



Statement of Licensing Policy

Licensing Act 2003

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1. Introduction

1.1 This Statement of Licensing Policy sets out the principles by which Castle Point Borough Council intends to discharge its functions as the Licensing Authority under the Licensing Act 2003 ('the Act').

1.2 The Licensing Authority is responsible for the consideration of applications for the grant of premises licences, club premises certificates, personal licences and processing temporary event notice in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment. References in the text to licensed premises should be taken to include club premises unless the context otherwise requires.

1.3 The planning and licensing regimes involve consideration of different (although related) matters. The Licensing Committee are not bound by the decisions made by a Planning Committee and vice versa.

1.4 There is no legal basis for a Licensing Authority to refuse a licence because the relevant premises does not have planning permission or where there are conditions on the planning permission of a premises.

1.5 The Licensing Authority liaises with the Planning Authority to ensure they are aware of all new and varied premises licence and club premises certificate applications by providing a copy of each application to the Planning Authority when it is received.

1.6 There are circumstances when a condition of planning permission, a terminal hour has been set for the use of the premises for commercial purposes. Where these hours are different to the licensing hours granted, the earlier closing time must be observed. Premises operating in breach of their planning permission would be liable to enforcement action from the planning department even in circumstances where the licensing permission allowed a later terminal hour.

2. Description of the Borough

2.1 The Borough of castle point is situated on the coastline of south-east Essex on the northern side of the Thames estuary and has an area of 17.3 square miles and a population of approximately 89,700 people.

2.2 Through the middle of the Borough runs Benfleet Creek, joining the mainland of Benfleet to the north and Canvey Island to the south. The area is largely urban, with considerable open spaces and green belt.

2.3 There are few major concentrations of premises in the Borough providing Regulated Entertainment and/or the retail sale of alcohol. There are few private clubs, only one cinema and no nightclubs or theatres. Local venues such as village, community and school halls provide many of the locations for cultural activities.

2.4 There are several public houses in the Borough, which are part of the focal point for community life. In other cases small stores and shops that sell alcohol may provide this focal point.

2.5 There are many late night refreshment premises located within the Borough.

2.6 Because of the nature of the Borough, premises and events that will be licensed under the Act provide an essential contribution to the local economy of the Borough, through tourism and cultural development.

3. Statement of Licensing Policy

3.1 The Licensing Authority is required by the Act to publish a Statement of Licensing Policy which contains the principles it proposes to apply when exercising its functions under the Act.

3.2 This policy must be reviewed and published every 5 years. The Policy must also be reviewed from 'time to time' and any proposed amendments and/or additions must be subject to fresh consultation. The new policy must then be published.

3.3 This Policy takes effect on 31st January 2025 and replaces the policy previously in force.

4. Consultation

4.1 In producing this policy, the Licensing Authority carried out an extensive consultation program between 18th July 2024 and 9th September 2024.

4.2 The Act requires that the following parties are consulted by the Licensing Authority:

- a) the chief officer of police for the licensing authority's area,
- b) the fire authority for that area,
- c) the director of public health for the licensing authority's area,
- d) such persons as the Licensing Authority considers to be representative of holders of premises licences issued by that authority,
- e) such persons as the Licensing Authority considers to be representative of holders of club premises certificates issued by that authority,
- f) such persons as the Licensing Authority considers to be representative of holders of personal licences issued by that authority, and
- g) such other persons as the Licensing Authority considers to be representative of businesses and residents in its area.

4.3 In addition, the Licensing Authority chose to consult additional local groups and individuals namely:

- Responsible Authorities under the Act.
- Other elements of local government.
- Organisations, including faith groups and voluntary organisations and the Citizens Advice Bureau.
- Groups which have an influence on the nighttime economy.

5. Approval of Policy

5.1 This policy was approved at a meeting of the full council on 11th December 2024 and was published via its website simultaneously. Copies are available on request.

6. Exchange of Information

6.1 The Licensing Authority is under a duty to protect the public funds it administers and to this end may use, for the prevention and detection of fraud, the information provided by applicants. It may also share this information for these purposes with other bodies responsible for auditing or administering public funds.

