



LICENSING AUTHORITY: SWALE BOROUGH COUNCIL

LICENSING ACT 2003  
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

**NOTICE OF DETERMINATION**

Application Ref No: SIT/SWALE/189/0046

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Applicant: Mr Miles Harvey, Park Garage Group Plc

Regarding **PREMISE LICENCE**

Date(s) of hearing: 20 October 2015

Date of determination: 20 October 2015

Committee Members: Councillor Lesley Ingham [Chairman]  
Councillor Roger Clark  
Councillor Ted Wilcox

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: Miles Harvey, Park Garage Group Plc
- Legal or other representative: Gill Sherratt, Licensing Matters

**Responsible Authorities**

**Police – conditions agreed**

**Other Persons**

Witnesses and legal representatives in support of interested parties

Councillor Mike Baldock (Ward Member) representing Mr and Mrs Knott, Mr and Mrs Judges and Mr and Mrs Westley

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

- Written representations received

**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:

Section 13 which relates to responsible authorities;  
Section 16-24 which relate to the grant of a premises licence;  
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

**Reasons for determination:**

\* **Prevention of Crime and Disorder**

Reasons (state in full): The Sub-Committee noted that there were no representations from the Police once their conditions had been agreed and there was no other evidence provided to demonstrate a problem under this objective.

\* **Public Safety**

Reasons (state in full): No valid representations under this heading.

\* **Prevention of nuisance**

Reasons (state in full): The Sub-Committee had regard to all the written representations made under this heading and to the comments made at today's hearing. The Sub-Committee felt that in the absence of evidence in relation to this objective, concerns regarding problems with public nuisance were largely speculative.

\* **Protection of children from harm**

Reasons (state in full): No valid representations received under this heading.

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.

COUNCILLOR LESLEY INGHAM (CHAIRMAN):

Signed: 

A copy of the original document is held on file

Date: 20 October 2015

