



Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex SS7 1TF.
Tel. No: 01268 882200
Fax No: 01268 882455



David Marchant LLB (Hons) BSc (Hons) CEng FICE FCMI
Chief Executive

AGENDA

Committee:	LICENSING SUB-COMMITTEE
Date and Time:	Thursday 8th August 2019 at 2.30pm.
Venue:	Council Chamber
Membership:	Councillors Cross, E. Egan and Greig
Officers attending:	Mel Harris - Head of Licensing & Safer Communities Andrew Smith – Corporate Legal Adviser
Committee Enquiries:	Cheryl Salmon, Ext. No. 2454

PART I **(Business to be taken in public)**

- 1. Appointment of Chairman**
- 2. Procedure for the Sub-Committee**
- 3. Application for a Premises Licence under Section 17 of the Licensing Act 2003 made by Petty 4's Restaurant, 35-37 Eastern Esplanade, Canvey Island, Essex, SS8 7DN**
The report of the Head of Licensing and Safer Communities is attached.
- 4. Decision**

Agendas and Minutes can be viewed at www.castlepoint.gov.uk
Copies are available in larger print & audio format upon request
If you would like a copy of this agenda in another language or alternative format:
Phone: 0207 520 1431 or email translations@languageline.co.uk



LICENSING SUB-COMMITTEE PROCEDURE

1. Introductions

- a. Chairman introduces Panel Members to the applicant.
- b. Chairman identifies officers and their roles.
- c. Applicant identifies themselves, any representative and any accompanying persons. They also identify who intends to present the case.
- d. Relevant Responsible Authorities identify themselves.
- e. Interested Parties identify themselves.

2. Case summary by Head of Licensing and Safer Communities

See agenda item No. 3

3. The Relevant Responsible Authority(s) Submission

- a. The Relevant Responsible Authority(s) and any witnesses will submit to the Panel the reasons for the hearing in the case before them.
- b. Opportunity for the applicant or representative to question the relevant responsible authority(s) and witnesses on their submissions (note: this is an opportunity to ask questions arising from the submissions – not to make statements – an opportunity comes later when summing up).
- c. Opportunity for Panel Members to question the Relevant Responsible Authority(s) and witnesses on their submission.

4. Interested Parties Submission (if any)

- a. Any interested parties will submit to the Panel the reasons for the hearing in the case before them.
- b. Opportunity for the applicant and the relevant responsible authority(s) to question the interested parties on their submissions.
- c. Opportunity for Panel Members to question the interested parties and witnesses on their submission.

5. The Applicant's Submission

- a. The applicant or their representative will submit their case (to include consideration of any written representations). Witnesses may be called.

- b. Opportunity for relevant responsible authority, followed by interested parties (if any) to question the applicant and any witnesses on their submission(s).
- c. Opportunity for Panel to question the applicant and any of their witnesses on their submission(s).

6. Questions from Panel

Opportunity for any final questions from Panel to either side.

7. Adjournment

Proceedings will be adjourned while the Panel withdraw to consider its decision. During this time the Clerk will accompany the Panel to record the decision. The Committee may request the presence of the Legal Advisor to give them legal advice.

8. Decision

The Panel will reconvene and the Chairman will announce the decision, and:-

- 1. If approved, give details of any conditions attached to the licence (if any)
- 2. If refused, give the reasons for refusal

9. Conclusion

The Chairman will close the proceedings

LICENSING SUB COMMITTEE

8 August 2019

Subject: Application for a Premises Licence under Section 17 of the Licensing Act 2003 made by Petty 4's Restaurant, 35-37 Eastern Esplanade, Canvey Island, Essex, SS8 7DN

Report of: Head of Licensing and Safer Communities – Mrs Melanie Harris

1. Purpose of Report

To consider an application for a premises licence to sell alcohol at Petty 4's Restaurant, Canvey Island, Essex, SS8 7DN.