6.2 In accordance with the provisions of the Crime and Disorder Act 1998, the Licensing Authority may exchange information provided by applicants with law enforcement agencies for purposes connected with the prevention and detection of crime.

6.3 When undertaking any data sharing exercise, regard shall be had to the relevant provisions contained in data protection laws, including under the general Data Protection regulations.

7. Public Register

7.1 The Licensing Authority keeps a public register which can be found on the Council's website at: <https://www.castlepoint.gov.uk/public-register> Regulations prescribe what information should be kept in the register.

7.2 The Licensing Authority publish details of applications on the Council's website at: <https://www.castlepoint.gov.uk/current-applications>

8. Compliance and Enforcement

8.1 In exercising its functions with regard to the inspection of premises and to the institution of criminal proceedings for offences committed under the Act, or the calling of a licence review, the Licensing Authority will follow best practice. This requires that action should be:

- Proportionate – intervention will only take place when necessary. Remedies shall be appropriate to the risk posed and costs identified and minimised.
- Accountability – the Licensing Authority shall ensure it is able to justify its decisions and be subject to public scrutiny.
- Consistent – rules and standards shall be joined up and implemented fairly.
- Transparent – enforcement shall be open and regulations kept simple and user friendly.
- Targeted – enforcement shall be focused on the problems and minimise side effects.

8.2 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible and will adopt a risk based inspection programme.

8.3 The main enforcement and compliance role of the Licensing Authority is to ensure compliance with the licences and permissions it authorises. Where appropriate joint inspections may be conducted of licensed premises, or premises which may need a licence, in conjunction with other enforcing authorities.

8.4 Where appropriate complaints will be investigated in accordance with the stepped approach outlined in the Regulatory Services Enforcement Policy. In the first instance we encourage complaints to be raised directly with the licensee or business concerned.

8.5 The Licensing Authority will keep itself informed of developments as regards the work of the Department for Business, Energy and Industrial Strategy in its consideration of the regulatory functions of Local Authorities.

9. Introduction to the Act

9.1 In exercising its functions under the Act, the Licensing Authority must have regard to and promote the 4 licensing objectives namely:

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

9.2 Applicants are advised to consider providing evidence that suitable and sufficient control measures, as detailed in their operating schedule, will be implemented, and maintained relevant to the nature and mode of operation of their premises and events.

9.3 The Licensing Authority has certain expectations in respect of applicants and the operating schedules they produce. It is for applicants to decide on the extent of measures to be set out in their operating schedules but when assessing applications the Licensing Authority must be satisfied that the measures proposed aim to achieve the licensing objectives, as far as is possible.

9.4 Duplication with other regulatory regimes should be avoided. In particular, applicants should have regard to the fact that the Local Authority's licensing function will be discharged separately from its functions as the local planning authority. Normally, applications for premises licences for permanent commercial premises should be from businesses with planning consent for the property concerned.

9.5 This policy covers a wide variety of premises and activities and for this reason it cannot detail all the factors which influence the achievement of the licensing objectives, nor can it detail all the control measures which may be appropriate.

9.6 Where valid representations are made the Licensing Authority will make objective judgements as to whether conditions need to be attached to a licence, certificate, or permission in order to secure the achievement of the licensing objectives. Any such condition will focus primarily on the direct impact of the activities taking place on the premises on those attending the premises and

members of the public living, working, or otherwise engaged in normal activity in the area concerned and will cover matters within the direct control of individual licensees.

9.7 Licensing law is not the primary mechanism for the general control of individuals once they are away from licensed premises and therefore beyond the direct control of individual licensees or certificate holders. However, reasonable steps should be taken to prevent the occurrence of crime and disorder and public nuisance immediately outside the premises, for example, on the pavement, or in a smoking area.

Other mechanisms may be utilised to tackle unruly or unlawful behaviour of patrons when beyond the vicinity of the premises. These include:

- Measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and departments of the local authority.
- The provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences late at night, street cleaning and litter patrols.
- Powers to designate parts of the local authority area as places where alcohol may not be consumed publicly.
- Police enforcement of the general law concerning disorder and anti-social behaviour.
- The confiscation of alcohol from adults and children in designated areas.
- Police powers to close down licensed premises for a specified period of time.
- The power of the police or interested parties to seek a review of the licence.
- Other local initiatives which similarly address such problems.

