

LICENSING APPLICATION – LICENSING ACT 2003

Rochford News, 67 – 69 West Street, Rochford, Essex

1 SUMMARY

- 1.1 This report introduces an application to Review 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 INTRODUCTION

- 2.1 The application was submitted to the Licensing Authority by Essex Police and refers to Rochford News, 67-69 West Street, Rochford, Essex.
- 2.2 Appendix A consists of a copy of the application and evidence from Essex Police.

3 BACKGROUND

Description of Premises

- 3.1 The premises to which the application relates comprise of a purpose built shop within a residential area.
- 3.2 Appendix B is a copy of the current Premises Licence and conditions.

4 APPLICATION

- 4.1 The application is made in accordance with section 51 of the Licensing Act 2003 on the grounds that the following licencing objectives are being undermined:-

- The Prevention of Crime and Disorder
- The Protection of Children from harm

- 4.2 Appendix C is a copy of Essex Police evidence.

5 REPRESENTATIONS

- 5.1 Representation has been received from Trading Standards with regard to protection of children from harm. Appendix C is a copy of the representation.
- 5.2 A number of letters have been received in support of Mr Wara. Appendix D is a copy of these letters.

6 NOTICES

- 6.1 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.
- 6.2 The notices and documentation 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.
- 6.3 Paragraphs 8 and 9 of the 2005 Regulations require that parties notify the Licensing Authority, no later than 5 working days before the hearing, of those matters mentioned in documents served in paragraph 6.1 above. A pro-forma was included with the notices and documentation mentioned paragraph 6.2 above.

7 LEGAL IMPLICATIONS

- 7.1 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 2016 – 6 January 2021 need to be considered by Members in determining the application.

8 OPTIONS

- 8.1 The following options are available to Members:-
- (a) To modify conditions to such extent as Members consider necessary for the promotion of the licensing objectives, and any Mandatory Conditions that must be included;
 - (b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (c) To remove the premises supervisor;
 - (d) To suspend the licence for a period not exceeding 3 months;
 - (e) To revoke the licence; or
 - (f) Subject to paragraphs 11-13 of the Licensing Act 2003 (Hearings) Regulations 2005, to 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.

9 RECOMMENDATION

9.1 It is proposed that the Sub-Committee **RESOLVES**

To determine the application, having considered all representations made at the hearing.



Angela Law

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Background Papers:-

None.

For further information please contact Jan Fowler, Senior Licensing Officer on:-

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