2. Background

2.1 The application has been submitted to all the Relevant Responsible Authorities as follows:

- Essex Police
- Essex County Fire & Rescue Service
- Planning Services
- Environmental Health Service
- The Health & Safety Executive
- Children's Safeguarding Service (Essex County Council)
- Essex Trading Standards
- Director of Public Health (Essex County Council)

2.2 Details of the application were also advertised on the Council's website and blue notices were displayed on lampposts near to the premises.

3. Application

3.1 The application is for the following:

- The supply of alcohol on the premises Monday to Sunday 8am to 11pm
- The playing of recorded music Monday to Sunday 8am to 11pm

3.2 It should be noted that under a change in regulations whilst the applicant has applied for the playing of recorded music a licence is not required for this if:

- It takes place between 8am to 11pm
- It takes place at an alcohol on licensed premises

- The audience is not more than 500 people

Therefore, the applicant does not have to specify this requirement.

3.3 A copy of the application is attached at Appendix 1 of the report.

3.4 A copy of the blue notice is attached at Appendix 2 of the report.

4. Other premises in this vicinity licensed to sell alcohol:

- Monico Leisure and Estuary Views Bar Kitchen
- Parkins Starr Virtual Bowl and Snooker Club
- Best One Off Licence
- Oyster Bay Restaurant
- Windjammer Public House
- Spice Lounge Restaurant

5. Representations

5.1 No representations were received from the Responsible Authorities.

5.2 Representations were received from 11 interested parties (persons living in the vicinity) within the consultation period:

5.3 Copies of the representations are attached at Appendix 3 of the report

6. Essex Police

6.1 Essex Police have added the following conditions to the licence in order to promote the four licensing objectives that the applicant will be working towards as a responsible licensed premises.

Conditions

1. The premises shall be operated as a restaurant.
2. The premises shall have installed and maintain a closed-circuit television surveillance (CCTV) system which at all times complies with the below requirements:

CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;

CCTV cameras shall cover all entrances and exits and the areas where alcohol sales take place;

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;

Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided

3. Signs must be displayed at all entrances and exits 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.
4. An incident log shall be kept at the premises and made immediately available to police or licensing authority staff upon reasonable request.
5. 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
6. 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.
7. Service of alcohol shall be by waiter/waitress only to patrons seated at a table and who have or intend to have a substantial meal.
8. 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:

Proof of age card bearing the PASS Hologram;
Photocard driving licence;
Passport; or
Ministry of Defence Identity Card.
9. The premises shall clearly display signs at each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale, such signs shall be a minimum size of 200mm x 148mm.
10. A refusals record shall be maintained at the premises which 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.

11. 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.
12. The refusals record shall either be electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.
13. 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 six months.
14. 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.

7. Statement of Licensing Policy

7.1 The following extracts from the Council's Policy are brought to the general attention of the Sub-Committee.

- “1.19 When considering applications, the Council will have regard to: -
- the Licensing Act 2003 and the licensing objectives,
 - Government guidance issued under Section 182 of the Licensing Act 2003,
 - any supporting regulations
 - this Statement of Licensing Policy
- 1.20 This does not however undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.
- 1.21 The Licensing Authority recognises that, in some circumstances, longer licensing hours for the sale of alcohol may help to avoid concentrations of customers leaving premises simultaneously and to reduce the potential for disorder. It also recognises that overly restrictive hours may inhibit the development of night-time economies that are important for investment, employment and tourism.
- 1.22 When determining applications before a Licensing Sub-Committee, the authority will seek to balance those factors against their duty to promote the four licensing objectives and the rights of residents to peace and quiet.”

7.2 An extract of the Statement of Licensing Policy is attached at Appendix 4 of the report

8. Licensing Objectives

Licensing objectives which could potentially be breached:

Prevention of Crime and Disorder
Public Safety
Prevention of Public Nuisance
Protection of Children from Harm

9. Options

9.1 The Sub-Committee is advised that it has the following options when determining this application.

- (i) Grant the application on the terms and conditions applied for as set out in Appendix 1.
- (ii) Grant the application on the terms and conditions applied for including the additional conditions as agreed by the applicant and Essex Police or modified to such extent as considered necessary for the promotion of the Licensing Objectives.
- (iii) Reject the application

Recommendation

The decision of the Sub Committee is required following proper consideration of the application and any representations made to the Sub Committee.

