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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Friday, 4th September, 2020
Place: Virtual Meeting via MS Teams

Present: Councillor B Ayling (Chair)
Councillors D Cowan and K Mitchell

In Attendance: E Anakwue, T Row, A Byrne and M Newton

Start/End Time: 10.00 - 11.45 am

329 Apologies for Absence

There were no apologies for absence.

330 Declarations of Interest

No interests were declared at the meeting.

**331 Scouts, adjacent to 53 High Street, Leigh-on-Sea, Essex, SS9 2EP -
Application for the Grant of Premises Licence**

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Scouts of Leigh Ltd for the grant of a Premises Licence at Scouts, adjacent to 53 High Street, Leigh-on-Sea, Essex, SS9 2EP.

The application was presented by Ms A Alston on behalf of the applicants

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 Essex Police, the Licensing Authority and the Applicant, should the application be granted. These were included in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment). Sixteen (16) representations had however, been received from local residents, Leigh Town Council and the three local ward Councillors.

Prior to the hearing, the applicant amended the application and conditions to mirror the conditions that had been imposed following the grant of planning permission for the premises. Further amendments were also agreed between the applicants and the Licensing Authority, the effect of which had resulted in a number of the objections being withdrawn. A revised report setting out the amendments was circulated prior to the meeting.

Six of the representations were however, not withdrawn. Four of those, namely Ms Gridley, Ms Sporton, Ms Sverdloff and Mr Sverdloff, attended the hearing and gave evidence. Councillor Cracknell also attended the hearing and gave evidence on behalf of Leigh Town Council. Councillor Mulrone, also attended the hearing to present the representation on behalf of Mr Johnson.

The objections/representations related to concerns of noise and public nuisance, particularly, the noise of patrons attending and leaving the premises, the disturbance caused by customers using the external areas and the current nuisance caused by intoxicated patrons which could be exacerbated by the grant of the licence. The need for another licensed premises in a compact residential and heritage area was also questioned, as well as issues relating to the planning merits of the application.

The need for licensed premises, the rationale for making the application and the merits of the planning application are not matters for the sub-committee to consider. The current issues being experienced in the area are not attributable to these premises and neither the police nor Environmental Health, who are the experts in their respective field in relation to public nuisance, crime and disorder had objected to the application.

The sub-committee did, however, note that the terminal hour for the sale of alcohol matched the hours the premises was open to the public and the kitchens would usually be closed for orders after 9.30-10.00 p.m. It therefore felt that whilst consumption of alcohol was not a licensable activity, an appropriate reduction in the hours when alcohol could be purchased with a meal would help to reduce any disturbance to residents.

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 amended application, subject to the reduction in the terminal hour for the supply of alcohol.

The sub-committee therefore:

Resolved:-

That the amended application be granted subject to the following:

- (i) The provision of the sale of alcohol shall be permitted on the premises daily from 09:00 to 23.30 from 1st May until 30th September and from 12.00 until 23.30 from 1st October until 30th April including Bank Holidays;
- (ii) The Mandatory Conditions set out in Appendix 1 to the amended report of the Executive Director (Neighbourhoods and Environment); and
- (iii) The conditions drawn from the Operating Schedule, together with the conditions agreed between the Essex Police, the Licensing Authority and the Applicant as set out in Appendix 2 to the amended report of the Executive Director (Neighbourhoods and Environment).

Chair: _____