

Licensing Department
Thurrock Council
Civic Offices
New Road
Grays
RM17 6SL

8th February 2016

Dear Sirs

**Lounge Bar, Unit 4 Lakeside Business Village, Fleming Road, Chafford
Hundred, RM16 6EW**
Review of Premises Licence 05/01298/LAPRE

Further to the application made for a review of the above premises licence by Chief Inspector Leigh Norris, Essex Police; I would like to submit a representation on behalf of Thurrock Council's Licensing Department under the licensing objective of prevention of crime and disorder. This centres around the Premises Licence Holder's failure to comply with both the permitted hours on his premises licence and the conditions attached to it.

Exhibit JC/03 is a copy of the premises licence which states that on a Saturday recorded music must cease at 00:00, live music at 00:30, sales of alcohol at 00:30 and the premises must be closed by 01:30.

Following the incident in the early hours of 22 May 2016 (which would be classed as the Saturday night for the purposes of the licence), I reviewed the CCTV provided to me by Essex Police, specifically for the period of 01:30 – 02:00. As set out in the Police's evidence, it is clear that the premises is open and trading. There are staff serving behind the bar, money can be seen changing hands indicating that sales are still taking place and customers can be seen dancing which would suggest that music of some description is being played.

Additionally, I attach a statement from Tony Spackling, Principal Health & Safety Officer which provides further evidence of the premises continuing to trade past their permitted hours.

Carrying on a licensable activity (such as selling alcohol) otherwise than under and in accordance with a licence is an offence under s.136 Licensing Act 2003 which upon prosecution could lead to unlimited fine and/or up to six months in prison.

As can be seen from the Op Benison inspections carried out by Essex Police (Exhibits MJH/1, MJH/2, ASC/01& ASC/02) along with PC Hatfield and PC Colbear's

statements there has also been a continued failure by the premises do adhere to the conditions which are attached to the premises licence.

When Mr O'Connor made the application for a minor variation in March 2016, I submitted a representation which asked for additional conditions to be attached to the licence. I attach a copy of this representation as EAC/1. Mr O'Connor agreed to these conditions and they were duly imposed on the licence. The evidence from PCs Hatfield & Colbear demonstrates that there have been breaches of these conditions on more than one occasion. Again, carrying on a licensable activity whilst not complying with conditions is an offence under s.136 of the Licensing Act 2003.

As can be seen from the evidence provided by Essex Police in their review application, there have been numerous attempts to engage with the Premises Licence Holder to ensure the operation of the premises is not undermining any of the four licensing objectives. I have attended meetings with Mr O'Connor in conjunction with Essex Police where assurances have been made about paperwork that would be submitted and the future conduct of the premises, neither of which have been satisfactorily followed through by the premises therefore the Licensing Department fully support Essex Police's application for a review of the premises licence for Lounge Bar.

Yours faithfully

Elizabeth Cox
Licensing Officer