9.8 The Licensing Authority recognises the cultural, social, and business importance that premises and events requiring a licence can provide and the diversity of activities which are provided by licence holders. Proper account will be taken of the need to encourage a broad range of entertainments.

9.9 The Licensing Committee will receive reports, where appropriate, on the needs of the local tourist economy and the cultural strategy for the area so as to ensure these are reflected in its considerations.

9.10 The Licensing Authority is under a legal obligation to have due regard (section 149, Equality Act 2010) to the need to eliminate unlawful discrimination, harassment, and victimisation; to advance equality of opportunity; and to foster good relations between persons with different protected characteristics.

Those protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

9.11 When considering applications the Licensing Authority will have regard to the Act and the licensing objectives, this policy, statutory guidance, and all supporting regulations.

10. Prevention of Crime and Disorder

10.1 Section 17 of the Crime and Disorder Act 1998 imposes a duty on the Local Authority when carrying out its various functions to do all it reasonably can to prevent crime and disorder in its area.

10.2 When addressing the issue of crime and disorder the applicant is advised to demonstrate in the operating schedule that those factors which impact on crime and disorder have been considered. These include:

- Underage drinking
- Drunkenness on premises and elsewhere
- Drugs misuse
- Violent behaviour
- Ant-social behaviour

10.3 The following examples of control measures are given to assist applicants and are considered to be amongst the most important to be considered in an operating schedule. However, it is recognised that this policy applies to a wide range of premises and activities, and not all the measures will necessarily be relevant to a particular application.

- Effective and responsible management and supervisory control of the premises and associated open areas.
- Appropriate instruction, training, and supervision of those employed or engaged to prevent incidents of crime and disorder.
- The keeping of appropriate written training records.
- Adoption of best practice guidance.
- Acceptance of 'proof of age' documentation recognised by the Licensing Authority.
- Provision of effective CCTV in and around the premises.
- Engagement of door staff. Where door staff are present, they must be Security Industry Authority licensed.
- Provision of drinking vessels made from appropriate toughened material.
- The assessment of the use of polycarbonate drinking vessels over toughened ones on certain occasions.
- Proper arrangements to enable the personal licence holder to monitor the activity they have authorised.

10.4 It is expected that the Designated Premises Supervisor (DPS) should be able to demonstrate that they have day to day control of the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises and that staff are authorised by the DPS.

11. Public Safety

11.1 The Licensing Authority is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. Applicants are advised to consider how they can demonstrate in the opening schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety.

11.2 Factors which have an impact on public safety include:

- The number of people frequenting the premises.
- The condition, lay-out and design of the premises.
- The nature of the activities to be provided.
- Customer profile.
- The use of special effects such as lasers, pyrotechnics, foam machines and so on.

11.3 The following examples of control measures are given to assist applicants and are considered to be amongst the most important to be considered in an operating schedule. However, it is recognised that this policy applies to a wide range of premises and activities and not all the measures will necessarily be relevant to a particular application.

- Suitable and sufficient risk assessments.
- Effective and responsible management of premises.
- Provision of a sufficient number of people employed or engaged to secure the safety of all those present.
- Appropriate instruction, training, and supervision of those employed or engaged to secure the safety of all those present.
- The keeping of appropriate written training records.
- Adoption of best practice guidance.
- Provision of effective CCTV in and around the premises.
- Provision of drinking vessels made from appropriate toughened material.
- The assessment of the use of polycarbonate drinking vessels over toughened ones on certain occasions.
- Implementation of crowd management measures.
- Proper arrangements to enable the personal licence holder to monitor the activity they have authorised.
- The condition, design, and layout of the premises, including the means of escape in an emergency.

12. Prevention of Public Nuisance

12.1 Licensed premises have a significant potential to impact adversely on communities through public nuisance which can arise through their operation. The Licensing Authority wishes to maintain and protect the amenity of residents and businesses from the potential consequence of the operation of licensed premises.

12.2 The Licensing Authority interprets 'public nuisance' in its widest sense and takes it to include such issues as noise and disturbance, light, odour, litter, and anti-social behaviour.

