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**APPLICATION FOR REVIEW OF PREMISES LICENCE – HERESON NEWS 74  
HERESON ROAD RAMSGATE**

To: Licensing Sub-Committee – 22<sup>nd</sup> March 2011 at 10 a.m

By: Licensing and Land Charges Manager

Classification: Unrestricted

Ward: Sir Moses Montefiore

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**Summary To consider this application to review the premises licence made by  
John Molloy, Chief Superintendent of Police.**

**For decision**

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**1.0 Introduction and Background**

1.1 An application has been received for the review of the Premises licence held by Mrs Meenalogany Sivalingham, in respect of the premises known as Hereson News, 74 Hereson Road, Ramsgate from John Molloy.

1.2 These premises were granted a premises licence on the 1<sup>st</sup> May 2008. A previous premises licence was revoked on the 11<sup>th</sup> December 2007 by a Licensing Sub-Committee. A copy of the current premises licence is appended at Annex 1. A map of the area showing the location of these premises is at Annex 2.

1.3 Licensable activities are shown on that premises licence and the times can be found at Annex 1, together with the conditions attached to the licence. The designated premises supervisor is Mrs Meenalogany Sivalingham.

1.4 The grounds for review of the licence are set out in the application, which is appended at Annex 3.

**2.0 General Points**

2.1 Applicants for review of a premises licence are required, as part of the licensing procedure, to send copies of the application to other responsible authorities. The Licensing Authority must advertise the review for twenty-eight days, giving interested parties the opportunity to make representations. The application was advertised by notice on the premises. It has also been advertised on the public notice board in the Gateway, the main Council Offices.

2.2 During the twenty eight day period no further representations have been received.

2.3 Before determining the application, the Licensing Authority must hold a hearing to consider it and any relevant representations. The Authority must, having regard to the application and any relevant representations, take such steps, if any, mentioned under 'options' at paragraph 3, it considers necessary for the promotion of the licensing objectives. The Guidance issued by the Secretary of State should also be considered.

2.4 The licensing objectives are the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. Reasons must be given for any decision made by the Sub-Committee.

### 3.0 **Options**

- 3.1 To modify the conditions of the licence (for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added).
- 3.2 To exclude a licensable activity from the scope of the licence.
- 3.3 To remove the designated premises supervisor.
- 3.4 To suspend the licence for a period not exceeding three months.
- 3.5 To revoke the licence.
- 3.6 To take none of these steps and take no action, or, take informal action such as a warning or guidance.

### 4.0 **Corporate Implications**

#### 4.1 **Financial**

None.

#### 4.2 **Legal**

4.2.1 There is a right of appeal to a Magistrates' Court within 21 days of the date of the decision of the Licensing Sub-Committee.

4.2.2 The Licensing Sub-Committee must pay proper attention to the applicant's rights under the provisions of the Human Rights Act 1998, which gives further effect in the United Kingdom to the fundamental rights and freedoms contained in the European Convention on Human Rights. The Licensing Sub-Committee must have proper regard to the rights of the individual applicant when making decisions that affect them. However, it also has to have regard to the safety and protection of the public and therefore to ensure that the right balance is found and think hard about how it can cause the least possible harm to individuals, bearing in mind its duty to ensure the protection of the public.

#### 4.3. **Corporate**

None.

#### 4.4 **Equity and Equalities**

Not relevant.

### 5.0 **Recommendation**

**The instructions of the Sub-Committee are requested.**

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