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Premises / Personal Licences Sub-Committee

16 March 2026

**MINUTES OF THE MEETING OF THE PREMISES / PERSONAL LICENCES SUB-COMMITTEE,
HELD ON MONDAY, 16TH MARCH, 2026 AT 10.00 AM
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors A Cossens (Chairman), Casey and Davidson
In Attendance:	Sarah Opene (Litigation Lawyer), Michael Cook (Licensing Manager), Emma King (Licensing Officer), Katie Koppenaal (Democratic Services Officer), Bethany Jones (Democratic Services Officer) and Kim Black (Licensing Technical Officer)

31. ELECTION OF A CHAIRMAN FOR THE MEETING

It was moved by Councillor Davidson, seconded by Councillor Casey and:-

RESOLVED that Councillor A Cossens be elected as Chairman for the meeting.

32. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence submitted nor substitutions made on this occasion.

33. MINUTES OF THE LAST MEETING

It was moved by Councillor Davidson, seconded by Councillor Casey and:-

RESOLVED that the minutes of the meeting of the Sub-Committee held on Friday, 23 January 2026, be approved as a correct record and be signed by the Chairman.

34. DECLARATIONS OF INTEREST

There were no Declarations of Interest made by Members on this occasion.

**35. REPORT OF THE ASSISTANT DIRECTOR (CORPORATE POLICY & SUPPORT) -
A.1 - VARIATION OF A PREMISES LICENCE - THE LOCAL, 137 HIGH STREET,
HARWICH, CO12 3AX**

The Chairman adjourned the meeting at this juncture so they could be shown, in private, CCTV footage submitted by the Objector that showed alleged breaches of licence conditions and/or statutory provisions. That CCTV footage was also shown separately, in private, to the Applicant's representatives. Following that adjournment, the meeting resumed and proceeded as detailed below.

Upon resuming the meeting, the Litigation Lawyer (Sarah Opene) read out the following statement:

"Unfortunately, there is no standby Member available for this meeting which is a requirement of the Council's Constitution. However, there is no statutory requirement for a fourth standby Member to be present. The Licensing Act 2003 mandates that such applications as are on today's agenda must be considered by three Councillors. We have three Councillors present and it is therefore my advice, if you concur, that this Hearing goes ahead. Do you agree?"

The Chairman of the Sub-Committee, the Sub-Committee Members, the Applicant's representatives and the Objector and his agent, all agreed to proceed with the hearing. In addition, Steve Bennett, Essex Police Licensing Officer, and witnesses for the objector, Crysta Goldsmith and Jason Barrett, were present at the meeting.

The Sub-Committee heard that the application had been made under the Licensing Act 2003 for the variation of a Premises Licence to request an increase of the opening hours and the sale of alcohol throughout the week.

It was reported that the premises had previously been described as an off licence and convenience store.

The current opening hours for the premises were as follows:

Monday to Sunday 09:00 – 23:00

The current licensable activities for the premises were as follows:

Sale of Alcohol off the premises

Monday to Sunday 09:00 – 23:00

The proposed opening hours were outlined as follows:

Monday to Sunday 09:00 – 02:00

Therefore, the proposed licensable activities to be varied were as follows:

Sale of Alcohol off the premises

Monday to Sunday 09:00 – 02:00

It was reported that following discussions between the applicant and Essex Police (as a Responsible Authority), the applicant had agreed to reduce the proposed opening hours and the proposed sale of alcohol off the premises licensable activity to the following days/hours:

Revised Opening Hours

Sunday to Thursday 06:00 – 00:00

Friday to Saturday 06:00 – 01:00

Revised Sale of Alcohol Off the Premises Hours

Sunday to Thursday 06:00 – 00:00

Friday to Saturday 06:00 – 01:00

The Sub-Committee was informed that the variation application and the applicant's confirmation to reduce the proposed hours were attached to the report (A.1) as

Appendix A and the current premises licence was attached to the report (A.1) as Appendix B.

The applicant's representatives, Ali Hamza & Emma McDonaghue, addressed the Sub-Committee in support of the application, outlining the perceived community need for a late-night off-licence. They stated that residents currently had to travel to Clacton to purchase goods after 11pm.

