

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

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

**Date: Wednesday, 30th August, 2017**

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

**Present:** Councillor D McGlone (Chairman)  
Councillors M Borton and H McDonald

**In Attendance:** A Brown, T Row, A Penn and L Coombes

**Start/End Time:** 10.10 am - 12.05 pm

#### **255 Apologies for Absence**

There were no apologies for absence.

#### **256 Declarations of Interest**

No interests were declared at the meeting.

#### **257 Saltwater Beach Café, 111 Chalkwell Esplanade, Westcliff-on-Sea, SS0 8JP - Application for the Grant of Premises Licence**

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application by Saltwater Beach Café Ltd for the grant of a Premises Licence at Saltwater Beach Café, 111 Chalkwell Esplanade, Westcliff-on-Sea, Essex, SS0 8JP.

The application was presented by Mr West, the applicant's representative. Ms Carr (Director and Manager of the Café) was in attendance at the hearing and gave evidence.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities. 91 (ninety one) representations had however, been received in response to the application. 65 (sixty five) of these were in support of the application and 26 (twenty six) in objection to the application. 17 (seventeen) of those who had objected were represented by Mr Murrell (a solicitor). However, following agreement of further conditions to be appended to the licence between the applicant and Mr Murrell, those objections were withdrawn prior to the hearing.

The residents' concerns mainly related to two of the Licensing Objectives, namely the prevention of crime and disorder and the prevention of public nuisance, as the premises was located in a residential area.

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 considered that the licensing objectives and the objectors concerns would be adequately addressed by the conditions imposed on the licence. The sub-committee therefore:

Resolved:

That the application for the grant of a premises licence be granted, subject to the following:-

(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 amendments:

Condition 8 to now read:

*“The sale of alcohol shall be ancillary to the purchase of a substantial meal.”*

Condition 9 to now read:

*“There shall be a minimum of 23 covers maintained at all times comprising at least 15 internally and 8 on the terrace/veranda area as shown hatched on the plan of the premises.”*

Condition 10 to now read:

*“There shall be no use of the outside area between 21.00 hrs and 09.30 hrs (including the use of the external bottle bins).”*

(iii) The additional conditions agreed between the applicant and Mr Murrell, on behalf of the objectors, as set out below:

1. There will be no off-sales of alcohol from premises other than for consumption on the terrace (veranda) of the premises being that area hatched on the attached plan in compliance with condition 3 below.

2. The sale of alcohol for consumption on the premises will take place between noon and 22:00 hrs.

3. In respect of the terrace (veranda) area of the premises as shown on hatched on the plan, the consumption of alcohol is to be permitted between noon and 21:00 hours only and ancillary to a substantial meal where the patron is seated at a table.

4. Substantial meals are meals purchased from the premises with a cost in excess of £5.00

5. No alcohol will be sold or supplied from the premises to any external area or garden area and only to the terrace (veranda) area as hatched on the plan and the internal licensed area edged red on the plan.

6. The sale of food take-aways will cease at 21:00 hrs. Food will cease to be supplied to the terrace (veranda) area as hatched on the plan by 21:00 hours and will cease to be supplied to the garden area by 20:00 hrs.

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