

## **SOUTHEND-ON-SEA BOROUGH COUNCIL**

### **Meeting of Licensing Committee**

**Date: Monday, 4th September, 2017**

**Place: Committee Room 1 - Civic Suite**

**Present:** Councillor R Hadley (Chairman)  
Councillors D McGlone (Vice-Chair), S Buckley, M Butler,  
T Callaghan, N Folkard, S Habermel (present for Minute 261 only),  
D Jarvis, A Jones, D Kenyon and G Phillips

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** T Row, R Harris, A Penn, M Newton and A Byrne

**Start/End Time:** 10.00 am - 3.45 pm

#### **258 Apologies for Absence**

Apologies for absence were received from Councillors Ayling (no substitute), Borton (Substitute: Councillor Jones), Mulroney (Substitute: Councillor Wexham – sent apologies) and Ware-Lane (no substitute).

#### **259 Declarations of Interest**

No interests were declared at the meeting.

#### **260 Minutes of the Meeting held on Thursday, 27th July, 2017**

Resolved:-

That consideration of the Minutes of the meeting held on Thursday, 27<sup>th</sup> July 2017 be deferred to the next meeting.

#### **261 Application for the Renewal and Variation of a Sexual Entertainment Venue Licence - Entice, 3 Warrior House, 42 - 82 Southchurch Road, Southend-on-Sea, Essex, SS1 2LZ**

The Committee received a report of the Deputy Chief Executive (Place) concerning an application that had been made by Wizard Sleeve Bars (Essex) Limited for a Sexual Entertainment Venue Licence in respect of Entice, 3 Warrior House, 42 - 82 Southchurch Road, Southend-on-Sea, Essex, SS1 2LZ.

The application was presented by Mr Sutherland (Applicant's Solicitor). Mr Weatherstone (applicant) was also in attendance and gave evidence. Staff from the premises were also present.

The Committee noted that no objections to the application had been received from the Police. Letters of objection had, however, been received from three residents. One of the residents attended the hearing and gave evidence.

The Committee considered all the evidence and submissions that had been made at the meeting and the written reports and documentation that had been presented prior to the hearing. The Committee also had regard to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (adopted pursuant to the Police and Crime Act 2009) and the Council's Policy for controlling sex establishments.

Resolved:

1. That the application for the renewal of a Sexual Entertainment Venue Licence in respect of Entice, 3 Warrior House, 42 - 82 Southchurch Road, Southend-on-Sea, Essex, SS1 2LZ be granted, subject to the relevant standard operating conditions to the current licence set out in Appendix 1 to the report of the Deputy Chief Executive (Place).
2. That the licensee signpost performers and staff to suitable support services when requested or as appropriate.

**262 Application for the Renewal of a Sexual Entertainment Venue Licence - The Foresters, 65 Marine Parade, Southend-on-Sea, Essex, SS1 2EN**

The Committee received a report of the Deputy Chief Executive (Place) concerning an application that had been made by Mr Lee Jonathon Phyers for a Sexual Entertainment Venue Licence in respect of The Foresters Arms Public House, 65 Marine Parade, Southend-on-Sea, Essex, SS1 2EN.

The application was presented by Mr Flaherty (Applicant's representative). Mr Phyers (applicant) was also in attendance and gave evidence.

The Committee noted that no objections to the application had been received from the Police. Letters of objection had, however, been received from one resident who attended the hearing and gave evidence.

The Committee considered all the evidence and submissions that had been made at the meeting and the written reports and documentation that had been presented prior to the hearing. The Committee also had regard to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (adopted pursuant to the Police and Crime Act 2009) and the Council's Policy for controlling sex establishments.

Resolved:

1. That the application for the renewal of a Sexual Entertainment Venue Licence in respect of The Foresters Arms Public House, 65 Marine Parade, Southend-on-Sea, be granted, subject to the relevant standard operating conditions to the current licence set out in Appendix 1 to the report of the Deputy Chief Executive (Place) and the following additional conditions:

- The licensee shall ensure that clear signage is displayed on the external Iron Gate stating 'Private: No Entry.'
- The licensee shall submit to the Licensing Authority within a reasonable period a new plan of the premises showing the internal and external doors, all room layouts and the location of the external Iron Gate.

2. That the Performers' Code of Conduct continues to contain the following rule:

*'Dancers may not perform any act which simulates masturbation, oral sex or sexual intercourse, including the insertion of any object, including their own finger, into the anus or vagina.'*

**Chairman:** \_\_\_\_\_