

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

## **Meeting of Licensing Sub-Committee B**

**Date: Friday, 17th August, 2018**

**Place: Committee Room 4 - Civic Suite**

**Present:** Councillor R Hadley (Chair)  
Councillors A Dear and H McDonald

**In Attendance:** Councillor Nevin  
A Brown, T Row, M Newton and R Layzell

**Start/End Time:** 9.30 a.m. - 12.45 p.m.

### **217 Apologies for Absence**

There were no apologies for absence.

### **218 Declarations of Interest**

No interests were declared at the meeting.

### **219 Application for Variation of Premises Licence - Seven Hotel, 7 Clifton Terrace, Southend-on-Sea, Essex, SS1 1DS.**

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application by Seven Hotels Ltd for the variation of a Premises Licence in respect of Seven Hotel, 7-9 Clifton Terrace, Southend-on-Sea, Essex, SS1 1DT.

The application was presented by Mr S Thomas (Applicant's Solicitor). Mr Chikte, the applicant was in attendance.

The sub-committee noted that no letters of objection to this application were received from the Responsible Authorities.

Representations had however, been received from ten local residents and one of the Ward Councillors. Four of those residents, namely Mr Harrison, Mr Kirschner, Mr Giudici and Mr Green attended the hearing.

Only Mr Green spoke and gave evidence at the hearing, on behalf of himself, Mr Harrison and Councillor J Garston. Councillor Nevin, another of the Ward Councillors, attended the hearing and spoke on behalf of Mr Giudici and Mr Kirschner and gave evidence.

The residents' concerns focused on the licensing objective of the prevention of prevention of public nuisance and, in particular, noise nuisance as the premises was located in a residential conservation area.

In view of the resident objections, the applicant had amended the application prior to the hearing to seek the extension of the terminal hour for the sale of

alcohol and the provision of late night refreshment to non-residents of the hotel from 23.00 to mid-night on Fridays and Saturdays only. The application relating to the use of the terrace was removed from the application.

Clarification was sought by the applicant as to whether condition 2 of annex 2 of the existing premises licence related solely to licensable activities, as this area had been used as a smoking area outside the permitted hours. It was confirmed that this condition was absolute and was not limited to licensable activities. The applicant therefore suggested that this could be amended to allow its use only by smokers outside of the permitted hours as this area is located further away from residential properties, as this may reduce the potential for noise nuisance.

Some of the objections related to issues such as parking problems, the spread of licensed premises into the conservation area and the potential change of the character of the area. These are not matters for the licensing sub-committee to consider as they are within the remit of the local planning authority.

The sub-committee noted that the concerns of noise nuisance related to two events authorised under temporary event notices and noise emanating from plant machinery at the hotel. The noise from the plant machinery was however, being dealt with in conjunction with the local planning authority.

The sub-committee listened to all the evidence and submissions, and read all the documents. It had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. The sub-committee further 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.

On the basis of the evidence presented to it, the sub-committee did not consider that the promotion of the licensing objectives would be undermined by the granting of this application. The sub-committee felt that the conditions proposed and the introduction of new/amended conditions would be sufficient to address the objectors' concerns. It therefore:

Resolved:

That the amended application for a premises licence in respect of Seven Hotel, 7-9 Clifton Terrace, Southend-on-Sea, Essex, SS1 1DT be granted, subject to:

(i) The Mandatory Conditions set out in Appendix 1 to the report of the Deputy Chief Executive (Place);

(ii) The conditions set out in Appendix 2 to the report of the Deputy Chief Executive (Place), subject to the following amendment:

Condition 1 to now read:

The front outside area, known as the terraced area, shall not be used between 21:00 hours and 07:00 the following day, save that this area may be used only as a smoking area within these restricted hours.

(iii) The following additional condition:-

(a) The doors to the terraced area shall remain closed at all times from 21:00 hours to 07:00 hours the following day, save for emergency access and egress. During this time access to the terraced area shall only be via the main reception.