

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Monday, 25th April, 2016

Place: Committee Room 1 - Civic Suite

Present: Councillor J McMahon (Chair)
Councillors S Buckley and R Hadley

In Attendance: R Harris

Start/End Time: *10.00 am - 2.00 pm

*The Committee stood adjourned on 4th April 2016 and reconvened on 25th April 2016.

373 Apologies for Absence

There were no apologies for absence at this meeting.

374 Declarations of Interest

There were no declarations of interest at this meeting.

375 Application for Grant of Premises Licence - Broadway, 12 Broadway, Leigh-on-Sea, SS9 1AW

The Sub Committee received a report by the Corporate Director for Place regarding an application by CornerFlag Limited for the grant of a premises licence in respect of Broadway, 12 Broadway, Leigh-on-Sea, Essex, SS9 1AW.

The application was presented by Mr West, the applicant's licensing consultant. The Designated Premises Supervisor was also in attendance. The Director for the applicant was unable to attend the reconvened hearing but was in attendance at the initial hearing on 4th April 2016. The applicant offered a number of conditions to address the residents' concerns.

The Sub Committee noted that no objections to the application had been received from any of the Responsible Authorities.

Objections had however, been received from 12 other interested parties, namely residents. 5 of the objectors attended the hearing and spoke on the application. Councillor Arscott was also present and spoke on behalf of 3 residents. Their concerns primarily related to noise, namely the prevention of public nuisance and the prevention of crime and disorder.

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.

On the basis of the evidence presented to them, the Sub-Committee considered that the licensing objectives and the residents' concerns would be adequately addressed by the conditions imposed on the licence. The Sub Committee therefore:

Resolved:

That the application be granted subject to:

1. The mandatory conditions set out in Appendix 1 to the submitted report;
2. The conditions drawn from the Operating Schedule set out in Appendix 2 to the submitted report, subject to the removal of the wording, 'save for bona fide off sales' from Condition 9;
3. The conditions agreed with the Police, Licensing Authority and the Applicant set out in Appendix 3 to the submitted report, subject to the removal of Condition 7 (as this was covered in Condition 9 of Appendix 2) and the amendment to Condition 10 below:

'The use of the external area shall cease at 22.00 hours daily until the commencement of licensing hours the following day, except for:

- (i) The purposes of access and egress;
- (ii) For use as a smoking area by no more than 12 patron's at any time between 22.00 to 23.00 Sundays to Thursdays and Friday and Saturday from 22.00 to 01.00 hours the following morning.
- (iii) The smoking area shall be monitored regularly during the period above to ensure compliance with paragraph (b) above.'

4. The amended conditions listed below:-

- (a) The supply of alcohol for consumption on the premises as follows:-
 - Sunday to Thursday – 10.00 to 23.00
 - Friday and Saturday – 10.00 to 01.00 the following morning.
- (b) Provision of regulated entertainment comprising indoor sports as follows:
 - Sunday to Thursday – 10.00 to 23.00
 - Friday and Saturday – 10.00 to 01.00 the following morning.
- (c) Provision of regulated entertainment indoors comprising recorded and live music, dancing and entertainment of a similar nature and provision of films:
 - Sunday to Thursday – 10.00 to 23.00
 - Friday and Saturday – 10.00 to 01.00 the following morning.
- (d) Late night refreshment may be provided during the permitted hours specified above plus an additional 30 minutes at the end of those permitted hours.

- (e) The premises to remain open during the following hours:
 - Sundays to Thursdays from 10.00 to 23.30;
 - Friday and Saturday from 10.00 to 01.30
- (f) In respect of all the above activities on the following days the terminal hours of licensable activities shall be extended by 1 hour:-
 - Sundays immediately prior to a Bank Holiday Monday, Christmas Eve, Boxing Day, Maundy Thursday, St. Patrick's Day and St George's Day.
- (g) On New Year's Eve from the end of the permitted hours to the start of the permitted hours the following day.
- (h) A free telephone contact number to a taxi service will be made available and a sign displaying the availability of such service shall be displayed in a prominent position within the premises. Customers will be encouraged to remain inside while waiting.
- (i). All amplified sound shall be played through a sound limiting device set at a level so as not to cause disturbance to nearby residents, the level to be determined by an acoustic consultant or suitably qualified sound engineer in consultation with the Council's Environmental Protection Team.
- (j) All windows from the entertainment area of the building will be closed during the provision of regulated entertainment.
- (k) The internal entrance doors will be kept closed during licenced hours except for access and egress.

Chairman: _____