



LICENSING AUTHORITY: MAIDSTONE BOROUGH COUNCIL

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

NOTICE OF DETERMINATION

Application Ref No: 21/01662/LAPRE

Applicant: Mrs Kelli Newman

Regarding **PREMISE LICENCE (VARIATION)**
Tap 17 High Street Headcorn Kent TN27 9NH

Date(s) of hearing: 17th September 2021

Date of determination: 17th September 2021

Committee Members: Councillor Mrs Grigg (Chairman), Councillor Mr Naghi and
Councillor Mrs Brindle

Legal Advisor in attendance at hearing: Mr Robin Harris

Democratic Services Officer in attendance at hearing: Miss Oliviya Parfitt

Online Meeting Facilitator: Miss Oliviya Parfitt

Senior Licensing Officer in attendance at hearing: Ms Lorraine Neale (Remote attendance)

This was an application for:

Variation

for a

Premises Licence

A: Representations, evidence and submissions:

The Committee considered the representations, evidence and submissions of the following parties:

Applicant

Name: Mr Kelli Newman
Legal Representative: N/A

Responsible Authorities

None

Other Persons

Mr and Mrs Andrew and Jill McVarish

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

N/A

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 4 which relates to the licensing objectives;
Sections 34 - 36 which relate to the variation of a premises licence;

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
Chapters 8 & 9 which relate 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 17.9 which relates to prevention of crime and disorder
Chapter 17.16 which relates to the promotion of public safety

Chapter 17.19 which relates to the prevention of nuisance
Chapter 17.23 which relates to the protection of children from harm.

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:

N/A

C: Determination:

The Committee has decided to:

- Grant the application as applied for.

Reasons for determination:

Prevention of Crime and Disorder

Reasons (state in full):

There were no representations made under this licensing objective.

Public Safety

Reasons (state in full):

There were no representations made under this licensing objective.

Prevention of Public Nuisance

The sub-committee had regard to the representations made by the applicant at the hearing and the written representations received from the objectors. The sub-committee noted that in respect of regulated entertainment, these matters fell within legal exemptions and therefore did not require consideration by the panel. The matter to be determined being the likely impact on the licensing objectives of additional hours for the sale of alcohol amounting to 2 more hours Monday to Thursday, 1 more hour on Fridays and Saturdays and 6 and a half more hours on a Sunday.

The sub-committee heard from the applicant that the premises was a quiet and small establishment and that it was likely that on Sundays that the hours applied for would not necessarily be used, but would be available.

In respect of the representations from other persons, the sub-committee considered them to be speculative.

The sub-committee considered that the application as applied for was capable of promoting the licensing objectives and therefore granted the application.

Protection of Children from Harm

Reasons (state in full):

There were no representations made under this licensing objective.

PRINT NAME (CHAIRMAN): COUNCILLOR MRS GRIGG

Signed [Chairman]:

A copy of the original document is held on file

Date: 17th September 2021