Appendices

	Page
Appendix 1 – Application Form	7
Appendix 2 - Blue notice	31
Appendix 3 - Representations	33
Appendix 4 - Extract of the Statement of Licensing Policy	41

Background Papers:

Application file held by the Licensing Authority
Licensing Act 2003
Castle Point Borough Council Statement of Licensing Policy

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Jack Petty
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Petty's Restaurant 35-37 eastern esplanade Canvey Island, Essex SS8 7DN			
Post town	Canvey Island	Postcode	SS8 7DN
Telephone number at premises (if any)		01268 693400	
Non-domestic rateable value of premises		£	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | |
|--|---|
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
-----------------------------	------------------------------	-------------------------------	-----------------------------	--------------------------------	--

Surname Petty		First names Jack	
Date of birth over		I am 18 years old or <input checked="" type="checkbox"/> Please tick yes	
Nationality White British			
Current postal address if different from premises address		86 Oxford Road Canvey Island Essex	
Post town	Canvey Island	Postcode	SS87DN
Daytime contact telephone number		0748 3131355	
E-mail address (optional)	Jack Petty 33 @ hotmail.co.uk		

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
17	06	2018

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

a Relatively Small Restaurant, Bar/Couette
Kitchen, separate male/female toilets.
lounge are separate to the Dining area.
Rear garden used for Rubbish. Front garden
used for food and drink consumption.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

--

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

☐☐☐☐☐☒☐☐

Provision of late night refreshment (if ticking yes, fill in box I)

☐

Supply of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)			
Thur						
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sun						

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
			State any seasonal variations for the performance of live music (please read guidance note 5)			
Wed						
Thur						
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)			
Fri						
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	8am	11pm	We will be playing through small speakers playing various music genres		
Tue	8am	11pm			
Wed	8am	11pm	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	8am	11pm			
Fri	8am	11pm	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	8am	11pm			
Sun	8am	11pm			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	8 am	11 pm			
Tue	8 am	11 pm			
Wed	8 am	11 pm			
Thur	8 am	11 pm			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	8 am	11 pm			
Sat	8 am	11 pm			
Sun	8 am	11 pm			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Gary Cook
Date of birth	
Address	6 Laars Avenue Canvey Island Essex SS88AY
Postcode	SS88AY
Personal licence number (if known)	CPIP2 0966
Issuing licensing authority (if known)	Castle Point

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Wed			
Thur			
Fri			
Sat			
Sun			

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

extra staff will be employed and trained to a high standard. there will be signs to make sure all customers respect the local residents once left the premises. Refuse sale of alcohol if any customers are getting rowdy or too intoxicated.

b) The prevention of crime and disorder

CCTV will be fitted inside and outside the premises and customers will be made aware of house rules and to be respectful for residents outside. again our right to refuse will be implemented if needed.

c) Public safety

No alcohol if the customer gets aggressive. anyone who cannot provide photographic identification when asked will be refused sale and reported in our log.

d) The prevention of public nuisance

no alcohol if the customers get aggressive. CCTV will be on display to prevent as much public disorder as possible. we will have more staff to deal with customers and majority of alcohol will be served with a meal.

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	
Capacity	

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. 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.
2. 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:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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.
- 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
- 3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 7. Please give 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.
- 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 9. Please give 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 or the presence of gaming machines.
- 10. Please list here steps you will take to promote all four licensing objectives together.
- 11. The application form must be signed.
- 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
- 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a

licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;

- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

LICENSING ACT 2003 - PUBLIC NOTICE OF APPLICATION

APPLICATION FOR A PREMISES LICENCE / CLUB PREMISES
CERTIFICATE * (under Sections 17 or 71 of the Act)

* delete as appropriate

Name of Applicant or Club	Petty L's Restaurant
Postal address of premises or club premises including Postcode (where possible) or a description to enable the location to be identified.	35-37 eastern esplanade, Canvey Island, Essex SS87DN

We are applying for an alcohol supply licence
for Monday - Sunday - 8am - 11pm.
also we will be applying for recorded music licence for
Monday - Sunday - 8am - 11pm

The Licensing Register may be inspected at the Licensing Department,
Castle Point Borough Council, Kiln Road, Thundersley, Benfleet, Essex,
SS7 1TF between 9.00 am and 4.30 pm (Monday to Friday except
public holidays).

