

# **SOUTHEND-ON-SEA CITY COUNCIL**

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

**Date: Friday, 16th June, 2023**

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

**Present:** Councillor J Warren (Chair)  
Councillors S Buckley and N Folkard

**In Attendance:** E Anakwue, T Row, M Newton and T Bahannack

**Start/End Time:** 10.00 - 11.40 am

### **1 Apologies for Absence**

There were no apologies for absence.

### **2 Declarations of Interest**

The following interest was declared at the meeting:

(i) Mr T Bahannack – worked with Mr O’Boyle at Westminster City Council in 1998.

### **3 Westcliff Drinks Co, 128 Hamlet Court Road, Westcliff-on-Sea, SS0 7LN - Application for the Variation of Premises Licence**

The sub-committee received a report of the Executive Director (Neighbourhoods & Environment) concerning an application by The Westcliff Drinks Co. Ltd. for the variation of a Premises Licence at Westcliff Drinks Co, 128 Hamlet Court Road, Westcliff-on-Sea, SS0 7LN.

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

The application was presented by Mrs K Fairweather (owner) on behalf of the applicants. Mr D Fairweather (husband and co-owner) and Mr D O’Boyle (business partner) also attended the meeting and gave evidence.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, although additional and amended conditions had been agreed with the Essex Police during the consultation period, should the application be granted. These conditions were set out in Appendix 2 to the submitted report of the Council’s Executive Director (Neighbourhoods and Environment). One representation had, however, been received from Mr & Mrs Platt, local residents, objecting to the application. Both Mr & Mrs Platt attended the hearing and gave evidence. Copies of their written representation and submissions were provided to the sub-committee.

The sub-committee also noted that the hours sought in the application for the sale of alcohol in the outside areas were from 12:00 noon until 21:00 hours and not from 09:00 hours to 21:00 hours. Furthermore, it noted that appropriate barriers would be purchased to clearly segregate the outside area and that this would be managed appropriately. The sub-committee expect this to be done.

The sub-committee concluded that, on the basis of the evidence presented to it in respect of this application, the promotion of the licensing objectives would not be undermined by the granting of the application, subject to the amendment and imposition of appropriate conditions. It therefore:

Resolved:-

The application is therefore 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, agreed with Essex Police, as set out in Appendix 2 to the submitted report of the Executive Director (Neighbourhoods and Environment); and
- (iii) The conditions carried forward from the existing licence which are not subject of the variation application.

(For clarity, included in the conditions agreed with Essex Police at condition 5, the application to remove condition 7 of the existing licence, “Customers shall not be permitted to remove from the premises any drinks supplied by the premises in open containers” and condition 15 of the existing licence “There shall be no removal of alcoholic drinks from the premises unless in sealed containers” shall remain in force on the licence. This is on the basis that the outside area as shown on the plan would now be considered part of the ‘licensed premises’ and the use of this licensed area ceases at 21:00 hrs. No drinks supplied by the premises in unsealed containers shall be permitted in this area from 21:00hrs until 12:00 noon the following day.)

**Chair:** \_\_\_\_\_