Questions by Members:-	Answers:-
Having viewed the CCTV footage during the adjournment, we could see a female staff member who appeared to be working alone, can you explain what training is provided to staff to ensure their safety?	(Applicant's representative – Ali Hamza) A colleague (the other representative present) was in the back area while the female staff member shown in the footage was serving customers, as she was undergoing training at the time. I would also like to note that the footage provided was not taken from our security system but recorded on a mobile phone.
Is it standard practice for a single staff member to serve alcohol, as I have concerns about the implications this may have for staff safety?	(Applicant's representative – Emma McDonaghue) I was working in the back area at the time, so she was not unattended. Staff also have immediate access to a panic button, and although it isn't visible on the footage, I was only a short distance away in the stock room.
Can you confirm that the application has been made due to footfall?	(Applicant's representative – Ali Hamza) Yes, footfall typically increases during the evening, and customers generally do not remain in the shop for long periods. If the licence variation were to be approved, I could ensure that two members of staff are present in the shop during late hours, along with a security officer to address any safety concerns. Although there have been comments regarding potential noise, we have never received any complaints from the police or any other authorities. The same applies to the allegation of selling alcohol to underage individuals.
What measures are in place to ensure the safety of children and the prevention of public nuisance?	(Applicant's representative – Ali Hamza) Staff have been trained on the Challenge 25 policy and trading standards. We also have CCTV which is recording 24 hours a day.

The Objector's agent, Naga Rajesh, asked the Applicant's representative (Ali Hamza) to clarify to the Sub-Committee his position as the Applicant was not present. The Applicant's representative, Ali Hamza, confirmed that he was a family member owner.

The Objector's agent then addressed the Sub-Committee on behalf of the Objector, Mr Pushparajah. He reported that the Objector operated the shop and post office opposite the premises in question and resided in the flat above the shop/post office. He stated that the objection was made from a resident's perspective rather than as a business competitor. The agent alleged that crime and disorder at the premises in question had affected the Objector's family life, and complaints had been submitted since the previous year. Those incidents had been investigated, but there had been insufficient evidence to substantiate those claims. The agent further alleged that customers regularly consumed alcohol inside the premises, as shown in the video footage shown during the adjournment, and that the applicant had not introduced any additional measures to support the licensing objectives.

The witnesses for the objector, Crysta Goldsmith and Jason Barrett, also addressed the Sub-Committee and supported the allegations made by the objectors agent.

Questions:-	Answers:-
Have there been any objections from Essex Police on this application?	(Steve Bennett, Essex Police) In relation to the allegations that the premises is being used as a drinking spot or causing public nuisance, no reports or complaints have been received by Essex Police regarding these matters.
(Steve Bennett, Essex Police) Is there a reason that Essex Police have received no reports of the alleged offences?	(Agent) A report was made regarding damage to the CCTV unit outside the Objector's shop; however, we are unable to confirm who was responsible for the incident. (Steve Bennett, Essex Police) That matter relates to the Objector's premises, not the Applicant's. With regard to the other incidents referenced, we are unable to comment as no reports have been made to the police.

The Chairman (Councillor A Cossens) then adjourned the meeting at this time whilst the Sub-Committee retired to deliberate and reach its decision. The Litigation Lawyer (Sarah Opene) and the Democratic Services Officer (Katie Koppenaal) retired with the Sub-Committee for observatory reasons only.

Upon resuming the meeting, the Chairman (Councillor A Cossens) read out a statement detailing the Sub-Committee's decision, which was as follows:

"The Sub Committee has given careful consideration to this application. The premises is The Local, 137 High Street, Harwich.

In reaching its decision, we have taken into account the views expressed by the Applicant's representatives Ali Hamza & Emma McDonaghue, the objector, Mr Pushparajah, and witnesses for the objector, Crysta Goldsmith & Jason Barrett as well as the representations from Tendring District Council's Licensing Manager, Michael

Cook and Essex Police licensing officer, Steve Bennett. The Council has considered statutory guidance and the Licensing Authority's Policy.

The Sub-Committee is asked to consider an application for the variation of a premises licence with the proposed hours for opening and the sale of alcohol for Sunday to Thursday being 6am – 12am and Friday and Saturday being 6am – 1am. The application has been determined in its own right and on its own merit.

It has also considered the licensing objectives namely, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

The decision of the Sub-Committee is to vary the hours proposed as follows:

06:00am until 11:00pm – Sunday to Thursday

06:00am until 12:00am – Friday and Saturday

Having viewed the footage provided as part of the evidence for today's hearing, the Sub-Committee feels compelled to reiterate the importance of complying with the licensing conditions, in particular, the staff training relating to licensing laws as displayed on page 42 of the agenda document pack.

There has been no advise from the Legal Advisor in arriving at this decision.

Anyone aggrieved by this decision can appeal to the Magistrates Court within the relevant statutory period.

You will receive notification in writing of this decision in 5 days."

The meeting was declared closed at 11.59 am

Chairman

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