12.3 Applicants are advised to consider how they can demonstrate in the operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance.

12.4 Factors which may have an impact on public nuisance include:

- The location of the premises (including open areas associated with them) and proximity to residential and other noise sensitive premises.
- The customer profile.
- The hours of operation.
- The nature of activities provided.
- The design and layout of the premises and in particular the use of noise limiting features.
- The number of people frequenting the premises.
- The availability of public transport and the availability and location of car parks utilised by patrons.
- Any 'wind down period' between the end of the licensable activities and closure of the premises.
- The time of last admission.
- The use of special effects such as lasers, pyrotechnics, and so on.

12.5 The following examples of control measures are given to assist applicants and are considered to be amongst the most important to be considered in an operating schedule. However, it is recognised that this policy applies to a wide range of premises and activities and not all the measures will necessarily be relevant to a particular application.

- Effective and responsible management and supervisory control of premises and associated open areas, including smoking areas.
- Appropriate instructions, training, and supervision of staff.
- The keeping of appropriate written training records.
- Control of operating hours for all, or parts of, the premises, including such matters as deliveries and the operation of machinery.
- Adoption of best practice guidance.
- Installation of acoustic insulation, suitably controlled, sited and silenced ventilation or air conditioning systems and (where appropriate) sound limitation devices.
- Signage displayed at premises requesting that patrons leave quietly.
- Management of people (including staff) and traffic (and resulting queues) arriving at and leaving the premises.
- Liaison with transport providers.
- Siting of external lighting, including security lighting.
- Management arrangements for the collection and disposal of litter.
- Proper arrangements to enable the personal licence holder to monitor the activity they have authorised.
- Effective ventilation systems to prevent nuisance from odour.

12.6 External areas, beer gardens and smoking areas.

Premises licence holders will be expected to:

- Develop a management plan on how to manage smoking on the premises, ensure that all staff are aware of the contents of the plan and that it is effectively implemented. Noise from people smoking and talking can be intermittent, vary in character and volume and be intrusive. An effective smoking management plan will help prevent neighbours being disturbed.
- Comply with any planning conditions restricting the use of outdoor areas.

- Ensure that any structures used by smokers comply with the design criteria detailed in the Health Act 2006 and that any structures, awnings, retractable canopies, etc. have the relevant planning permission.
- Ensure any new lighting to outdoor areas must be designed so as not to cause a light nuisance to neighbours and again have the relevant planning permission and building control consent.
- Ensure that the conditions on the premises licence are complied with. There may be conditions restricting the hours of use of gardens and outside areas.
- Discourage smokers remaining in gardens and outdoor areas and determine terminal hours.
- Discourage smokers remaining outside by removing/disabling tables and chairs or prohibiting their use after a certain time. Lights and heaters should also be turned off.
- Position signs to remind customers that the premises is in an area where people live. It is not always obvious in busy commercial streets with flats above. By changing the design and wording of signs customers do not forget. Signs can be located in and outside the premises and on tables.
- Use CCTV to manage outside areas.

12.7 Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out security activity, the licence must include a condition that each individual must be licensed by the Security Industry Authority.

13. Protection of Children from Harm

13.1 Family friendly premises are to be encouraged but the risk of harm to children remains a paramount consideration when applications are determined.

13.2 The protection of children from harm includes their protection from moral, psychological, and physical harm.

13.3 In relation to the exhibition of films, or transmission of programmes or videos, this includes protection from exposure to strong language, sexual expletives, and violence. The Licensing Authority will expect licensees to implement measures which restrict children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification.

13.4 In certain circumstances, children are more vulnerable and their needs will require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influence, inappropriate example, the unpredictability of their actions due to their age and the lack of understanding of danger.

13.5 Applicants are advised to consider how they can demonstrate in the operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to safeguard children from harm.

13.6 Factors which may have an impact on the safety of children and give particular cause for concern may include:

- Where entertainment or services of an adult or sexual nature are commonly provided.
- Where there have been convictions of members of the current staff at the premises for serving alcohol to minors, or premises with a reputation for underage drinking.
- Proxy sales of alcohol to minors (i.e. adults purchasing for persons who are underage).
- The premises have a known association with illegal drug taking or dealing.

