision by way of complaints to the Magistrates Court.

PRINT NAME (CHAIRMAN): Councillor Bobbin



Signed [Chairman]: A copy of the original document is held on file

Date: 20 April 2017

