
LICENSING APPLICATION – LICENSING ACT 2003

Premises: Skylark Hotel Zero 6 Suite, Aviation Way, Southend-on-Sea, Essex, SS2 6UN

1 PURPOSE OF REPORT

- 1.1 This report introduces an application for a Temporary Event Notice (TEN) made under section 100 of the Licensing Act 2003.
- 1.2 During the consultation period, an objection was received from the Police regarding the planned event.
- 1.3 The application must be determined at the conclusion of the hearing at least 24 hours before the beginning of the event, in accordance with paragraph 26 (1) of the Licensing Act 2003 (Hearings) Regulations 2005 and section 105 (4) of the Licensing Act 2003.

2 INTRODUCTION

- 2.1 On 23 December 2017 a Temporary Event Notice was received from Mr Andreas Stavrinides of The Skylark Hotel, Aviation Way, Southend-on-Sea, Essex. Appendix A consists of a copy of the original notice.
- 2.2 The Notice is for an event to be held in the Zero 6 Suite on 15 December 2017 from 1800 until 2355 hours.
- 2.3 The licensable activities are for the sale of alcohol, the provision for regulated entertainment and the provision of late night refreshments. The maximum number of people attending the event is to be 499.
- 2.4 The hotel already holds a Premises Licence, excluding the external area and the Zero 6 Suite (nightclub).

3 BACKGROUND

- 3.1 The application was sent to Essex Police and Environmental Health on 23 November 2017 for consultation with a deadline date of 28 November 2017 for representations.

Representations

Responsible Authorities

- 3.2 An Objection Notice has been received from the Chief Officer of Police on the grounds that the use of the premises in accordance with the Temporary Event Notice would undermine the crime prevention and public safety objective of the Act.

3.3 Appendix B consists of a copy of the Objection Notice.

Notices

3.4 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.

3.5 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.

3.6 Paragraphs 8 and 9 of the regulations require that parties notify the Licensing Authority, no later than 2 working days before the hearing, of those matters mentioned in paragraph 3.5 above. A pro-forma and pre-paid envelope was included for that purpose with the notices and documentation mentioned in paragraph 3.5 above.

3.7 At the time of drafting this report, there has been no response from any of the parties.

3.8 It is not known whether or not the premises user/s will be represented.

4 LEGAL IMPLICATIONS

4.1 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 31 January 2016 – 31 January 2021 need to be considered by Members in determining the issue.

4.2 The Licensing Authority must serve any notices required under section 105 (3) of the Licensing Act 2003 at least 24 hours before the beginning of the event.

5 EQUALITY AND DIVERSITY IMPLICATIONS

5.1 None.

6 OPTIONS

6.1 The following options are available to Members: -

(a) To determine that the event would undermine the licensing objective of the prevention of crime and disorder and serve a counter notice stating the reasons for that decision.

(b) To allow the licensable activities to go ahead as stated in the Notice.

7 RECOMMENDATION

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

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



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Background Papers: -

None.

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

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