Any representations by a Responsible Authority or Interested Party
must be made in writing to the above address by 19th July 2019

It is an offence knowingly or recklessly to make a false statement in
connection with an application punishable on summary conviction by a
maximum fine of £5,000.

12 JUL 2019

RECEIVED

07/07/2019

CPBC (Licensing Dept.),
Kiln Road,
Thundersley,
Benfleet,
Essex,
SS7 1TF.

Dear CPBC,

I refer to the attached sheet that informs me that the restaurant, known as Petty 4's of 35 - 37 Eastern Esplanade, Canvey Island, SS87DN, is applying for an alcohol and music licence.

I wish to object, in the most strongest of terms, to:-

1. The granting of a licence to supply alcohol
2. The granting of a licence to play recorded music.

I have based my objection on the following points:-

- a. I refer to the case involving "Alfies Bar" in which the assistance of our MP was sought over the issues of noise etc. When, I believe, it was stated by CPBC that no other alcohol or music licence would be granted for this particular premises in the future.
- b. I question whether the restaurant is too close to a residential building.
- c. The events that occurred over the night/morning of the 6/7 July 2019.

My Wife and I returned from London at about 2000 hours and we noticed a group of people milling around the outside of Petty 4's restaurant. We thought no more about it.

I then walked to the Fish and Chip shop and looked into Petty 4's restaurant and saw that all the tables and chairs were arranged down one wall. Obviously a private booking I assumed. I thought no more about it.....

However, that soon changed. We had music, yelling, laughter and what I would describe as chanting all night and still going on at 0700 this morning.

Cars were parked on double yellow lines, which meant that cars travelling towards the Point had to drive over the hatchings which could have caused a collision hazard. And one was even parked with all 4 wheels on the path.

This afternoon my wife and I walked round to the restaurant and lodged a complaint. During our walk we had to tip toe through the vomit on the path on the way, nice for the general public, yes? Is this the way we want people who visit Canvey see our streets?

On entry to the restaurant we asked to speak to the owner/manager/boss and we were advised by two polite young girls that no one else was on the premises. The two young girls were in fact working unsupervised in a commercial kitchen!

It was explained to us by one of the girls that a private booking was taken for last night and the owner visited at 0200 hours to check on what was going on.....

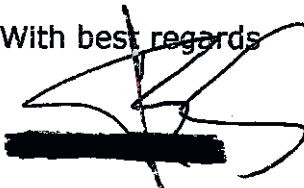
Hold on 0200 hours!!!!????

But it did not stop the noise outside the restaurant in the street.

