

Thurrock - An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

Licensing Sub-Committee

The meeting will be held at **7.00 pm** on **4 February 2025**

Council Chamber, Civic Offices, New Road, Grays, Essex, RM17 6SL.

Membership:

Councillors Aaron Green, Lynda Heath and Sue Sammons

Agenda

Open to Public and Press

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1. Apologies for Absence	
2. Items of Urgent Business	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
3. Declarations of Interests	
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Queries regarding this Agenda or notification of apologies:

Please contact Kenna Victoria Healey, Senior Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **24 January 2025**

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Declaring Interests Flowchart – Questions to ask yourself

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- Is your register of interests up to date?
- In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?
- Have you checked the register to ensure that they have been recorded correctly?

When should you declare an interest at a meeting?

- What matters are being discussed at the meeting? (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet what matter is before you for single member decision?

Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

Non-pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register.



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and-leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps.

4 February 2025	ITEM: 4
Licensing Sub-Committee	
Determination of an application to vary a premises licence	
Wards and communities affected: Grays Thurrock	Key Decision: Non-key
Report of: Elizabeth Cox, Licensing Officer	
Accountable Assistant Director: Michael Dineen, Assistant Director for Investigation, Enforcement and Community Protection & Safety (Incl. Emergency Planning and Resilience)	
Accountable Director: Daniel Fenwick, Executive Director of Corporate Services	
This report is Public	
Version: Final	

Executive Summary

An application has been received to vary the premises licence for Desi, 59 Orsett Road, Grays, RM17 5HJ. Representations have been received from Environmental Protection and a local resident.

Commissioner Comment:

Reports for Licensing Sub-Committee do not require Commissioner comment.

1. Recommendation(s)

1.1 That the Sub-Committee

a) Considers this report and appendices together with any oral submissions at the hearing and determines the application to vary the premises licence in line with the options open to the committee under the Licensing Act 2003.

2. Introduction and Background

2.1 On 19 November 2024, an application to vary the premises licence for Desi, 59 Orsett Road, Grays, RM17 5HJ was submitted by Abdul Bashir as the licence holder.

- 2.2 The application is to update the layout plan of the premises as an extension has been built to the front of the existing premises. The application does not seek to change any of the existing licensable activities. A copy of the full application and supporting documentation is attached as **Appendix 1**. A copy of the current premises licence is attached as **Appendix 2**. A location map is attached as **Appendix 3**.
- 2.3 The premises is currently authorised for live and recorded music and the supply of alcohol for consumption on the premises Monday – Thursday 10am – midnight, Friday – Saturday 10am – 1:30 am and Sunday midday – 11:30pm.
- 2.4 During the consultation period, a representation was received from a local resident. This is attached at **Appendix 4**.
- 2.5 Environmental protection have put forward a number of conditions they would like to be added to the licence if the variation is granted.
1. No live or recorded music to be played within new extension area.
 2. Live or recorded music permitted from within existing licenced areas of building.
 3. On Friday and Saturdays, live and recorded music within the main building/premises area to be played through a noise limiter-controlled surround sound system, permitted at agreed levels up to 23:00hrs. Whereupon after 23.00hrs, the volume of music will be reduced to agreed background levels, to reduce risk of intrusion on nearby neighbouring properties.
 4. On Friday and Saturdays, all live music/entertainment/DJ's/live singer to cease at 00.00hrs (with a reduced volume from 23.00hrs, see condition 3). Thereafter, low level/background recorded music allowed.
 5. On Christmas Eve & New Years Eve, all live music/entertainment/DJ's/live singer should cease by 01.00hrs.
 6. Sunday through to Thursday (inclusive), all live music/entertainment/DJ's/live singer to cease at 22.00hrs. Thereafter, low level/background recorded music allowed.
 7. The use of a standalone (leadless/Bluetooth type) mic/PA system, that allows the user to enter/roam freely into the new extension area, is to be prohibited.
 8. DJ's/singers are not permitted to use their own speaker systems and must use the existing/inhouse sound system which is limiter controlled.
 9. Additional speakers (either inhouse or brought in by outside party) within the new extension area and existing building are prohibited.

