

LICENSING APPLICATION – LICENSING ACT 2003

Premises: RED DOOR, 131 High Street, Rayleigh, Essex

1 PURPOSE OF REPORT

- 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, Molossi Leisure Ltd, on 12 May 2020 and refers to the premises to be known as Red Door, 131 High Street, Rayleigh, 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 comprise of a bar. The premise is located within a small parade of shops located between the Rayleigh Police Station and Iceland Food Stores. Opposite the premise is the local library and residents live within close proximity of the venue.
- 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 | Monday to Sunday 0800 – 0200 |
| Live Music | Monday to Sunday 0800 – 0230 |
| Recorded Music | Monday to Sunday 0800 – 0230 |
| Performance of Dance | Monday to Sunday 0800 – 0230 |
| Late Night Refreshment | Monday to Sunday 2300 – 0200 |

| | |
|---------------------------------------|------------------------------|
| Hours Premises are open to the public | Monday to Sunday 0800 – 0230 |
|---------------------------------------|------------------------------|

- 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.

Representations

Responsible Authorities

- 3.5 The application has been assessed by Environmental Health and they are not making any representations.
- 3.6 The Police have agreed conditions with the applicant for the Sub-Committee to consider, should the licence be granted.
- 3.7 **Appendix C** is a copy of the agreed conditions.

Other Persons

- 3.8 There have been two representations received from local residents. The representations raise concerns in relation to the following licensing objectives:

Prevention of Crime and Disorder
Public Nuisance
Public Safety

- 3.9 **Appendix D** consists of a copy of the valid representations received.

Notices

- 3.10 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.
- 3.11 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.
- 3.12 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 3.11 above. A pro-forma was included with the notices and documentation mentioned in paragraph 3.11 above

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 Council for the period 31 January 2016 – 31 January 2021 need to be considered by Members in determining the application.

5 EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

6 RECOMMENDATION

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

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

Options

- 6.2 The following options are available to Members: -
- (1) 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;
 - (2) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (3) To reject the application; or
 - (4) 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.



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Background Papers:-

None.

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