



Licensing Authority

Thurrock Borough Council
Civic Offices
New Road
Grays
RM17 6SL

Essex Police
Licensing Unit
Braintree police station
Essex
CM7 3DJ

Date: 16/12/2022

**REPRESENTATION TO APPLICATION FOR A PREMISES LICENCE
(LICENSING ACT 2003)**

Essex Police have received an application for a Premises Licence for an off-licence premises called Sivathurka News at 5 Aire Drive, South Ockendon, Essex RM15 5AP. This is a new premises licence application seeking off sales from 0800 to 2100 Monday to Saturday and 0800 to 2000 on Sundays.

On behalf of the Chief Officer of Police for the county of Essex, I wish to lodge a representation to this application in relation to the Licensing Objective of Prevention of Crime and Disorder.

During the consultation period Essex Police have recommended the adjustment of condition 9 of the applicant's conditions to read:

"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.

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."

This was requested to ensure consistency with the rest of the county and was agreed on 9th December 2022 by the agent of the applicant, I attach a copy of this acceptance to this letter.

Whilst the consultation period has been progressing an incident was logged at the premises which is of concern to Essex Police. It should be noted at the time of writing no charges have been laid and the incident should be considered in the light that, at present, the suspect has not been charged nor convicted.

It is alleged that, on Saturday 19th November, [REDACTED] has contacted Essex Police to report a disturbance at the premises resulting in damage to the property and an assault on [REDACTED]. Police have attended in response to these allegations and have undertaken an investigation on the premises, taking an initial statement from [REDACTED] and reviewed the CCTV. It is while reviewing the CCTV officers have determined that, in fact, [REDACTED] has

appeared to approach two youths within the store, pushing one of them causing them to fall into the card rack causing damage, the [REDACTED] has then fallen on top of the youth who has begun trying to flee the premises, it is possible during this scuffle the youth has hit [REDACTED] but officers were of the opinion this would be in self-defence. [REDACTED] was warned regarding [REDACTED] handling of the situation and both the assault and criminal damage allegations made by [REDACTED] were dismissed. At present the youth has not been identified and it has therefor not been possible to proceed regarding a prima facie allegation against [REDACTED]. [REDACTED]

It is currently not Essex Police's position to seek refusal of this application and Essex Police has made this representation to add potentially relevant information to the Licensing Authorities consideration of any other representations made. Should a hearing take place, in accordance with paragraph 9.37 of the Statutory Guidance, Essex Police may amplify its representation at the subsequent hearing. Essex Police may also produce further documentary or other information in support of this representation ahead of the hearing and would ask the authority to take this into account as it may do under Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005.

Yours Sincerely

Simon Barnes
Police Licensing Officer
Brentwood and Thurrock