10. All doors (within the new extension) must be kept closed after 22:00hrs except to allow access and egress.
11. All windows (retractable sidings/frontage) within the new extension area must be kept closed after 22.00hrs.
12. The installation of a sound level limiter system within existing licensed area. Sound limiter system to be installed by a qualified individual. Once installed, Local Authority Environmental Health Officers to attend and assist in setting sound level restrictions to agreed levels.
13. Sound level limiter system monitoring to be carried out and adjustments made as necessary by Local Authority EHO's in conjunction with Premises owner. EHO's to liaise with Premises owner, if sound levels that would constitute a Statutory Noise Nuisance are witnessed by EHO's from Premises.

A copy of this is attached at **Appendix 5**

2.6 During the consultation period, Simon Barnes from Essex Police agreed the following conditions to be imposed on the licence if the variation is granted.

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - a. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
 - b. CCTV cameras shall cover all entrances and the areas where alcohol sales take place;
 - c. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;
 - d. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.
2. Signs must be displayed at all entrances advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.
3. An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request. The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder
 - e. any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence}

4. The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least 12 months from the date of the last entry.
5. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:
 - a. Biometric Home Office photo ID
 - b. European National ID Card
 - c. Ministry of Defence Form 90 (Defence Identity Card)
 - d. Passport (UK or International)
 - e. Photo Driving Licence (UK or European)
 - f. Proof of Age Standards Scheme (PASS) card
6. Where Home Office approved (not yet approved) digital proof of identity assurance technology is in use, this condition applies only when confirming that a person is 18 years or older following a failure of that technology to do so.
7. A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request. The refusals record shall be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.
8. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every twelve months.
9. Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.

Mr Bashir's acceptance of these conditions is attached as **Appendix 6**

- 2.7 No representations were received from any other Responsible Authorities
- 2.8 Under the Licensing Act 2003 the licensing objectives are –
 - (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- 2.9 Any representation must relate to a particular premises and must be relevant to the promotion of one or more of the four licensing objectives.

3. Issues, Options and Analysis of Options

- 3.1 The following options are available to the Licensing Sub-Committee:
- to grant the variation as applied for;
 - to grant the variation subject to such conditions as are necessary and proportionate to promote the licensing objectives; or
 - to refuse the application
- 3.2 In determining this application for a variation of a premises licence, the Sub-Committee should have regard to the Council's Statement of Licensing Policy and to the guidance issued by the Secretary of State under s182 of the Licensing Act 2003.
- 3.3 Section 2 of the statutory guidance relates to the four licensing objectives and may be relevant to this application.
- 3.4 The Sub-Committee are advised that any individual, body or business is entitled to make representations to the licensing authority in relation to an application for the grant of a premises licence. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. The licensing authority, via the Sub-Committee, has a duty, in accordance with the rule of law, to behave fairly in the decision-making procedure. Representations from all parties both written and verbal will form part of matters that are to be considered. Findings on issues of fact should be on the balance of probability.
- 3.5 The Sub-Committee are advised that the final decision should be based on the individual merits of the application and findings of fact made at the hearing.
- 3.6 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.

4. Reasons for Recommendation

- 4.1 These are the options available to the Sub-Committee.

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

- 5.1 The application has been consulted on in accordance with the requirements in the Licensing Act 2003.

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

- 6.1 The Council has a duty under Section 17 of the Crime & Disorder Act 1998 to do all that it reasonably can to prevent:

- (a) crime and disorder in its area (including anti-social behaviour and other behaviour adversely affecting the local environment), and;
- (b) the misuse of drugs, alcohol and other substances in its areas.

In considering this duty the Sub-Committee should have due regard to the submissions made by the applicant and interested parties, the Licensing Act 2003, the Guidance issued by the Secretary of State under Section 182 of the Act and the Council's own Statement of Licensing Policy.

7. Implications

7.1 Financial

Implications verified by: Rob Chimani,
Interim Finance Business Partner

This licence application will contribute to licensing income against cost centre EH005, there are no adverse financial implications associated with the report

7.2 Legal

Implications verified by: Godwin Mangse
Interim Principal Lawyer Housing & Litigation

Thurrock Council as Licensing Authority under the Licensing Act 2003 and subordinate legislation is empowered to determine applications of this nature. Notice must be given of the Licensing Authority's decision on this matter. The decision could be subject to an appeal to a Magistrates Court, which can be instigated by either the applicant or the person who made the representation.

Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy.

Conditions attached to licences must be tailored to the individual type, location and characteristics of the premises concerned and be appropriate for the promotion of the licensing objectives in an individual case.

