
LICENSING APPLICATION – LICENSING ACT 2003

SMUGGLER’S DEN, 315 FERRY ROAD, HULLBRIDGE, SS5 6NA

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 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 the applicant, Mr Mark Hale, and refers to the premises to be known as the Smuggler’s Den, 315 Ferry Road, Hullbridge, Essex .
- 2.2 Appendix A consists of a copy of the original application form and the premises plan.

3 BACKGROUND

Description of Premises

- 3.1 The premises to which the application relates comprises of a bar and outside area adjacent to the River Crouch in a residential area.
- 3.2 Appendix B is a map of the area.

Application

- 3.3 The application is for the following licensable activities within the times and days shown below:-

Activity	Time/s and Days
Sale of alcohol on and off the premises, films Indoor sporting events Live and recorded music Dancing	Monday and Tuesday 0800 – 2400 Wednesday to Saturday 0800 – 0100 Sunday 0800 – 2330 Finish time of 0100 on 24 December, 26 December and Sundays prior to Bank Holidays, New Year’s Eve to the start time of New Year’s Day
Late night refreshment	Monday and Tuesday 2300 – 2400 Wednesday to Saturday 2300 – 0100 Sunday 2300 – 2330

	Finish time of 0100 on 24 December, 26 December and Sundays prior to Bank Holidays, New Year's Eve to the start time of New Year's Day
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3.4 The application is made in accordance with section 17 and schedule 8, part 1, paragraph 7 of the Licensing Act 2003 and The Licensing Act 2003 (Premises Licence and Club Premises Certificates) Regulations 2005.

3.5 Included in the application is the consent of Mr Mark Hale, to being the designated premises supervisor of the premises.

4 REPRESENTATIONS

Responsible Authorities

4.1 There is representation from the Environmental Protection Unit regarding public nuisance. Appendix C is a copy of the representation and suggested conditions.

4.2 The Police have agreed conditions with the applicant. Appendix D is a copy of the agreed conditions

Other Persons

4.3 There have been five representations received from local residents. Each of these representations is similar and refers to the licensing objective of public nuisance.

4.4 Appendix E consists of copies of the valid representations received.

5 NOTICES

5.1 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.

5.2 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.

5.3 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 5.1 above. A pro-forma was included with the notices and documentation mentioned in paragraph 5.2 above.

6 LEGAL IMPLICATIONS

- 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 2016 need to be considered by Members in determining the application.

7 OPTIONS

- 7.1 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 Condition 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.

8 RECOMMENDATION

- 8.1 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.