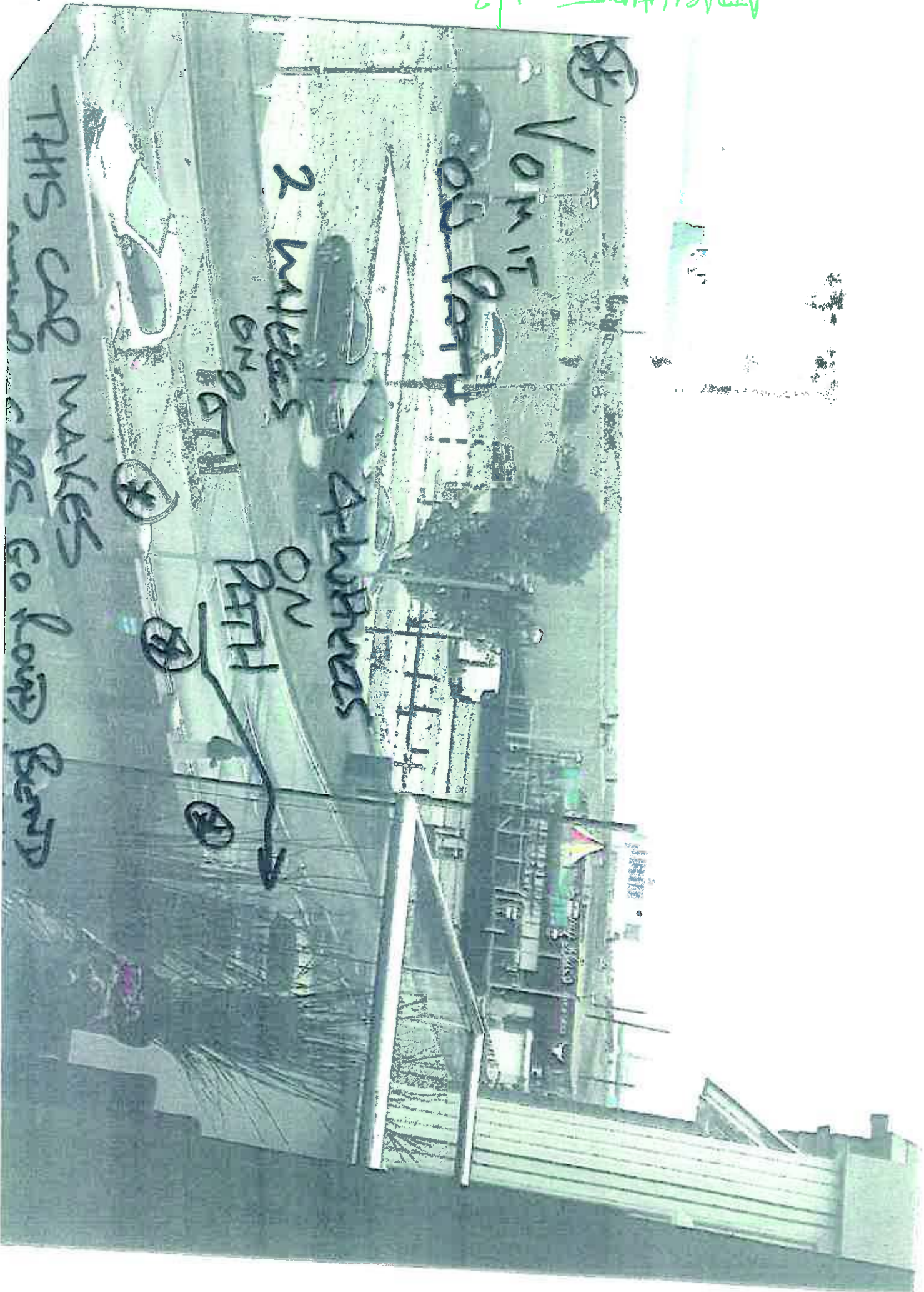
I cannot say if the restaurant supplied any alcohol or not, but I did see this morning people in the street with bottles, what they contained I do not know.

If this is the way this person conducts his business, with no regard for others, no regards for the environment and whole heartedly flouting the laws of the land and decency etc then I urge you NOT to issue the said licences.

Attached is a sheet signed by other occupants of the Riverfront Apartments.

With best regards


Attached 3 sheets 1 Image of bad parking
2 Image of application
3 Attachment signed by other parties within the Riverfront



⊕

Vomit

on Path

2 miles

on path

Amberas

ON

PATH

⊕

⊕

⊕

THIS CAR MAKES
AND GO ROUND BEND

LICENSING ACT 2003 - PUBLIC NOTICE OF APPLICATION

APPLICATION FOR A PREMISES LICENCE / CLUB PREMISES CERTIFICATE * (under Sections 17 or 71 of the Act)

* delete as appropriate

Name of Applicant or Club	Petty L's Restaurant
Postal address of premises or club premises including Postcode (where possible) or a description to enable the location to be identified.	35-37 eastern esplanade Canvey Island, Essex SS870N
<p>We are applying for an alcohol supply licence for Monday - Sunday. 8am - 11pm. also we will be applying for Recorded music licence for Monday - Sunday. 8am - 11pm</p>	

The Licensing Register may be inspected at the Licensing Department,
Castle Point Borough Council, Kiln Road, Thundersley, Benfleet, Essex,
SS7 1TF between 9.00 am and 4.30 pm (Monday to Friday except
public holidays).