7.3 Diversity and Equality

Implications verified by: Roxanne Scanlan
Community Engagement and Project Monitoring
Officer

There are no direct implications relating to this report.

The Licensing Sub-Committee is of a quasi-judicial nature and whilst the Licensing Committee should ensure equality of treatment for all groups in the granting of licences, due regard should be given to its responsibility to promote the licensing objectives and its duties under Section 17 of the Crime and Disorder Act 1998. This includes full consideration of the need to prevent crime and disorder, ensure public safety, the prevention of public nuisance and the protection of children from harm. Where it finds that the need to comply with those duties is reasonably inferred, it must determine the application appropriate.

7.4 Risks

None

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

The implications of Section 17 Crime and Disorder Act 1998 have been considered at 6.1 above.

8. Background papers used in preparing the report:

- The Licensing Act 2003
- Guidance issued under Section 182 Licensing Act 2003
- Thurrock Council's Statement of Licensing Policy

9. Appendices to the report:

- Appendix 1 – Application form and accompanying documents
- Appendix 2 – Copy of current premises licence
- Appendix 3 – Location map
- Appendix 4 – Representation from local resident
- Appendix 5 – Representation from Environmental Protection
- Appendix 6 – Agreement to Police Conditions from Applicant

Report Author:
Elizabeth Cox
Licensing Officer

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* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

thurrock-1575519

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Abdul

* Family name

bashir

* E-mail

Main telephone number

[REDACTED]

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

09959953

Business name

Desi

If your business is registered, use its registered name.

VAT number

GB 239895838

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

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Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

0

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VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes

No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes

No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

adding to existing license enclosed retractable pergola extension
Asian restaurant / BYOB
live performances/entertainment every Friday & Saturdays karaoke night from 9pm - 01:00am
once a month Thursdays DJ Event 7pm-12.30am
brunch once a month 11:00am -16.00pm live entertainment

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes

No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes

No

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PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start End
Start End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start End
Start End

WEDNESDAY

Start End
Start End

THURSDAY

Start End
Start End

FRIDAY

Start End
Start End

Continued from previous page...

SATURDAY

Start 09:00

End 01:30

Start

End

SUNDAY

Start 09:00

End 23:00

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

live music/ live singer/ disco/ karaoke
December - Friday and Saturdays 09:00 -02:00am
christmas eve 09:00-1.30am
april may june july august sept - Brunch 11:00 -16:00

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

new years eve 09:00-2:30am
christmas eve

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General –all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

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i shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the Police.
we will keep CCTV coverage at the premises and it is operated and maintained at the premises.

c) Public safety

Appropriate fire safety procedures are in place including fire extinguishers (foam, H2O and CO2), fire blanket, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting All appliances are inspected annually.
All emergency exits shall be kept free from obstruction at all times.

d) The prevention of public nuisance

All customers will be asked to leave quietly.
Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.
All staff will be trained for UNDERAGE SALES PREVENTION regularly.
Same applies when bringing your own alcohol
A register of refused sales shall be kept and maintained on the premises

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NOTES ON REGULATED ENTERTAINMENT

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In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports –defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts –are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

How we will use your information We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do

Continued from previous page...

* so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to thurrock.gov.uk/privacy. Get free internet access at libraries and community hubs.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/thurrock/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

