

Southend-on-Sea Borough Council

Report of Corporate Director for Place
to
Licensing Sub-Committee (A)
on
24th April 2014

Report prepared by: Deborah Bentham

Agenda
Item No.

Lourdes Parish Centre , 1 Cliffsea Grove, Leigh-on-Sea, SS9 1NG
Application for the Grant of Premises Licence

LICENSING ACT 2003

A Part I Public Agenda Item

1. Purpose of Report

- 1.1 This report considers an application by Mr Darrell Binding on behalf of Our Lady of Lourdes & St Joseph RC Church the for the grant of a Premises Licence at Lourdes Parish Centre, adjacent to Our Lady of Lourdes & St Joseph's RC Church, 1 Cliffsea Grove, Leigh-on-Sea SS9 1NG.

2. Recommendation

- 2.1 That the Sub-Committee determines the application.
- 2.2 Should the Sub-Committee decide to approve the application Appendix 1 to this report sets out the possible conditions to be added to the Licence which have been drawn from the application, for the Sub-Committee's consideration.
- 2.3 Appendix 2 sets out the conditions agreed with the applicant and Essex Police.

3 Background

- 3.1 The application relates to a newly built church parish centre comprising of two stories situated in Cliffsea Grove, Leigh on Sea.

4 Proposals

- 4.1 The application was given to the Licensing Authority on 4th March 2014 and is for the grant of a Premises Licence.
- 4.2 Details of the application which are to be determined by the Sub-Committee can be briefly summarised as follows:

- a) The provision of regulated entertainment comprising live and recorded music, and performance of dance as follows:-
Mondays to Saturdays from 09.00 a.m. to 22.30 p.m.
on Sundays from 09.00 a.m. to 22.00 p.m.
on New Year's Eve from 09.00 a.m. to 00.15 a.m. on New Year's Day.

- b) To allow the premises to remain open during the following hours:
Mondays to Saturdays from 08.30 a.m. to 23.00 p.m.
on Sundays from 08.30 a.m. to 22.30 p.m.

4.3 The proposals are more fully documented in the application form which has been copied to Sub-Committee Members

5 Application Procedures

- 5.1 Applicants for grant of licence are required by law to send copies of their applications to all of the "Responsible Authorities". They are also required to display a notice giving brief details of the application in a prescribed form at the application site, and to publish the same information in a newspaper circulating in the area.
- 5.2 Representations have been received from one interested party.
- 5.3 No representations have been made by the Responsible Authorities.
- 5.4 A copy of the representation has been provided to the Sub-Committee Members. In accordance with the legislation, all parties have been invited to attend the hearing.

6 Matters for Consideration

6.1 Formal objections having been made and not withdrawn or resolved, the Licensing Authority is obliged to hold a hearing to consider them. Further, having regard to such representations, the Authority is required to take steps (if any) as it considers appropriate for the promotion of the Licensing Objectives.

Thus, the Authority may:

- a) Grant the licence, subject to conditions consistent with the operating schedule (modified as considered necessary for the promotion of the Licensing Objectives) and subject to relevant mandatory conditions;
- b) Exclude from the scope of the licence any of the licensable activities to which the application relates;
- c) Refuse to specify a person in the licence as the premises supervisor;
- d) Refuse the application.

6.2 The Licensing Act 2003 requires that the Licensing Authority must carry out its functions under the Act with a view to promoting the Licensing Objectives. These are:

- a) The prevention of crime and disorder;
- b) Public safety;
- c) The prevention of public nuisance; and
- d) The protection of children from harm.

6.3 In carrying out its licensing functions, the Licensing Authority must also have regard to:

- 1. Its Licensing Statement, and
- 2. The guidance issued by the Secretary of State.

6.4 The Licensing Authority has, in accordance with the requirements of the Act, prepared and published a Statement of Licensing Policy, following formal consultation. Copies of this document, together with the statutory guidance, have been made available to all Licensing Committee Members.

7 Background Papers

7.1 Council's Statement of Licensing Policy.

8. Appendices

- 8.1 Appendix 1 - Conditions, drawn from the application, for the Sub-Committee's consideration.
- 8.2 Appendix 2 - Conditions agreed between the applicant and Essex Police.

CONDITIONS DRAWN FROM THE OPERATING SCHEDULE

1. The premises licence holder shall ensure that announcements are made and notices in newsletter are posted (including at functions) requesting that persons leave the premises in a quite manner with consideration to local residents.
2. Perimeter checks shall be carried out at the premises to ensure that noise levels are within acceptable limits. (to be clarified at hearings)
3. The Licensee shall ensure that CCTV is monitored.
4. Risk assessments shall be undertaken to ensure public safety.
5. The Licensee shall ensure that when the premises are hired, hirers are advised of the terms and conditions of hire including consideration for the neighbours
6. No adult entertainment shall be allowed on the premises.
7. No gaming machines shall be allowed on the premises.

APPENDIX 2

CONDITIONS AGREED BETWEEN THE POLICE AND THE APPLICANT

1. The Licensee shall install and maintain a closed circuit television surveillance (CCTV) system to the reasonable satisfaction of Essex Police. The system shall record in real time and images shall be retained for a minimum of 30 days and made available to Essex Police on request. A member of staff shall always be on call during opening times that is able to download and burn off images from the CCTV system.
2. The Licensee shall ensure that a suitably worded sign of sufficient size and clarity is displayed at the entrance to the premises and in the licensed area stating that CCTV is operating at the premises.
3. The Licensee shall ensure that an incident log is maintained on the premises to record any incidents or occurrences relating to crime or disorder issues. The incident book shall be made available for inspection to Police / Local Authority Officers upon request.