13.7 The following examples of control measures are given to assist applicants and are considered to be amongst the most important to be considered in an operating schedule. However, it is recognised that this policy applies to a wide range of premises and activities and not all the measures will necessarily be relevant to a particular application.

- Effective and responsible management and supervisory control of premises and associated open areas, including smoking areas.
- Appropriate instruction, training, and supervision of staff.
- The keeping of appropriate written training records.
- Adoption of best practice guidance.
- Complete exclusion of children, limitations on the hours when children may be present, restrictions from being in certain parts of the premises, or exclusion from certain activities.
- Imposition of requirements for children to be accompanied by an adult.
- Acceptance of 'proof of age' documentation recognised by the Licensing Authority.
- Measures to ensure children do not purchase, acquire, or consume alcohol.
- Proper arrangement to be made to enable the personal licence holder to monitor the activity they have authorised.

13.8 Conditions which require the admittance of children to any premises cannot be attached to licences or certificates.

13.9 Where a premises provides gaming facilities licenced or permitted under the Gambling Act 2005, the Licensing Authority will expect measures to be in place to prevent children from accessing gaming machines. This should include the appropriate training of staff and the keeping of training records, as well as measures to ensure machines are appropriately monitored by staff. Such measures should be highlighted in the operating schedule.

14. Advice and Guidance

14.1 Pre-application discussions with the responsible authorities are encouraged to assist applicants in developing their proposals and operating schedules. Officers of the Licensing Authority will endeavour to provide guidance at that stage of the process. Where an officer is representing the Licensing Authority in its role as a Responsible Authority, wherever possible another officer will be designated to process the application and provide applicant guidance.

14.2 Where appropriate to do so, officers of the Licensing Authority will assist applicants to work with others who may make representations with a view to resolve

areas of concern. Once an application has been lodged there are statutory timescales imposed on the application and determination process which restrict the opportunity for such discussions, liaison, and mediation.

14.3 Contact details are set out in Appendix A.

14.4 The Licensing Authority is obliged by the Act to grant an application unless relevant representations are received. If there are no relevant representations the application will be dealt with by the Licensing Authority's licensing officers under the scheme of delegation. If there are relevant representations the application will be considered by the Licensing sub-committee at a public hearing.

14.5 Mandatory Conditions are imposed by the Act whether or not the application is opposed.

14.6 In determining applications for garages, (i.e. forecourt shops) the Licensing Authority must decide whether or not premises are primarily used as a garage and will expect applicants to submit data which establishes the primary use. Where such information is not available (because for example the premises have only just started trading), consideration may be given to imposing a condition requiring this information to be provided to the Licensing Authority on a regular basis for the following years to ensure the premises are not primarily a garage.

14.7 There are strong links between the Council's long term vision and Licensing Policy. The vision together with the Council's priority areas, objectives and targets are detailed in the Corporate Plan so that residents, businesses and partner organisations can see what the Council is aiming to achieve and how progress towards delivering the vision will be measured. This can be positively influenced by good licensing controls and a well-run licensed sector. The Licensing Authority hope that applicants will engage with the vision in their applications.

15. Representations

15.1 These may be made by either of the following:

1. Responsible Authorities – A full list is given in Appendix A.
2. Any other person – Regardless of their geographical location, providing that the representation is not vexatious and frivolous in the opinion of the Licensing Authority.

15.2 Any representations must relate to the named premises and are restricted to the 4 licensing objectives. The Licensing Authority will need to be satisfied there is an evidential link between the representation made, the licensing objectives and the premises in question. Where a representation simply re-lists the licensing objectives without stating why it is considered the grant of the application will undermine or fail to promote them, it may be rejected as invalid.

15.3 The Licensing Act 2003 (Hearings) Regulations 2005 require the Licensing Authority to provide the applicant with copies of any relevant representations made. Any person making a representation to an application should bear in mind that their

personal data (such as name and address) will be disclosed to the applicant. The Licensing Authority will not edit your letter of representation before it sends it out.

All letters of representation will be contained in the agenda should the matter proceed to a sub-committee hearing. Such hearings are open to the public and may include the presence of members of the media. Furthermore, personal data may be published in the minutes which are distributed to all parties to the proceedings and available on the Council's website.