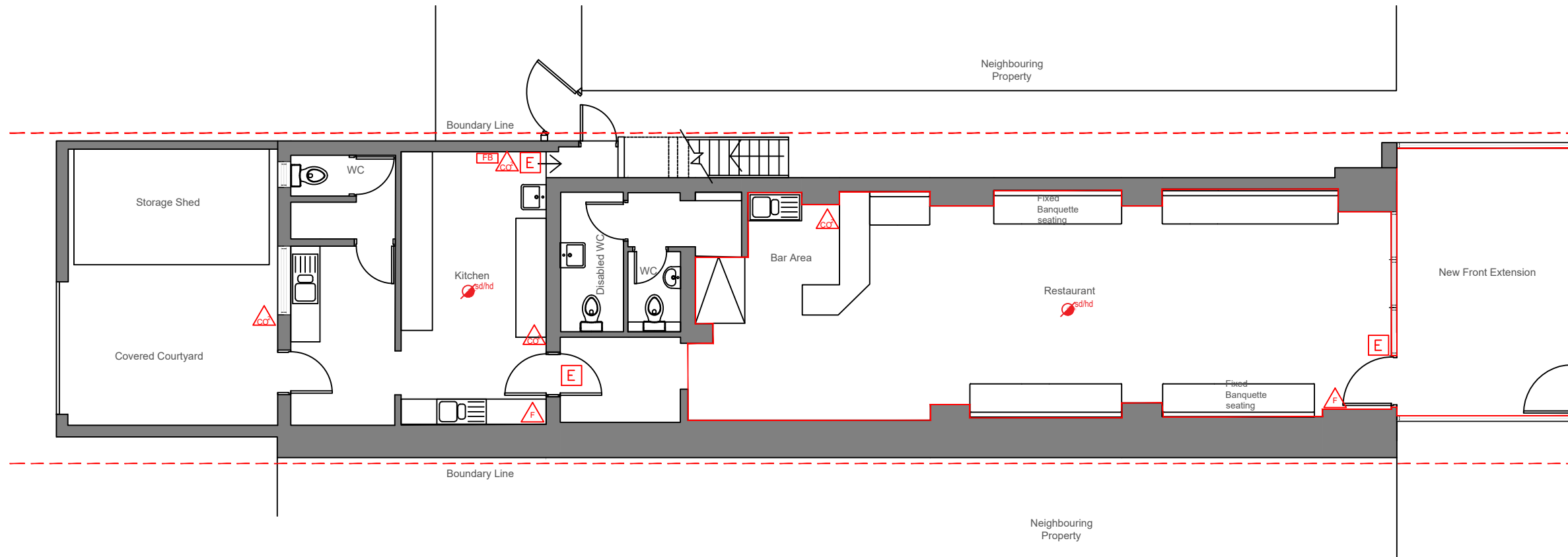
Date and time submitted

Approval deadline

Error message

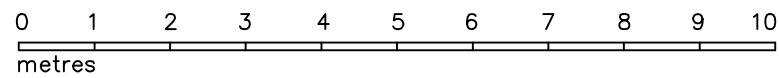
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LEGEND	
	Smoke Detectors
	Fire Extinguisher (Carbon Dioxide)
	Fire Extinguisher (Foam)
	Escape sign with appropriate graphic and directional arrow
	Red outlined area for alcohol and late night refreshments zone
	Boundary Location

Ground Floor Plan
SCALE 1:100 @ A3



The copyright of this drawing is vested in the Designer and should not be reproduced, copied or used for any other purpose than that it is intended for without the prior written consent of Designed By Denisa.



Designed By Denisa
• Grays • RM162GB
Tel: 07717205285
Email: info@designedbydenisa.co.uk
www.designedbydenisa.co.uk

Contract
Desi Asia, 59 Orsett Rd, Grays

Client
Abdul Bashir

Sheet Title
Ground floor Licensing Plan

Date
NOV 2024

Scale
1:100 @ A3

Drawn By
DJ

Checked By

Drawing Number
100 - 001

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Premises Licence

Premises Licence Number
Date of Issue

05/01050/LAPRE

12th July 2017

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Desi
59 Orsett Road
Grays
Essex
RM17 5HJ

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

Performance of Live Music
Playing of Recorded Music
Provision of Late Night Refreshment
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Performance of Live Music

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 01:30
Saturday	10:00 - 01:30
Sunday	12:00 - 23:30

Playing of Recorded Music

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 01:30
Saturday	10:00 - 01:30
Sunday	12:00 - 23:30

Provision of Late Night Refreshment

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 00:00
Friday	23:00 - 01:30
Saturday	23:00 - 01:30
Sunday	23:00 - 23:30

Sale by Retail of Alcohol

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 01:30
Saturday	10:00 - 01:30
Sunday	12:00 - 23:30

Christmas Eve: 10:00 - 01:30

Bank Holiday Sundays: 10:00 - 01:30

The opening hours of the premises

Sunday	12:00 - 00:00
Friday & Saturday	10:00 - 02:00
Monday to Thursday	10:00 - 00:30

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption on the Premise

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Abdul Bashir
Desi
59 Orsett Road
Grays
Essex
RM17 5HJ

Electronic Mail

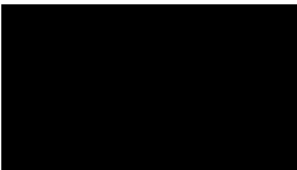
Telephone Number Mobile



Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Abdul Wahid



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number: 10398

Licensing Authority: London Borough Of Tower Hamlets

Annex 1 – Mandatory conditions

1 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— .

