

<b>4 October 2017</b>		<b>ITEM: 6</b>
<b>Licensing Committee</b>		
<b>Applications Received</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Paul Adams, Principal Licensing Officer		
<b>Accountable Assistant Director:</b> Andy Millard, Assistant Director of Planning & Transportation		
<b>Accountable Director:</b> Steve Cox , Corporate Director of Environment & Place		
<b>This report is:</b> Public		

## **Executive Summary**

This is a summary of applications received under the Licensing Act 2003 and Gambling Act 2005 for the period of the 1 June 2016 to 31 May 2017.

### **1. Recommendation(s)**

#### **1.1 To note the contents of the report.**

### **2. Introduction and Background**

2.1 Under the Licensing Act 2003 or the Gambling Act 2005 an application for a New/Variation/Minor Variation for a Premises Licence or Club Premises Certificate will be granted under officer delegation unless there is relevant representation received, from either a Responsible Authority or from Other Persons (Interested Party). Where a representation is made the application will be referred to the Licensing Sub Committee for determination. The same is for Temporary Event Notices.

### **3. Issues, Options and Analysis of Options**

3.1 This report provides details at **Appendix 1** of all applications received for any New, Variation, Minor Variation for a Premises Licence/Club Premises Certificate or a Temporary Event Notice; or any type of Gambling Premises Licence for the period of the 1 June 2016 to 31 May 2017.

3.2 On the 18<sup>th</sup> January 2017 at Basildon Magistrates court, the decision of the Licensing Sub - Committee on the 1<sup>st</sup> September 2016 to revoke the licence of the Lounge Bar, Chafford Hundred was heard. It was agreed by consent order with the appellant and the Council the following:

- The Designated Premises Supervisor shall be removed from the Premises Licence forthwith.
- The Premises Licence shall be amended in the following ways:

The following conditions shall be added to Annex 3:

- (2) A minimum of 2 SIA registered door staff will be deployed at the premises every Friday and Saturday from 20:00 to premises closing and all customers have dispersed.
- (3) The premises license holder shall produce a search policy for customers entering the premises, to be agreed with the Licensing Authority prior to the commencement of licensable activities.
- (4) The premises license holder shall produce a drugs policy for customers entering the premises, to be agreed with the Licensing Authority prior to the commencement of licensable activities.
- (5) Drinking vessels shall be made of toughened glass designed not to have sharp edges when broken.
- (6) All beverages supplied/sold on the premises will be supplied in toughened glass containers as above, or otherwise as agreed with the Licensing Authority.
- (7) No new customers may be admitted to the premises after midnight, nor may customers re-enter the premises after midnight save from a designated smoking area to be agreed with the Licensing Authority.
- (8) There shall be a personal license holder on duty on the premises at all times when the premises are open and authorised to sell alcohol.
- (9) No sale or supply of alcohol may be made by any person who does not hold a current BIIAB Level 1 award in Responsible Alcohol Retailing or equivalent course agreed by the Licensing Authority.
- (10) Written training records will be kept for all staff for the duration of their employment and for at least 6 months after the individual

leaves their employment. This shall include signed and dated forms from employees that state they have received and understood the training.

- Condition 8 in Annex 2 shall be substituted for the following:

(8) Regular checks of the toilet areas will take place hourly, for the purpose of preventing, detecting and deterring drug usage. Contemporaneous records must be kept of each check and made available for inspection by the Police or Licensing Authority upon demand. The records shall be kept for at least 6 months.

- The Appellant shall pay to the Council its costs of £3,521.00 within 14 days.

3.3 On the 27<sup>th</sup> July 2016, at the High Court a Judicial Review which had been brought by the applicant for the Sound On Music Festival, in relation to the decision of the licensing Sub-Committee of the 22 June 2016 to refuse the application for the licence, was considered by Justice Holman. His decision was to refuse the JR, upholding the decision of the Licensing Committee not to grant the licence, awarding full costs of £4,782 against the Applicant to the Council.

#### **4. Reasons for Recommendation**

4.1 This report is for information only.

#### **5. Consultation (including Overview and Scrutiny, if applicable)**

5.1 There is no consultation required in relation to the contents of this report.

#### **6. Impact on corporate policies, priorities, performance and community impact**

6.1 None

#### **7. Implications**

##### **7.1 Financial**

Implications verified by: **Laura Last**  
**Management Accountant**

There are no financial implications in relation to this report.

## 7.2 Legal

Implications verified by: **Simon Scrowther**  
**Principal Solicitor - Litigation & Employment**

This report is for information only and there are no legal implications.

## 7.3 Diversity and Equality

Implications verified by: **Natalie Warren**  
**Community Development and Equalities  
Manager**

There are no Diversity or Equality implications in relation to this report.

## 7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None

## 8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- None

## 9. Appendices to the report

- Appendix 1 – Applications Received Report.

### Report Author:

Paul Adams  
Principal Licensing Officer  
Licensing Team, Public Protection