Any representations by a Responsible Authority or Interested Party
must be made in writing to the above address by.....19th July 2019

It is an offence knowingly or recklessly to make a false statement in
connection with an application punishable on summary conviction by a
maximum fine of £5,000.

From: [REDACTED]
Sent: 21 July 2019 09:28
To: Licensing Unit <LicensingUnit@castlepoint.gov.uk>
Subject: Petty 4's of 35 – 37 Eastern Esplanade, Canvey Island, SS87DN

Dear CP Licensing Unit

I am lodging my second objection to the above restaurant being granted a music and alcohol license.

I understand from my MP that there are four objectives listed in the Licensing Act 2003. And I have until 23rd July to contact you.

1. The prevention of CRIME and DISORDER.....

It depends on how you interpret CRIME and DISORDER.....

I would certainly say that playing loud music, singing, chanting, shouting, laughter, vomiting on the pavement and causing problems to pedestrians trying to use the public footpath would fit into this category.

2. PUBLIC SAFETY

Parking on the public footpath, vomiting on the public footpath and caused people to walk in in the road and although
this bit is here say, one local chap in his wheelchair also had to go into the road to get past the party goers and their vehicles.

3. PREVENTION OF PUBLIC NUISANCE

I would certainly say that playing loud music, singing, chanting, shouting, laughter, vomiting on the pavement and causing problems to pedestrians trying to use the public footpath would fit into this category.

Parking on the public footpath, vomiting on the public footpath and caused people to walk in in the road and although
this bit is here say, one local chap in his wheelchair also had to go into the road to get past the party goers and their vehicles fits into this category.

The restaurant is too near to private dwellings, be they our building of the flats above the parade of businesses.

4. THE PROTECTION OF CHILDREN FROM HARM

Take any one of the above plus I understand 4 children were in pushchairs in the premises at the time of all the noise.

[REDACTED]

I sent your department a letter of objection during the week beginning 7th July which outlined the problems we had over the weekend of the 6/7th July caused by people loud playing music, singing, chanting, shouting, laughter, vomiting on the pavement and causing problems to pedestrians trying to use the public footpath. This disturbance went on ALL NIGHT!!

My letter was counter signed by about 8/9 fellow residents of this apartment block.

I have attached this letter of mine to this email. Perhaps you would grant me the decency of a reply, thank you.

I urge you in the strongest terms not to grant any such licenses to this restaurant. We cannot stand another "ALFIES BAR" scenario.

Regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 21 July 2019 20:01
To: Licensing Unit <LicensingUnit@castlepoint.gov.uk>
Cc: Rebecca HARRIS <rebecca.harris.mp@parliament.uk>
Subject: Fw: Application

----- Forwarded message -----

From: [REDACTED]
To: lincencingunit@castlepoint.gov.uk <lincencingunit@castlepoint.gov.uk>
Cc: Rebecca HARRIS <rebecca.harris.mp@parliament.uk>
Sent: Sunday, 21 July 2019, 19:57:05 BST
Subject: Application

To Whom it may concern,
I write to register my objection to the licence application by Petty 4's 35-37 Eastern Esplanade, Canvey Island on the following basis.

Prevention of crime and disorder.
Public safety.
Prevention of public nuisance.

Historically this premises has had problems with disorder, violence and in addition late night and early morning noise causing public nuisance. This is on record at the council and in particular when it was trading as Alfies bar which led to our MP, Essex county council and Mr Ken Ward of Castle Point getting involved. Please check records as on a number of occasions a police presence was necessary. Our lives were severely impacted by these events. My wife became anxious and became ill and this in part led to her taking over a year off work. This property is adjacent to our home and I can only describe that time as extremely emotional and upsetting.

