

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

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

**Date: Friday, 12th February, 2016**

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

**Present:** Councillor Mulroney (Chairman)  
Councillors Byford and Phillips

**In Attendance:** A Penn, M Newton, P Tremayne and T Row

**Start/End Time:** 10.10 am - 12.45 pm

### **650 Apologies for Absence**

There were no apologies for absence.

### **651 Declarations of Interest**

No interests were declared at the meeting.

### **652 341 London Road, Westcliff-on-Sea, Essex, SS0 7HT - Application for the Grant of Premises Licence**

The sub-committee received a report of the Corporate Director for Place concerning an application by Mr Neshet Koc for the grant of a Premises Licence at 341 London Road, Westcliff-on-Sea, Essex SS0 7HT.

The application was presented by Mr P West, the applicant's licensing consultant. The applicant's brother and joint owner, Mr Bohem Koc was also in attendance.

The sub-committee noted that no objections to the application had been received from any of the Responsible Authorities but that conditions had been agreed with Essex Police and the Licensing Authority, should the application be granted. These were attached to the report of the Corporate Director for Place at Appendix 3.

Four representations had however, been received from local residents, one of which was withdrawn prior to the hearing. One of the objectors attended the hearing and spoke. The objectors' concerns essentially related to two of the licensing objectives, namely the prevention of public nuisance and the protection of children from harm. The applicant presented a photograph illustrating the proximity of the residential properties to the rear of the premises and the objector attending the hearing identified the location of the window to his child's bedroom.

The sub-committee considered all the evidence and submissions that had been made at the meeting and the written documentation that had been presented prior to the hearing. The sub-committee also had regard to the National Guidelines and the Borough Council's Statement of Licensing Policy and

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, as they related to this application.

After consideration of the objections, the sub-committee was concerned about the effect of passive smoke and noise from the patrons using the rear area and considered the imposition of appropriate conditions to address these concerns.

In view of this and on the basis of the evidence presented to them, the sub-committee did not consider the promotion of the licensing objectives would be undermined by the granting of this application. It was therefore:

Resolved:

That the amended application be granted subject to the following:-

(i) The mandatory conditions set out in Appendix 1 to the report of the Corporate Director for Place;

(ii) The conditions consistent with the Operating Schedule set out in Appendix 2 to the report of the Corporate Director for Place;

(iii) The conditions agreed between the applicant and the Licensing Authority (acting as Responsible Authority) and Essex Police as set out in Appendix 3 to the report of the Corporate Director for Place, subject to the amendment of condition 6 which shall now read:

Condition 6. The external area shall be closed between 20.30 hours and 11.00 hours the following day.

(iv) The following additional conditions:

- Wall mounted ash trays and litter bins shall be provided in the external smoking area.
- The tent in the external area shall be enclosed on three sides to the north-east to the maximum of 50% of the total area of the tent or to the extent as permitted by law.
- An appropriate barrier shall be erected to prevent patrons congregating in the rear enclosed area of the tent.
- Appropriate signage shall be erected in the rear area requesting patrons not to cause noise disturbance to neighbouring residents.
- The door to the rear external area shall be closed at all times when regulated entertainment is provided, except for access and egress.

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

