

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Monday, 28th September, 2015

Place: Jubilee Room, Civic 1, Victoria Avenue, Southend

Present: Councillor J McMahon (Chairman),
Councillors S Buckley and D McGlone

In Attendance: Councillor C Nevin
P Tremayne, T Row, L Colby, L Coombes and A Penn

Start/End Time: 10.00 a.m./12.30 p.m.

**** **Part I**

278 Apologies and substitutions.

There were no apologies for absences.

279 Declarations of interest.

Councillor D McGlone declared a non-pecuniary interest in Agenda Item 3 (68 London Road, Southend-on-Sea, Essex, SS1 1PG - Application for the Grant of Premises Licence) on the grounds that one of the residents who had objected to the application and subsequently had withdrawn his objection was known to him.

280 68 London Road, Southend-on-Sea, Essex, SS1 1PG - Application for the Grant of Premises Licence

The Sub Committee received a report of the Corporate Director for Place concerning an application by Mr Joao Ribeiro and Mrs Ana Pereira for the grant of a premises licence in respect of 68 London Road, Southend-on-Sea, Essex SS1 1PG.

The applicant, Mrs Pereira was in attendance at the meeting and presented the application.

The Sub Committee noted that, prior to the hearing, the application had been amended as follows;

(a) To provide the sale of Alcohol for both on and off the premises Mondays to Saturdays from 10:30 hours to 22:00 hours.

(b) The premises shall be open from 08:00 hours to 22:00 hours Mondays to Saturdays.

(c) The application for regulated entertainment was withdrawn.

The Sub Committee also noted that no objections to the application had been received from any of the Responsible Authorities, although conditions had been agreed with the Licensing Authority should the application be granted. These were attached to the report of the Corporate Director for Place at Appendix 3.

Six representations had, however, been received from local residents, one of which was withdrawn prior to the hearing. Two of the objectors, namely Mr Blyther and Mr Tatarus attended the hearing and gave evidence. Their concerns related to all four of the licensing objectives.

In response to the objectors' concerns the applicant further amended the application for the sale of alcohol to commence at 11.30 a.m. and withdrew the application for off sales. She also agreed to accept further conditions at the hearing.

The Sub Committee considered all the evidence and submissions that had been made at the meeting and the written documentation that had been presented prior to the hearing. The Sub Committee also had regard to the National Guidelines and the Borough Council's Statement of Licensing Policy and considered the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm, as they related to this application.

The Sub Committee was satisfied that the amended application, together with the conditions that it could impose, including those offered at the hearing, would satisfactorily address the residents' concerns. It was therefore:

Resolved:

That the amended application be granted subject to the following:-

- (i) The mandatory conditions set out in Appendix 1 to the report of the Corporate Director for Place;
- (ii) The conditions consistent with the Operating Schedule set out in Appendix 2 to the report of the Corporate Director for Place;
- (iii) The conditions agreed with the Licensing Authority set out in Appendix 3 to the report of the Corporate Director for Place;
- (iv) The following additional conditions that were discussed at the hearing and accepted by the applicant:
 - Alcoholic drinks shall be only be supplied to customers taking a meal at the premises.
 - No alcoholic drinks shall be taken outside of the premises.

Chairman: _____