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .

(ii) drink as much alcohol as possible (whether within a time limit or otherwise); .

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; .

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; .

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

- 2** No supply of alcohol may be made under this licence

 - a) At a time when there is no designated premises supervisor in respect of it or,**
 - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.**

- 3** Every supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

- 4** Every supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

- 5** The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

- 6** Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:

 - a) Unauthorised access or occupation (eg through door supervision), or**
 - b) Outbreaks of disorder, or**
 - c) Damage**

- 7** The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

- 8** (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the

responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or .**
- (b) an ultraviolet feature.**

9 The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and,

(ii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and .

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

Annex 2 – Conditions consistent with the Operating Schedule

Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans



Premises Licence Summary

Premises Licence Number 05/01050/LAPRE
Date of Issue 12th July 2017

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Desi
59 Orsett Road
Grays
Essex
RM17 5HJ

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

Performance of Live Music
Playing of Recorded Music
Provision of Late Night Refreshment
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Performance of Live Music

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 01:30
Saturday	10:00 - 01:30
Sunday	12:00 - 23:30

Playing of Recorded Music

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
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Christmas Eve: 10:00 - 01:30

Bank Holiday Sundays: 10:00 - 01:30

The opening hours of the premises

Sunday	12:00 - 00:00
Friday & Saturday	10:00 - 02:00
Monday to Thursday	10:00 - 00:30

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption on the Premise

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Mr Abdul Bashir
Desi
59 Orsett Road
Grays
Essex
RM17 5HJ**

Electronic Mail
Telephone Number Mobile



Registered number of holder, for example company number, charity number (where applicable)

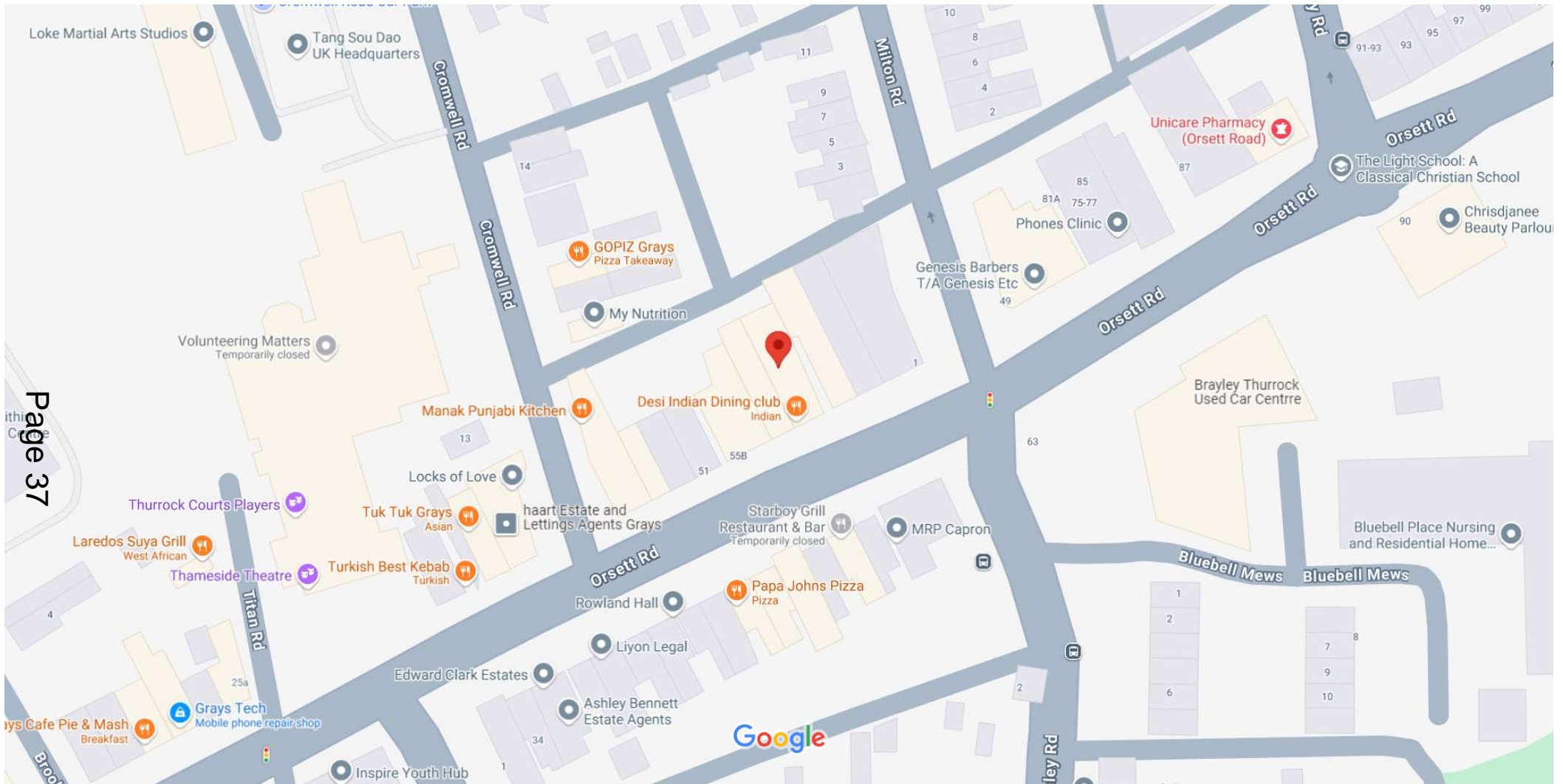
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Abdul Wahid

