

**LICENSING AUTHORITY: SWALE BOROUGH COUNCIL**

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

**NOTICE OF DETERMINATION**

Application Ref No: FAV/SWALE/189/0558

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Applicant: West Faversham Community Association

Regarding: **PREMISE LICENCE**  
West Faversham Community Centre, Bysingwood road  
Faversham Kent ME13 7RH

Date(s) of hearing: Wednesday 30<sup>th</sup> September 2015

Date of determination: Wednesday 30<sup>th</sup> September 2015

Committee Members: [Chairman]: Councillor Lesley Ingham - Chairman  
Councillor Paul Fleming  
Councillor Mike Whiting

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

Licensing Officer in attendance at hearing(s): Mohammad Bauluck

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: James Browning (Operations Director) of West Faversham Community Association
- Legal or other representative: N/A

**Other Persons**

- Mr Les Biggs

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

- Mr Martin Tyler

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

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

- Sections 34 and 35 which relate to the variation of a premises licence;
- Section 51 which relates to the review of a premises licence;
- Section 136 which relates to unauthorised licensable activities;
- Section 177 which relates to dancing and live music in small premises;
- 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 taken into account the following provisions of its Statement of Licensing Policy:

Chapter 19 which relates to the 4 licensing objectives;  
Chapter 20 which relates to the prevention of crime and disorder;  
Chapter 21 which relates to public safety  
Chapter 22 which relates to the prevention of nuisance;  
Chapter 23 which relates to the prevention of children from harm;

**C: Determination:**  
**The Committee has decided to:**

- grant the application

Licensing Sub-Committee 30 September 2015

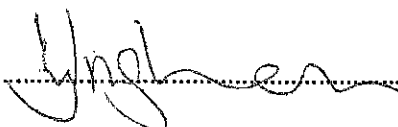
**West Faversham Community Centre**

The applicant has requested a variation to their licence to seek an additional 30 minutes of licensable activities on Friday evenings and removal of the condition in relation to the use of glasses on the premises.

The Sub-Committee considered all the written representations and the remarks made at the Sub-Committee today. Having considered all the submissions, the Sub-Committee has decided to grant the variation as applied for.

However, the premises should be reminded that in the event of failing to adhere to their licence conditions, or failing to meet the licensing objectives, this may result in a review of the licence, given a reasonable period of time.

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.

Signed..........Chairman

Dated.....30/9/2015.....