

From: Clerk <clerk@headcornpc.org.uk>
Sent: 05 April 2021 13:06
To: Lorraine Neale <LorraineNeale@maidstone.gov.uk>
Subject: RE: 21/00337/LAPRE 17 High Street Headcorn Ashford Kent TN27 9NH

Dear Lorraine

Thank you for your email

The Council remain seriously concerned about a license being granted in this instance

Public Safety

The building does not lend itself to a business of this nature given the very small cramped premises and lack of private outdoor spaces. The potential for overcrowding both inside the premises and on the narrow pavement at the front of the property would present an increased risk of ASB and to the safety of the people in the premises.

The prevention of public nuisance

Given the immediate proximity of dwellings i.e. above (with shared entrance) and either side of the property the residents are likely to be subjected to:-

- Excessive noise
- Littering
- Smoke
- Additional on street parking as there is no private parking

We would ask that a license is not granted

Regards

Stefan

Stefan Christodoulou
Clerk
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From: Lorraine Neale <LorraineNeale@maidstone.gov.uk>
Sent: 31 March 2021 12:55
To: Clerk <clerk@headcornpc.org.uk>
Subject: RE: 21/00337/LAPRE 17 High Street Headcorn Ashford Kent TN27 9NH

Dear Stefan

Thank you for your comments , you are asking that we consider the points you have raised when coming to a decision, unfortunately that is not how a licence is determined under the Licensing Act 2003. Every application for a premise licence is consulted on with the legally recognised responsible authorities which include Police, Fire Safety Service, Planning, Environmental Health, Social Services, Trading Standards and Public Health. The applicant also has to advertise the application by way of a public notice on the building and an advert in the local press, so that any other party may make representation/objection,

As an other party you have submitted comments which cannot be considered because they are either planning matters or irrelevant. Planning & Licensing are separate regimes and properly separated in order to avoid duplication and inefficiency. They are two separate systems with their own rules, criteria, policies and guidance. They look at different aspects of similar proposals.

Where the local authority is the planning and licensing decision maker:

- 1.planning will consider the principal use in light of the approved policies and the effects of the development on amenity (amongst various other considerations); and
- 2.licensing must carry out its functions with a view to promoting the four licensing objectives.

These are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Because of this, the two regimes do not always come to the same conclusions. Even where permissions are granted by both the planning and licensing authorities, those permissions might not necessarily be the same; allowing different operating hours or other restrictions/conditions. In such circumstances the more restrictive set of permissions will typically prevail. The planning matters that you refer to in your objection would not be considered when coming to a decision on whether to grant the licence.

You do touch on the Licensing objectives but need to expand on them if you wish to submit a valid objection and have the matter decided by a Licensing Sub Committee, the date for objections was the 30/3/21 but because we received your initial e-mail before that date we can accept an additional e-mail from you expanding on the points you have made on noise, criminality and anti-social behaviour. I will make you aware that we have received no other comments in relation to this application including planning who are a consultee. The premises will not continue beyond 10pm as their terminal hours are Monday – Thursday 9pm, Friday & Saturday 10pm and Sunday 2pm. If you wish to make a further submission then it needs to be fairly immediate as we only have 19 working days to arrange a hearing, alternatively we can allow the licence to be granted and if there are any issues it can always be reviewed in the future. Please let me know what you intend as soon as possible, if you have any queries please do not hesitate to contact me.

Kind Regards

Lorraine Neale

Senior Licensing Officer

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From: Clerk <clerk@headcornpc.org.uk>
Sent: 24 March 2021 14:18
To: Licensing <licencing@sevenoaks.gov.uk>
Subject: 21/00337/LAPRE 17 High Street Headcorn Ashford Kent TN27 9NH

EXTERNAL EMAIL: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Sirs

I'm writing to you as the Clerk of Headcorn Parish. We recently discussed the proposed licence for the property 21/00337/LAPRE 17 High Street Headcorn Ashford Kent TN27 9NH.

This property is a downstairs "shop" in a terrace of retail premises, most of which have occupied living accommodation above.

The Parish Council has received a considerable number of concerns raised by our Parishioners some of whom live in the adjoining private dwellings. These concerns ranged from noise worries to feelings of fear from a young lady living alone whose flat entrance is down the adjoining alley.

It would also appear that the applicant is under the impression that they can use the side/rear entrance when in fact this is provided solely for the use of the residents of the domestic properties and **not** for businesses.

In their deliberations the Council concluded: -

- This property is too small and is not suitable for the purpose proposed
- The front door is not an independent entrance and in fact goes off the lobby that leads to the upstairs flat
- There is a significant fire risk and it is important to note that it is an old building with no fire breaks.
- It would cause noise disruption to nearby residents.
- The drainage systems at the property is not sufficient for the proposed venture.
- There is a risk of criminality and anti-social behaviour in the High Street.
- The outdoor space is very small and any smoking permitted in this area would inevitably lead to pollution for the properties above
- Use of the back garden as part of a "micropub" would result in the loss of privacy and amenity of the neighbouring properties
- There are also worries about parking on an already over crowded and busy street which has the parking for residence and visitors on.
- The final question to answer is would the proposed closing times be adhered to? Is a 10 o'clock close exactly 10pm or would there be additional drinking up time etc.
- Special consideration needs to be given to the location at the High Street forms part of the conservation area of Headcorn.

We trust that you will consider all the points raised and conclude that this is not a suitable use of this premises.

Regards

Stefan

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