16. Licensing Committee

16.1 The Committee is composed of 11 councillors. A contested application will be heard by a sub-committee comprising 3 members of the Licensing Committee.

16.2 When considering applications the sub-committee will have regard to this Policy, statutory guidance, the Act and attached regulations and the licensing objectives.

16.3 Each application is considered on its individual merits.

16.4 Should the sub-committee decide to approve the application the mandatory licence conditions must be applied. In addition, the sub-committee will determine whether it is appropriate to attach other conditions to a licence, certificate, or permission to secure achievement of the licensing objectives. Any such conditions will primarily focus on the direct impact of the activities taking place at the premises on those attending the premises and members of the public living, working, or otherwise engaged in normal activity in the vicinity of the premises.

16.5 In determining whether a person lives or has business interests sufficiently close to the premises so as to be likely to be affected by the proposed activities, the Licensing Authority will consider factors such as:

- The size of the premises.
- The nature of the premises.
- The distance of the premises from the location of the residence or business of the person making the representations.
- The potential impact of the premises (e.g. the number of customers and routes likely to be taken by its customers).

16.6 Conditions which seek to control the range or nature of activities within the premises, or which are designed to reduce the potential for anti-social behaviour, may be necessary. Such conditions may also seek to directly impact upon the behaviour of customers on, or within the immediate vicinity of, the premises.

16.7 The Licensing Authority will avoid attaching conditions which duplicate other regulatory regimes wherever possible.

16.8 With the exception of the approval and review of its Licensing Policy, decisions on licensing matters will be taken in accordance with the approved scheme of delegation. A list of which matters will be dealt with at committee and those which are delegated to licensing officers can be found at Appendix B.

17. Appeals

17.1 An appeal may be made to the Magistrates' Court against a decision of the Licensing Authority. The appeal must be made within 21 days of being notified of the decision to be appealed against.

The following may appeal:

- The applicant.
- A Responsible Authority or any person who made relevant representations.
- In the case of a review, the holder of the licence or certificate being reviewed.

18. Reviews

18.1 A responsible authority or any person may ask the Licensing Authority to review a premises licence because of a matter arising at the premises in connection with any of the 4 licensing objectives.

18.2 The Licensing Authority will not normally engage its role as Responsible Authority by calling reviews on behalf of other persons, such as local residents or community groups. These individuals and groups are entitled to so in their own right where there are sufficient grounds.

18.3 Where Responsible Authorities have concerns about problems identified at a premises, the Licensing Authority considers it to be good practice for them to give licence holders early warning of their concerns and the need for improvement. Where possible and/or appropriate it would be expected that advice and guidance in addressing the issue(s) should be given.

Summary Reviews (Violent Crime Reduction Act 2006)

18.4 Where premises are associated with serious crime or serious disorder a senior police officer (Superintendent or above) may apply for a summary review of a premises licence.

18.5 If a summary review is applied for, the Licensing Authority must consider the application within 48 hours (time that is not on a working day is disregarded) and determine what interim steps to take, if any, of those listed below:

- The modification of the conditions of the premises licence.
- The exclusion of the sale of alcohol by retail from the scope of the licence.
- The removal of the designated premises supervisor from the licence.
- The suspension of the licence.

18.6 Although the law allows the decision to be determined in the absence of the premises licence holder, the Licensing Authority will endeavour to always notify the licence holder of the application having been made and of the time, date, and place that it will be determined, in order to afford the licence holder or representative the opportunity to attend.

18.7 Where the Licensing Authority decides to take any of the interim steps, its decision has immediate effect and an immediate notice of the decision must be given to the licence holder.

18.8 Where the licence holder makes representation in respect of the decision, the Licensing Authority must hold a hearing within 48 hours (time that is not on a working day is disregarded) of receipt of the representations and, unless they are withdrawn, consider those representations and any made by the police; consider whether the interim steps are necessary for the promotion of the licensing objectives; and determine whether to withdraw or modify the steps taken.

