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## LICENSING APPLICATION – LICENSING ACT 2003

### Premises: CJ's Pool & Snooker Ltd, 7 Eldon Way, Hockley, SS5 4AD

#### 1 SUMMARY

- 1.1 This report introduces an application for review of a premises licence made under section 51 of the Licensing Act 2003.
- 1.2 The application must be determined within 5 working days of the conclusion of the hearing, in accordance with paragraph 26 of the Licensing Act 2003 (Hearings) Regulations 2005.

#### 2 BACKGROUND

- 2.1 The application was given to the Licensing Authority by Police Constable 1724 Hemsworth, Licensing Officer of Essex Police, on behalf of the Chief Officer of Police and refers to premises known as CJ's Pool & Snooker Ltd at 7 Eldon Way, Hockley, SS5 4AD.
- 2.2 The grounds for the application are based upon the licensing objectives prescribed under section 4 of the Licensing Act 2003 of: -
  - (a) The prevention of crime and disorder
- 2.3 Appendix A consists of a copy of the original application form with copies of the police evidence.

#### Description of Premises

- 2.4 The premises to which the application relates is a brick built industrial unit; the ground floor of the unit has been converted to accommodate CJ's Bowling Ltd and the first floor is converted to accommodate CJ's Pool & Snooker Ltd.
- 2.5 The premises are within an industrial area situated just outside the village centre.
- 2.6 Appendix B is a plan of the premises and Appendix B1 is an aerial photograph of the area.

#### Licensing History

- 2.7 The premises have held a premises licence under the Licensing Act 2003 since 9 June 2005, having converted and varied the existing Justice's on-licence under schedule 8 of the Licensing Act 2003.
- 2.8 The holders of the premises licence are CJ's Pool & Snooker Ltd of 7 Glenwood Avenue, Hawkwell, Hockley, SS5 4HH.

- 2.9 Mr Craig Hubbard has been the premises supervisor since 9 June 2005.
- 2.10 The granted application permits the licensable activities within the times and days shown below: -

Activity	Time/s	Days
Sale by retail of alcohol; regulated entertainment including indoor sporting events, live music, recorded music, performance of dance; provision of facilities for making music and dance and late night refreshments.	(a) 1000 – 0100 hours	(a) Monday to Thursday except New Year's Eve
	(b) 1000 – 0200 hours	(b) Friday and Saturday except New Year's Eve
	(c) 1200 – 2300 hours	(c) Sunday except Christmas Eve, Boxing Day and New Year's Eve
	(d) 1200 – 0100 hours	(d) Christmas Eve and Boxing Day

Hours for New Year's Eve are from the start of licensable activity on New Year's Eve to the end of licensable activity on New Year's Day.

The opening hours of the premises are from the start of licensable activities until 30 minutes after the end of licensable activities

- 2.11 Appendix C consists of a copy of the premises licence.

### Premises History

- 2.12 There have been no complaints recorded by the Council against these premises.

## 3 APPLICATION

- 3.1 The application is made in accordance with section 51 of the Licensing Act 2003 on the grounds of the licensing objectives relating to prevention of crime and disorder arising from a serious incident at the premises on Thursday, 10 February 2011.

## 4 REPRESENTATIONS

- 4.1 No representations have been received from other Responsible Authorities or Interested Parties.

## **5 NOTICES**

- 5.1 Notices advertising the application were placed by the Licensing Authority at or near the premises, at the Council's offices in Rayleigh and Rochford and on the Council's website, as required by paragraph 38 of The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.
- 5.2 All parties involved have been served with the relevant notices and documentation required by paragraphs 6 and 7 of The Licensing Act 2003 (Hearings) Regulations 2005 and included an explanation of the rights of persons to attend hearings and to be represented, to give evidence and to call witnesses, the consequences of not attending, the procedure to be followed at a hearing, and, for applicants only, a copy of all relevant representations made.
- 5.3 Paragraphs 8 and 9 of those regulations require that parties notify the Licensing Authority, no later than 5 working days before the hearing, of those matters mentioned in paragraph 5.2 above. A pro-forma and pre-paid envelope was included for that purpose with the notices and documentation mentioned paragraph 5.2 above.

## **6 POLICY CONSIDERATIONS**

### **Legal Provisions**

- 6.1 The provisions of Licensing Act 2003, The Licensing Act 2003 (Hearings) Regulations 2005, Guidance issued under Section 182 Licensing Act 2003 and the Statement of Licensing Policy, approved by Full Council for the period 7 January 2011 – 6 January 2014 need to be considered by Members in determining the application.
- 6.2 Section 10 of the Section 182 Guidance provides advice and recommendations concerning best practice in relation to attaching conditions to premises licences and club premises certificates. Paragraphs 10.11 onwards are of particular relevance to Licensing Sub-Committees where consideration is given to imposing conditions.

## **7 OPTIONS**

- 7.1 The following options are available to Members: -
- (a) To modify the conditions of the licence;
  - (b) To exclude a licensable activity from the scope of the licence;
  - (c) To remove the Designated Premises Supervisor;
  - (d) To suspend the licence for a period not exceeding 3 months;
  - (e) To revoke the licence.

- (f) Subject to paragraphs 11 - 13 of the Licensing Act 2003 (Hearings) Regulations 2005, adjourn the hearing to a specified date or arrange for a hearing to be held on specified additional dates, where Members consider this to be necessary for their consideration of any representations or notice made by a party.

## 8 RECOMMENDATION

- 8.1 It is proposed that the Sub-Committee **RESOLVES** to determine the application, having considered all representations made at the hearing.

Richard Evans

Head of Environmental Services

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### Background Papers: -

None.

For further information please contact Peter Nellies on:-

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If you would like this report in large print, Braille or another language please contact 01702 318111.