



LICENSING AUTHORITY: SWALE BOROUGH COUNCIL

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

NOTICE OF DETERMINATION

Application Ref No: SIT/SWALE/189/0684

Applicant: Mr Daniel Price, Platinum Bar, 7 – 11 High Street, Sittingbourne

Regarding **NEW PREMISE LICENCE**

Date(s) of hearing: 28 November 2017

Date of determination: 28 November 2017

Committee Members: [Chairman]: Councillor Cameron Beart
Councillor Tina Booth
Councillor Tony Winckless

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

Licensing Officer in attendance at hearing(s): Tom Dunn

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 Daniel Price
- Legal or other representative: Mr Jacob Mead-Baker

Responsible Authorities

Police

(Agreed conditions)

Environmental Health

(Agreed conditions)

Other Persons

Witnesses and legal representatives in support of interested parties

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

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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 13 which relates to responsible authorities;
Section 16-24 which relate to the grant of a premises licence;
Schedule 1 which relates to Regulated Entertainment
Schedule 2 which relates to Late Night Refreshment
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 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:

Conditions as listed in the report.

Reasons for determination:

■ **Prevention of Crime and Disorder**

Reasons (state in full):

The Sub-Committee had full regard to the representations made regarding this licensing objective by other persons, but noted that the Police had agreed conditions with the Premises and were further assured by the Police Licensing Officer that the Police have no issues with the Licensing Holder or DPS.

■ **Public Safety**

Reasons (state in full):

No relevant representations were received under this objective.

■ **Prevention of nuisance**

Reasons (state in full):

The Sub-Committee had full regard to the representations made regarding this licensing objective by other persons, but noted that Environmental Health had agreed a condition with the Premises. The Sub-Committee were also re-assured by the representations made by the DPS at the Hearing regarding this licensing objective.

■ **Protection of children from harm**

Reasons (state in full):

The Sub-Committee was satisfied that the operating schedule as submitted in the application is sufficient to promote 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 Cameron Beart

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

Date: 28 November 2017