18.9 The Licensing Authority must also hold a full review hearing within 28 days.

Closure of Premises

18.10 Under the Anti-Social Behaviour, Crime and Policing Act 2014, Closure Notices can be issued by the police or local authority for 24 hours (and up to 72 hours where necessary) when satisfied there are reasonable grounds:

- That the use of particular premises has resulted or is likely soon to result in nuisance to members of the public; or
- That there has been or is likely soon to be disorder near those premises associated with the use of those premises.

18.11 Closure Orders up to a period of three months can be sought from a Magistrates Court by police and local authorities once a Closure Notice has been issued. The court may make a Closure Order if it is satisfied:

- That a person has engaged, or is likely to engage, in disorderly, offensive, or criminal behaviour on the premises; or
- That the use of the premises has resulted, or is likely to result, in serious nuisance to members of the public; or
- That there has been, or is likely to be, disorder near those premises associated with the use of the premises;
- And that the order is necessary to prevent the behaviour, nuisance, or disorder from continuing, recurring, or occurring.

18.12 Breach of a notice or order is a criminal offence.

18.13 Who can appeal?

- Any person who the closure notice was served on.
- Any person who had not been served the closure notice but has an interest in the premises.
- The Council (where closure order was not made and they issued the notice).
- The police (where closure order was not made and they issued the notice).

19. Suspension of Licences for Non-Payment of the Annual Fee

19.1 The Licensing Authority is under a duty to suspend Premises Licences and Club Premises Certificates where the Licensee has failed to pay the annual fee within a prescribed period. Licences which are suspended shall cease to have effect during the suspension period.

Appendix A - Contact Details of Relevant Responsible Authorities

The Chief Officer Essex Police

Licensing Department (Alcohol & Gambling)
Essex Police
Blyth's Meadow
Braintree
Essex, CM7 3DJ
licensing.applications@essex.pnn.police.uk
Telephone: 101 extension 452035
www.essex.police.uk/licensing

Essex County Fire and Rescue Service

Essex County Fire and Rescue Service
Rayleigh Weir Community Fire Station
500 Rayleigh Road
Benfleet
Essex, SS7 3TR
southeastgroupsdp@essex-fire.gov.uk
Telephone: 01376 576000
www.essex-fire.gov.uk

The Local Planning Authority

Planning Services
Place & Communities Directorate
Castle Point Borough Council
Council Offices
Kiln Road
Benfleet
Essex, SS7 1TF
planning@castlepoint.gov.uk
Telephone: 01268 882200
www.castlepoint.gov.uk

Environmental Health

Environmental Health Service
Place & Communities Directorate
Castle Point Borough Council
Council Offices
Kiln Road
Benfleet
Essex, SS7 1TF
eh@castlepoint.gov.uk
Telephone: 01268 882200
www.castlepoint.gov.uk

The Health & Safety Executive

Health & Safety Executive
Wren House
Hedgerows Business Park
Colchester Road
Springfield

Chelmsford
Essex, CM2 5PF
Telephone: 01245 706200
www.hse.gov.uk

Children's Safeguarding Service

Essex County Council
Children's Safeguarding Service
70 Duke Street
County Hall
Chelmsford
Essex, CM1 1JP
licenceapplications@essexcc.gov.uk
Telephone: 03330 134076
www.escb.co.uk/working-with-children/licensing-guidelines/

Trading Standards

Essex Trading Standards
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Public Health

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Public Health Team
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Licensing Department

Licensing Department
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Castle Point Borough Council
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Appendix B -Delegation of Functions

The Licensing Committee is responsible for making Licensing (Act) decisions and the scheme of delegation is as follows:

Matter to be dealt with	Sub Committee	Officers
Application for personal licence	If a police objection is received	If no objection made
Application for premises licence or club premises certificate	If a relevant representation is made	If no relevant representation is made
Application for a provisional statement	If a relevant representation is made	If no relevant representation is made
Application to vary premises licence or club premises certificate	If a relevant representation is made	If no relevant representation is made
Application for a minor variation of a premises licence or club premises certificate		All cases
Application to vary designated premises supervisor	If a police objection is received	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection is received	All other cases
Application to review premises licence or club premises certificate	All cases	
Decision on whether a representation is irrelevant, frivolous, or vexatious, etc		All cases
Determination of a police objection to a temporary event notice	All cases	
Application for interim authority	If a police objection is received	All other cases