

LICENSING APPLICATION – LICENSING ACT 2003

Hockley Community Centre, Westminster Drive, Hockley, Essex, SS5 4XD

1 SUMMARY

- 1.1 This report introduces an application for the grant of a Premises Licence made under section 17 of the Licensing Act 2003.
- 1.2 This 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 This application was submitted to the Licensing Authority by the applicant, Tara Saunders, on behalf of the Hockley Community Centre Association.
- 2.2 Appendix A consists of a copy of the original premises licence application and plan of the proposed area to be licensed.

3 BACKGROUND

- 3.1 This premises is a community centre situated in a residential area in Hockley. The premises currently holds a Club Premises Certificate for members and their guests; any other events are held on Temporary Event Notices. This licence was granted in 2003 and has limited conditions attached. The applicants are applying for a Premises Licence, which will enable the premises to be hired to non members for events; this has given an opportunity for the Responsible Authorities to negotiate more stringent conditions, should this licence be granted.
- 3.2 Appendix B consists of the current Club Premises Certificate.

4 APPLICATION

- 4.1 The application is made in accordance with section 17 and schedule 8, part 1 paragraph 7 of the Licensing Act 2003 (hearings) Regulations 2005.
- 4.2 The application after negotiation with the Responsible Authorities is for the following licensable activities within the times and days shown below:-

Activity	Times	Days
Plays, films, indoor sporting events, boxing and wrestling, live music, recorded music, performance of dance, anything of a similar nature and sale of alcohol	0800 – 0000 Hours New Year's Eve 0800 – 0100 Hours	Monday to Sunday
External Entertainment: Plays, films, boxing and wrestling, live music, recorded music, dancing and anything of a similar nature	1100 – 1800 Hours Background music serving the rear patio 1100 – 2300 Hours	Monday to Sunday
Late night refreshment	2300 – 0000 Hours New Year's Eve 2300 – 0100 Hours	Monday to Sunday

5 REPRESENTATIONS

- 5.1 The licensing Authority has received representations from local residents with concerns regarding the following licensing objectives:-
- Public Nuisance
 - Crime and disorder
- 5.2 Appendix C consists of copies of the representations received during the application period.
- 5.3 There have been no representations from any Responsible Authority, although the applicant has agreed conditions that have been suggested by Essex Police, Environmental Health and the Senior Licensing Officer, should the licence be granted.
- 5.4 Appendix D consists of proposed conditions and licensable activity times.

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 regulations require that parties notify the Licensing Authority, no later than 5 working days before the hearing, of those matters mentioned in paragraph 6.2 above. A pro-forma was included with the notices and documentation mentioned in paragraph 6.1 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 2011 – 6 January 2016 need to be considered by Members in determining the application.

8 OPTIONS

- 8.1 The following options are available to Members:-
 - (a) To grant the application, subject to such conditions as are consistent with the operating schedule, modified 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 refuse to specify a person in the licence as the premises supervisor;
 - (d) To reject the application;
 - (e) 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 on:-

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