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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Monday, 14th December, 2020

Place: Virtual Meeting via MS Teams

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

In Attendance: A Brown, T Row and A Byrne

Start/End Time: 10.00 am - 10.40 am

673 Apologies for Absence

There were no apologies for absence.

674 Declarations of Interest

No interests were declared at the meeting.

675 18-20 Elm Road, Leigh-on-Sea, SS9 1SN - Application for the Grant of Premises Licence

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Oliver Smith, trading as Hopsters (Leigh-on-Sea) Ltd. for the grant of a Premises Licence at 18-20 Elm Road, Leigh-on-Sea, SS9 1SN.

The application was presented by the applicant, Mr Smith. The applicant's business partner, Mr E Barnes, was also in attendance and gave evidence.

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).

One representation had however, been received from Leigh Town Council. Councillor D Cracknell attended the meeting and gave evidence on behalf of Leigh Town Council. 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 area, and the protection of children from harm, given the close proximity of the premises to a local school. Other issues that were questioned were the need for another licensed premises in the area, the addition of another licensed premises in this already saturated area would cause additional foot and vehicle traffic, as well as an increase in noise and disturbance for surrounding residents.

The need for licensed premises is not a matter for the sub-committee to consider and there is no "saturation policy" in place within the Borough.

The sub-committee noted that there were a number of other licensed premises in closer proximity to the school with longer operating hours. The sub-committee also heard that patrons would not be able to drink or smoke at the front of the premises and there would be no drinks promotions displayed in the front window. The premises would be a small, predominantly retail based business and would be operated using the same business model as the companies two other licensed premises, both of which had been operating without incident.

On the basis of the evidence presented to it and having regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy, 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 appropriate conditions. The sub-committee therefore

Resolved:-

That the application be granted subject to the following:

- (i) The Mandatory Conditions set out in Appendix 1 to the report of the Executive Director (Neighbourhoods and Environment); and
- (ii) 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 report of the Executive Director (Neighbourhoods and Environment).

Chair: _____