

29 July 2022		ITEM: 5
Licensing Sub-Committee		
Application for a Summary Review of a Premises Licence		
Wards and communities affected: All	Key Decision: Non-key	
Report of: Elizabeth Cox, Licensing Officer		
Accountable Head of Service: Leigh Nicholson, Assistant Director Planning and Growth		
Accountable Director: Julie Rogers, Director of Public Realm		
This report is public		

Executive Summary

An application has been received for a summary review of the premises licence in respect of **Banjo, 54-60 Maidstone Road, Grays, RM17 6NF**. This hearing is to consider any Interim Steps necessary to be taken

1. RECOMMENDATIONS:

1.1 The Sub-Committee considers the application for summary review and whether it is necessary to take interim steps

2. Introduction and Background:

2.1 Summary reviews can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The summary review process, set out under sections 53A-53D of the 2003 Act, allows interim conditions to be quickly attached to a licence and a fast track licence review

2.2 Within 48 hours of receipt of the chief officer's application, the licensing authority must give the premises licence holder and responsible authorities a notice of the review and should include a copy of the application for review and a copy of the certificate and must also consider whether it is necessary to take interim steps (place temporary conditions on the licence).

2.3 If the licensing authority decides to take steps at the initial interim stage:

- The decision takes place immediately, or as soon after it as the licensing authority directs; but

- The licensing authority must give immediate notice of its decision and its reasons for doing so to the holder of the premises licence and the chief officer of police who made the application.

2.4 This hearing is to decide on necessary interim steps only. A full review of this premises licence will take place within 28 days from the date of receipt of this application.

2.5 A copy of the current premises licence for Banjo, 54-60 Maidstone Road, Grays, RM17 6NF is attached as **Appendix 1**

3. The Application:

3.1 On the 27 July 2012 at 16:16hrs, an application for a Summary Review was received from Simon Barnes, Licensing Officer, on behalf of the chief of police for Essex.

3.2 The application relates to an incident at the premises on the evening of Thursday 14 July 2022, whereby a customer was allegedly assaulted with an offensive weapon by the manager. The manager then closed the premises and left the scene. The Police had to obtain a court warrant to enter the premises and seize the CCTV. A full copy of the application is attached as **Appendix 2**.

3.3 Essex Police as part of their application are requesting that the premises licence is suspended as an interim step until the full review hearing

4. Reasons for Recommendation:

4.1 The following interim steps that the licensing authority can take are:

- the modification of the conditions of the premises licence;
- the exclusion of a licensable activity from the scope of the licence;
- the removal of the designated premises supervisor from the licence;
- the suspension of the licence

Modification of the conditions of the premises licence can include the alteration or modification of existing conditions or addition of any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place.

The decision takes effect immediately, or as soon after it as the licensing authority directs.

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

5.1 There is no requirement to consult with this stage of the application under the Licensing Act 2003. The Licence holder has been invited to attend this hearing. This hearing may take place in their absence and without an invite being extended to attend. The licence holder does have the ability to make

representations in relation to any interim steps at a later stage, which must be considered by the sub-committee if made.

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

6.1 Section 17 of the Crime and Disorder Act 1998 places a duty on local authorities to do all that it can to prevent –

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

In considering this application in relation to these duties the authority should have due regard to Section 61(1) (b) Local Government (Miscellaneous Provisions) Act 1976, Thurrock Council's guidelines on previous convictions or cautions and any submissions made by the applicant.

7. Statement of Licensing Policy

7.1 There are no specific parts of the policy that is relevant to this hearing.

8. Relevant Section of the Secretary of State's Guidance

8.1 Section 12 relates to Summary Reviews

9. Appendices to the report:

- Appendix 1 - Copy of existing premises licence
- Appendix 2 - Application for Summary Review

Report Author:

Elizabeth Cox
Licensing Officer