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number: 10398
Licensing Authority: London Borough Of Tower Hamlets

59 Orsett Rd



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Cox, Elizabeth

From: [REDACTED]
Sent: 20 November 2024 16:11
To: Licensing@thurrock.gov.uk
Subject: Re: Desi, Orsett Road

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Elizabeth,

I reviewed the public notice, which states, "Update the license plans to add the front extension to the licensable area." Wouldn't this mean they could play music in the front extension as well? If so, I strongly object to this proposal. The music played inside is already excessively loud, and allowing them to play music at the front would significantly increase noise nuisance. This would also likely encourage more inappropriate behavior from intoxicated customers, such as urinating on our property. Even without music, their patrons often shout outside the restaurant after their license hours end at 1 AM, disturbing our sleep.

Additionally, the ongoing noise issues remain unresolved. They continue to play loud music, and we still need to call OOH officers weekly. Recently, they've started deliberately playing loud music intermittently to avoid being caught when officers arrive, unlike before when the music was consistently loud. I believe their licensing hours should be shortened to 10-11 PM, and a noise limiter should be installed on their speakers to address the problem. Adding the front extension to the licensable area is unreasonable and inconsiderate, especially given the existing harm and nuisance caused.

Kind regards,
[REDACTED]

From: Cox, Elizabeth <ECox@thurrock.gov.uk> on behalf of Licensing@thurrock.gov.uk <licensing@thurrock.gov.uk>
Sent: Wednesday, November 20, 2024 3:41:26 PM
To: [REDACTED] <licensing@thurrock.gov.uk>
Subject: RE: Desi, Orsett Road

Good afternoon,

The variation application has now been received and the consultation period is open until 17 December 2024. You can view the public notice here: [Vary a premises licence - Desi, 59 Orsett Road, Grays, Essex. | Public notices | Thurrock Council](#)

If you wish to comment on the application then any representations must be in writing and relate to one of the four licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

Kind regards,

Liz

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Cox, Elizabeth

From: Barlow, Anthony
Sent: 03 December 2024 10:59
To: Licensing@thurrock.gov.uk
Cc: Reynolds, Peter
Subject: RE: Variation to Premises Licence - Desi Restaurant, Orsett Road, Grays

Good Morning Licensing,

Please see below the representations (proposed conditions) from Environmental Health concerning the variation to the Premises License.

