

# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Licensing Sub-Committee C

**Date: Monday, 31st January, 2005**

**Place: Civic Centre, Civic Suite, Southend-on-Sea**

**Present:** Councillor D J Jarvis (Chairman),  
Councillors N M Baker, A J Cole, Mrs T M Merrison, Mrs P E Rayner & Mrs D White\*  
(\*Substitute in accordance with Council Procedure Rule 31(b)(2))

**In Attendance:** Councillor A J Delaney  
E Buchan, T Row, D Krieger & P Bradwell

**Start/End Time:** 9:30 a.m./11.35 a.m.

\*\*\*\* **Part I**

**733 Apologies and substitutions**

Apologies for absence were received from Councillors Mrs Evans (Substitute: Mrs White) and Terry.

**734 Declarations of interest**

There were no declarations of interest made at the meeting.

**735 Smithy's Public House, 35 Eastern Esplanade, Southend-on-Sea - Application for the Variation of Public Entertainment Licence**

The Sub Committee received a report of the Director of Technical & Environmental Services concerning an application by the Mr Donegan on behalf of the Licensees of Smithy's for a variation of the existing Public Entertainment Licence so as to extend the terminal hour for the premises from 11.00 pm to 1.00 am on Thursdays, Fridays and Saturdays and from 10.30 pm to 12.30 am on Sundays. An application to vary the capacity in the premises was not sought.

Mr Donegan (the Applicant) attended the meeting to present the application. . Mr P Miller, Counsel for the Police, together with Mr A Williams, Solicitor, and Sgt M Bell, Mrs J Flynn, PC G Jackson and PC J Gibb of the Police Licensing Unit were also in attendance and spoke as objectors to the application.

Copies of the following documents were circulated by the applicant at the meeting:

- eight A4 size pictures of the premises in the area;
- a page from the Evening Echo dated 27 July 2004;
- a petition comprising 167 signatures;
- a copy of pages from Megabyte website;
- two emails;
- a letter to Chief Superintendent Thwaites and response dated 25 January 2005 from Sgt Bell;
- a letter to local residents from Licensees dated 1 December 2004; and
- a letter from Southend-on-Sea Borough Council dated 9 December 2004 regarding CCTV.

Having considered the evidence produced by the Applicant and the objections raised by the Police and local residents, it was:-

Resolved:

That the application be refused on the grounds of crime and disorder and noise nuisance.