
SUMMARY REVIEW OF A PREMISES LICENCE: PINK TOOTHBRUSH, 19/23 HIGH STREET, RAYLEIGH

1 PURPOSE OF REPORT

- 1.1 To determine an application for a summary review of a premises licence and in particular:-
- To consider what steps considered appropriate for the promotion of the licensing objectives;
 - To decide if the interim steps imposed cease to have effect altogether, or if the premises licence should become subject to any step(s) which the licensing authority considers are appropriate when making its determination on the review; and
 - To consider relevant representations as a result of the review application.

2 INTRODUCTION

- 2.1 On 7 February 2018 an application for a summary review of a premises licence under section 53A of the Licensing Act 2003 was received from Essex Police in respect of a premises licence issued to The Pink Toothbrush, 19/23 High Street, Rayleigh.
- 2.2 A copy of the application, certificate under section 53A of the Licensing Act (1) (b) and a Police Officer statement were served on the Premises Licence Holder and all responsible authorities. The certificate stated that in the opinion of Superintendent Nick Morris of Essex Police, the premises were associated with both serious crime and disorder. A copy of these documents are attached at Appendix A.
- 2.3 On 8 February 2018, in accordance with Section 53B of the Licensing Act 2003, the Licensing Authority after reading the Essex Police summary review application determined within the 48 hours statutory time frame to implement interim steps to take effect immediately. A copy of the decision is attached at Appendix B.
- 2.4 The Licensing Act 2003 requires the licensing authority to then hold a full review hearing to consider relevant representations.

3 BACKGROUND

- 3.1 The premises to which the application relates is a night club situated on Rayleigh High Street. Teland Ltd has held a premises licence with Rochford District Council since 9 August 2005. They previously held the licence with the Magistrates Court and have been trading for 30 years. Kevin Horne has been

the Designated Premises Supervisor since 2009. A copy of the current premises licence is attached appendix C.

4 REPRESENTATIONS

- 4.1 The application for a full review was advertised on 8 February 2018 inviting representations by the deadline of 22 February 2018.
- 4.2 Further evidence and suggested conditions has been submitted by Essex Police and is attached at Appendix D.
- 4.3 A representation has been submitted by Pubwatch and is attached at Appendix F.

5 LEGAL IMPLICATIONS

- 5.1 The provisions of the Licensing Act 2003, Licensing Act 2003 (summary review of premises licences) Regulation 2007. Home Office 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.
- 5.2 When determining the summary review application, the committee must have regard to the promotion of the licensing objectives which are:-
- Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm

6 PARISH IMPLICATIONS

- 6.1 None.

7 EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 None.

8 NOTICES

- 8.1 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.
- 8.2 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.

- 8.3 Paragraph 8 of the regulations requires that parties notify the Licensing Authority, no later than 5 working days before the hearing, of those matters mentioned in paragraph 8.1 above. A pro-forma was included with the notices and documentation mentioned in paragraph 8.2 above.

9 OPTIONS

- 9.1 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 premises licence any of the licensable activities to which the application relates;
- (c) To remove the Designated Premises Supervisor;
- (d) To suspend the premises licence for a period not exceeding 3 months;
- (e) To revoke the premises licence; or
- (f) To leave the premises licence in its present state.

10 RECOMMENDATION

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

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



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Background Papers:-

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