Conditions:

1. No live or recorded music to be played within new extension area.
2. Live or recorded music permitted from within existing licenced areas of building.
3. On Friday and Saturdays, live and recorded music within the main building/premises area to be played through a noise limiter controlled surround sound system, permitted at agreed levels up to 23:00hrs. Whereupon after 23.00hrs, the volume of music will be reduced to agreed background levels, to reduce risk of intrusion on nearby neighbouring properties.
4. On Friday and Saturdays, all live music/entertainment/DJ's/live singer to cease at 00.00hrs (with a reduced volume from 23.00hrs, see condition 3). Thereafter, low level/background recorded music allowed.
5. On Christmas Eve & New Years Eve, all live music/entertainment/DJ's/live singer should cease by 01.00hrs
6. Sunday through to Thursday (inclusive), all live music/entertainment/DJ's/live singer to cease at 22.00hrs. Thereafter, low level/background recorded music allowed.
7. The use of a standalone (leadless/Bluetooth type) mic/PA system, that allows the user to enter/roam freely into the new extension area, is to be prohibited.
8. DJ's/singers are not permitted to use their own speaker systems and must use the existing/inhouse sound system which is limiter controlled.
9. Additional speakers (either inhouse or bought in by outside party) within the new extension area and existing building are prohibited.
10. All doors (within the new extension) must be kept closed after 22:00hrs except to allow access and egress.
11. All windows (retractable sidings/frontage) within the new extension area must be kept closed after 22.00hrs.
12. The installation of a sound level limiter system within existing licensed area. Sound limiter system to be installed by a qualified individual. Once installed, Local Authority Environmental Health Officers to attend and assist in setting sound level restrictions to agreed levels.
13. Sound level limiter system monitoring to be carried out and adjustments made as necessary by Local Authority EHO's in conjunction with Premises owner. EHO's to liaise with Premises owner, if sound levels that would constitute a Statutory Noise Nuisance are witnessed by EHO's from Premises.

Notes:

No live/recorded music within the new extension area (EHO aware that there will be carryover of noise, but with no live/recorded music played in the extension area, this should lessen the impact of any noise intrusion to nearby residential properties).

Noise levels will be set and agreed by all parties. Consideration will be given to business needs during the setting of noise levels. Due consideration must also be given to the setting of noise levels and how they relate to nearby residential areas. This is not a completely prohibitive process, EHO's are fair in their assessment regarding matters such as these and take all issues into account

EHO would carry out monitoring visits as per standard procedure whilst on Duty during the weekends out of hours service (OOH). This monitoring is in part due to the high volume of complaints received in a short period of time and noise levels witnessed by EHO's during the OOH's service. The monitoring and adjustment of the sound level limiter by EHO's again is not a prohibitive measure, it is part of standard ongoing operating procedures. If complaints are still received after the installation and setup of the sound level limiter, it may be that further calibration is needed, further reduction of volume or re-siting of speaker units may need to be looked at. EHO's would only adjust sound level system, when/or if a level of noise that would constitute a Statutory Nuisance is witnessed from with a nearby residential property.

No comment to pass regarding the opening hours.

Regards

Anthony Barlow | Environmental Protection Officer | Environmental Protection Team
Responsible for ward areas: North Stifford, Stifford Clays, Chafford Hundred, Grays and Little Thurrock
Working days/hours: Monday, Tuesday, Wednesday – 08.00 - 16.00

Thurrock Council, Civic Offices, New Road, Grays, RM17 6SL

www.thurrock.gov.uk

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 thurrock.gov.uk

From: Cox, Elizabeth <ECox@thurrock.gov.uk> **On Behalf Of** Licensing@thurrock.gov.uk

Sent: Tuesday, November 19, 2024 10:48 AM

To: ChildrensSafeGuarding@thurrock.gov.uk; EPconsultations <EPconsultations@thurrock.gov.uk>; Fire <SouthWestGroupSDP@essex-fire.gov.uk>; healthandsafety@thurrock.gov.uk; Home Office (Immigration) <alcohol@homeoffice.gov.uk>; Development.Management <DevControl@thurrock.gov.uk>; Police Licensing (licensing.applications@essex.police.uk) <licensing.applications@essex.police.uk>; PublicHealth@Thurrock.gov.uk; Trading.Standards@thurrock.gov.uk

Subject: Variation to Premises Licence - Desi Restaurant, Orsett Road, Grays

Good morning,

Please find attached an application to vary the premises licence for Desi Restaurant, Orsett Road, Grays. Please make any representations in writing by **17 December 2024**

Kind regards,

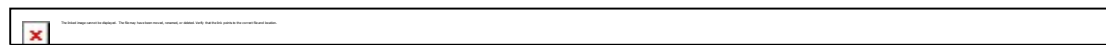
Liz

Elizabeth Cox | Licensing Officer | Public Protection

www.thurrock.gov.uk | [My account Thurrock](#)