The night of the 6th/7th of July I presume the council gave a licence for a private party, again this proved to be another night of loud music, anti social behavior and party goers refusing to leave until 7 am. I believe this has been brought to your attention before by myself to your Chief Executive as Ken Ward has retired and by another resident. I have had no reply from the council and I make this representation on the advice of Rebecca Harris MP who I copied in on the email I sent to your offices.

Finally I make this objection on the grounds of Public safety and protecting children from harm. Once the premise has closed people refuse to leave and discard of bottles and glasses on my lawn where my 4 year old plays and on the pavements.

Can you please confirm receipt of this email.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

previous consultation and bodies representing ethnic minority groups and disabled people were also sought. Due consideration was given to the views of all those who responded to the consultation.

Links to other Bodies

- 1.14 In preparing this statement of licensing policy, the Council has had regard to and consulted those involved in its local strategies on crime prevention, planning, transport, culture, tourism and economic development, to ensure the proper co-ordination and integration of the aims and actions of these policies. Review and amendment of these strategies will be considered for their impact on this statement of licensing policy. See appendix "M" and "N".
- 1.15 Further, arrangements will be made for the Licensing Committee to receive reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations. The Licensing Committee will also be appraised of the local employment situation and the need for new investment and employment, where appropriate.
- 1.16 To ensure proper integration with the Council's planning policies, the Licensing Committee will provide reports to the Planning Committee, where appropriate, on the situation regarding licensed premises in the area, including the general impact of alcohol related crime and disorder, to enable the planning committee to have regard to such matters when making its decisions.
- 1.17 The Council recognises its responsibilities under the Race Relations Act, 1976, as amended by the Race Relations (Amendment) Act, 2000. The Equality Act 2006, the Disability Discrimination Act 2005 and other related legislation. The impact of this policy on race relations, equality issues and disabled people will be monitored through the Council's equality and diversity policies and strategies and the Licensing Authority will take these responsibilities into account when dealing with applications.

Regulated Entertainment

- 1.18 Having regard to the Council's Cultural Strategy and the International Covenant on Economic, Social and Cultural Rights (ICESCR) ratified in 1976, a diverse provision of cultural activities is welcomed for the benefit of communities. The Council will monitor the licensing of regulated entertainment, especially with regard to live music and dancing, theatrical performances, circuses, etc. to ensure that such events are promoted without unreasonable restrictions being imposed, which would discourage such events. The Council will need to balance the natural concern to prevent disturbance in neighbourhoods with the wider cultural benefits, particularly the cultural benefits for children. Advice and guidance on this matter will be sought from the Council's Head of Partnership or other appointed officer.

Applications

- 1.19 When considering applications, the Council will have regard to:-
- the Licensing Act 2003 and the licensing objectives,

- Government guidance issued under Section 182 of the Licensing Act 2003,
- any supporting regulations
- this statement of licensing policy

- 1.20 This does not however undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.
- 1.21 The Licensing Authority recognises that, in some circumstances, longer licensing hours for the sale of alcohol may help to avoid concentrations of customers leaving premises simultaneously and to reduce the potential for disorder. It also recognises that overly restrictive hours may inhibit the development of night-time economies that are important for investment, employment and tourism.
- 1.22 When determining applications before a Licensing Sub-Committee, the authority will seek to balance those factors against their duty to promote the four licensing objectives and the rights of residents to peace and quiet.
- 1.23 When the Council is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. In particular, its licensing functions will be discharged separately from its functions as the local planning authority.

However, applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. (Other permissions may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where necessary.)

- 1.24 When one part of the Council seeks a premises licence from the licensing authority, the licensing committee and its officers will consider the matter from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the police, they will be considered fairly by the committee. Those making representations genuinely aggrieved by a positive decision in favour of a local authority application by the licensing authority may appeal to the magistrates' court and thereby receive an independent review of any decision made.
- 1.25 In all cases, applicants and those making representation in respect of applications to the Council have a right of appeal to the Magistrates' Court against the decisions of the Council.
- 1.26 Appendix "P" provides applicants with the details of the application process, having regard to the Licensing Act 2003, the regulations, statutory guidance and local practice and procedures. It should be noted that incomplete applications will not be accepted but will be returned with an explanation of why it is incomplete.