

Licensing Hearing Panel

28 April 2026

Licensing Act 2003 Temporary Event Notice for 15-19 New Road, Chatham, Kent ME4 4QJ

Report from: Bhupinder Gill, Assistant Director – Legal and Governance

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Summary

To consider a Temporary Event Notice for 15-19 New Road, Chatham, Kent ME2 4QJ following the submission of a representation during the consultation period.

1. Recommendations

1.1. That the Licensing Hearing Panel, having regard to the Licensing Act 2003, the statutory guidance issued under section 182, the Council's Statement of Licensing Policy and all matters before it, both written and oral, considers and determines this Temporary Event Notice.

2. Budget and policy framework

2.1. Medway Council has published its Statement of Licensing Policy, which it takes into account when reviewing all applications relating to the Licensing Act 2003.

2.2. Temporary Event Notices are notifications that one or more licensable activities are to take place on a temporary basis at a set location. These are dealt with in Part 5 of the Licensing Act 2003.

2.3. The Police and Environmental Protection can object to a Temporary Event Notice under Section 104 of the Licensing Act 2003 on the basis they are satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.

2.4. Temporary Event Notices are submitted for venues that wish to engage in licensable activities where no authorisation is in place.

2.5. Medway's Cumulative Impact Assessment introduced 4 Cumulative Impact Areas and 3 Stress Areas. Chatham High Street is within one of these Cumulative Impact Areas. However, the Cumulative Impact Assessment is in relation to new premises, material variations and provisional statements for

premises licence applications only and doesn't include Temporary Event Notices. A copy of the assessment has therefore not been provided.

3. Background

- 3.1. The premises at 15-19 New Road Chatham is not licensed under the Licensing Act 2003 for the sale of alcohol.
- 3.2. On 15 April 2026, a Temporary Event Notice was submitted by Dadds LLP on behalf of Alexia Alex Regis Rajakula Sooriyar for 15-19 New Road Chatham.
- 3.3. The notice was for the off sale by retail of alcohol:

From 1 May to 6 May 2026 between 10:00 to 22:00 each day.
- 3.4. A copy of the notice can be found at Appendix A.
- 3.5. The agent attached a document to their notice which provides a 'Proposed Schedule of conditions' and a plan of the premises. This can be found at Appendix B.

4. Options

- 4.1. The Licensing Hearing Panel is asked to consider the information in this report and presented to them at the hearing and decide the outcome of the application. The options available are:
 - 4.1.1. Grant the notice as applied for;
 - 4.1.2. Issue a counter-notice to prevent the 'event' from going ahead.
- 4.2. As prescribed in the Hearings regulations under the Licensing Act 2003, the panel must make its determination at the conclusion of the hearing. There is not a 5-day determination period for TENS.

5. Advice and analysis

- 5.1. It is not possible to attached conditions to a Temporary Event Notice, unless there is a premises licence or club premises certificate in place at the location of the notice
- 5.2. Further information is available within the report guidance.

6. Risk management

- 6.1. The Council has to consider and determine this application, which is a function relating to licensing and registration as set out in Schedule 1 of the Functions Regulations, the Licensing Act 2003, the Gambling Act 2005 and other licensing functions reserved by law to the Council's Licensing and Safety Committee and its Sub-Committees, in accordance with the law, (both statutory and case law) relevant statutory guidance and statements of policy.

6.2. In accordance with the provisions of the Act, the decision can be appealed to the Magistrates Court within 21 days of the notification of decision. But no appeal may be brought later than five days before the day on which the event period specified in the temporary event notice begins.

6.3. The start date of this event is less than five days after the licensing hearing panel, therefore the applicant will not be able to submit an appeal.

7. Consultation

7.1. This notice has been brought to this committee because a representation has been received during the prescribed consultation period.

7.2. On 16 April 2026, we received a representation from Kent Police in relation to the crime and disorder objective. A copy of which can be found at Appendix C.

8. Financial implications

8.1. The Council's licensing activities are met from a budget within the Business Support Department and licence fees contribute to meeting the cost of the service. There are no direct financial implications relating to the decision regarding this application.

9. Legal implications

9.1. There are no direct legal implications at this time.

9.2. This hearing is regulated by the Licensing Act 2003 (Hearings) Regulations 2005 (as amended).

9.3. There is the possibility of a challenge by way of appeal by either the application or objectors should either have the requisite ground to do so. Legal advice will be given to Members as appropriate at the hearing. However, whatever the decision of the Panel, this must be based on the evidence placed before it, in line with the licensing objectives and the Panel must decide what weight to attribute to this information.

Lead officer contact

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Appendices

Appendix A – Temporary Event Notice

Appendix B – Conditions and plan

Appendix C – Representation from Kent Police

Background papers

None