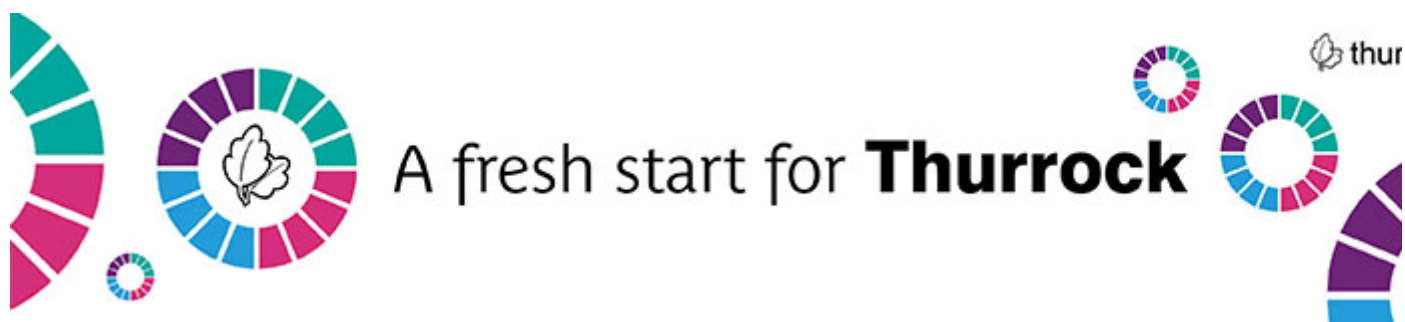
01375 652 652 | x64061 | 07795 826 951

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Save time, do it online

facebook.com/thurrockcouncil | twitter.com/thurrockcouncil



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Cox, Elizabeth

From: Licensing Thurrock <licensing.thurrock@essex.police.uk>
Sent: 06 December 2024 15:01
To: Licensing@thurrock.gov.uk
Subject: Desi - Full Variation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

FAO: Licensing Authority

I write in relation to a full variation application for a premises known as Desi in Grays.

Essex Police has consulted with the applicant, which is contained below, who has agreed with some condition re-words to reflect the changes and the current risk profile for the premises.

As the applicant has agreed to these conditions and the premises is not of significant concern to Essex Police, we are content that with these changes that we will not make representations on this application.

Kind Regards,

Simon Barnes (he/him)
District Licensing Officer - Brentwood & Thurrock (82011)
Alcohol Licensing Team
Essex Police

Contact:
101 ext 42082011
07773 935612
Brentwood: licensing.epping.and.brentwood@essex.police.uk
Thurrock: licensing.thurrock@essex.police.uk

Find out what is happening in your area: essex.police.uk/yourarea
Report non-emergency crime online: essex.police.uk/ro

From: [REDACTED]
Sent: Thursday, November 28, 2024 9:39 AM
To: Licensing Thurrock <licensing.thurrock@essex.police.uk>
Subject: EXTERNAL - Re: Police Consultation - Desi - Full Variation

CAUTION: This email originated from outside of the organisation. DO NOT CLICK LINKS or OPEN ATTACHMENTS unless you recognise the sender and know the content is safe.
It is not unusual to receive an email from someone for the first time but this can be a sign of phishing, so do please be vigilant.

Hi Simon,

We are currently permitting customers to bring their own beverages; however, alcohol will be removed from the premises in the near future, though not at this moment. I am fully aware of the conditions outlined from 1 to 9 below, and they are being implemented.

Abdul Bashir

On 26 Nov 2024, at 15:44, Licensing Thurrock <licensing.thurrock@essex.police.uk> wrote:

writing to you in relation to your recent full variation application for a premises known as Desi located at 59 on Orsett Road in Grays.

I

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or other use of the contents of this information is prohibited. If you have received this email in error, please notify us immediately by contacting the sender or telephoning Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate. For further information regarding Kent Police's or Essex Police's use of personal data please go to <https://www.kent.police.uk/hyg/privacy/> or <https://www.essex.police.uk/hyg/privacy/>. Additionally for our Terms and Conditions please go to <https://www.kent.police.uk/hyg/terms-conditions/> or <https://www.essex.police.uk/hyg/terms-conditions/>