

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Monday, 15th March, 2021

Place: Virtual Meeting via MS Team

Present: Councillor B Ayling (Chair)
Councillors M Borton and A Dear

In Attendance: A Brown, T Row, M Newton, T Bahannack and E Cook

Start/End Time: 10.00 am - 11.00 am

897 Apologies for Absence

There were no apologies for absence.

898 Declarations of Interest

Councillor Borton declared a non-pecuniary interest in respect of this application on the grounds that one of the objectors was known to her as a member of the Labour Party.

899 148-150 Hamlet Court Road, Westcliff-on-Sea, Essex, SS0 7LN - Application for the Grant of a Premises Licence

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Jason Richard Rogers for the grant of a Premises Licence at 148-150 Hamlet Court Road, Westcliff-on-Sea, Essex, SS0 7LN.

The application was presented by Mr Graham Hopkins (the Applicants' Licensing Consultant). One of the Applicant's, Mr Saam Balasingam was in attendance and gave evidence. Prior to the commencement of the hearing the Applicants' Licensing Consultant submitted some additional conditions should the application be granted.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, however, measures had been agreed between the Police and the Applicant, should the application be granted. These were included in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment). The application was also amended by the Applicant after consultation with Essex Police, so as to reduce the licensable hours originally sought from 06.00 to 00.00 daily to 07.00 to 23.00 daily.

Eleven (11) representations were received from local residents objecting to the application. Three (3) of those subsequently withdrew their representation following communication with the Applicants' licensing consultant. One of the objectors, Ms Rebecca Barnett attended the meeting and gave evidence.

Their objections/representations related to all four of the licensing objectives. The concerns were primarily the potential of anti-social behaviour from intoxicated persons; the number of beggars and thefts particularly at the supermarkets in the vicinity; the naming of the premises as "Booze Corner" and the location of the premises is in close proximity to a residential area with young children. Other concerns related to the need of another premises selling alcohol in an area already well served by such premises, the potential designation of the section of road as a Conservation Area, parking congestion and traffic and highways safety issues.

The need for licensed premises and the rationale for making the application are not matters for the sub-committee to consider and the issues of highways and parking are essentially matters for planning. The sub-committee heard that there had been no record of incidents of crime and disorder at the premises nor at any of the other premises managed by the Applicant and that the police had not objected to the application.

At the hearing, the Applicant agreed to further amend the application to reduce the hours the premises were open to the public to 07.00 to 23.00 daily so that it would now be commensurate with the permitted licensing hours. The name "Booze Corner" would not be used for the premises.

The sub-committee noted that the plan was slightly inaccurate as the area of the premises to be licensed was not clearly illustrated on the plan attached to the application. The plan also did not clearly illustrate the location of the CCTV cameras.

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 the application, subject to the imposition of conditions. The sub-committee therefore:

Resolved:-

1. That the application be granted subject to:
 - (i) The Mandatory Conditions set out in Appendix 1 to the report of the Executive Director (Neighbourhoods and Environment).
 - (ii) The conditions drawn from the Operating Schedule, together with the conditions agreed between the Essex Police and the Applicant as set out in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment), subject to the amendment of Condition 1 to now read as follows:

"1. A personal licence holder shall be on duty at the premises at all time the premises is open to the public for the sale of alcohol."
 - (iii) The following additional conditions:
 - "Notwithstanding Conditions 9 and 10 in Appendix 2, appropriate signage shall be displayed by the entry/exit door and counter areas as appropriate relating to:
 - (a) CCTV and Challenge 25 being in operation;

- (b) The provisions of the Licensing Act relating to underage and proxy sales; and
- (c) Asking customers to respect residents and keep noise to a minimum, not to drink in the street, not to loiter outside the shop and to leave the shop and vicinity quietly and to dispose of litter legally".
 - "No deliveries to be made to the premises between 20.00 to 08.00 hrs the following morning. All deliveries to the premises shall be made from Hamlet Court Road only."
 - "A phone number for the shop shall be clearly displayed in the front window to enable residents to report any concerns."
 - "A revised plan clearly illustrating the licensed area in red and the location of the thirteen internal and three external cameras shall be provided to the Licensing Authority within 3 working days of the receipt of this decision."

Chair: _____