

Southend-On-Sea Borough Council

Application for renewal of an SEV licence

Pink Papers, The Stables, Lucy Road, Southend-On-Sea

Local Government (Miscellaneous Provisions) Act 1982

Policing and Crime Act 2009

Introduction

In order to meet difficulties sometimes experienced in remote hearings, it may assist the Committee to have written summary of how Mr. Stavrou puts his application, together with some background material, in advance of the hearing on 25th March.

Summary

Mr. Stavrou understands and accepts that there is no automatic right to the renewal of an SEV licence, and that a decision as to its continuance is taken annually.

He also understands that, as and when the Seaway car park development is complete, any decision on the renewal of his licence (should this application be granted) would be made having regard to the changed character of the locality.

The Council has a discretion whether to grant or refuse renewal. Mr. Stavrou will be asking the Committee to assess his application in the broad context of what, on any view, are highly unusual circumstances (they are detailed below). He will respectfully suggest that there is no immediate need to refuse the renewal of his licence, and that in all the circumstances it would be particularly hard on him to do so.

History

The premises have been licensed as a lap-dancing venue since 1999, trading successfully as "Sunset" with no expressed concerns from the Council's Enforcement Officers or Southend Police Licensing Unit.

On 29 November 2019, the licence was transferred to Mr. Stavrou.

On 10 January 2020, Mr. Stavrou purchased a 10-year lease of the premises for £140,000, at a yearly rent of £24,167 + VAT. He did not trade from the premises, however, but immediately set about refurbishing and rebranding them as "Pink Papers". Refurbishment was completed by 23 February 2020, at a cost of some £70,000.

On the night of 25 February 2020, the day before Pink Papers was due to open, the premises were the target of an arson attack by two masked men which essentially gutted the interior. The restoration cost was in excess of £75,000, of which only £60,000 was met by insurance.

Restoration was not completed until June 2020, at which time the premises could not open for trading because of the Covid-19 restrictions then in place. During the period when those restrictions were partially lifted, Mr Stavrou opened briefly but had to close again after 4 days because the 10 pm curfew meant that the business was running at a loss.

Mr. Stavrou estimates that the combined rental and running costs during the extended period of closure have amounted to approximately £5,000 a month.

Applicant's background

Mr. Stavrou was born in Bethnal Green Hospital on 26 October 1966. He left school at 16 and worked for his parents' bed and breakfast business. That business expanded over the years and by the time Mr. Stavrou's father died in 2000 it comprised 3 hotels and some shops and flats.

Mr. Stavrou sold his share of the inherited family business in 2001 and invested in some commercial and residential properties in Epping. In 2018, having sold his investments, he moved to Southend, where he was offered the purchase of the "Sunset" business. It was his intention that it would be his last business venture before he retires. He has no other business interests or source of income.

Conclusion

Since the Council's Sex Establishments Licensing Policy came into force in December 2018, this licence has been renewed twice (March 2019, March 2020). The locality of the premises has not materially changed over that period.

An SEV licence lasts for one year only. The Seaway development has not yet begun: newspaper reports indicate an aspirational date for commencing works some time in the autumn. The development is highly unlikely to be completed within the term of an annual licence granted in March 2021.

The Committee will be invited to consider whether it would be unnecessarily hard on Mr. Stavrou, he having spent a substantial sum refurbishing the premises but being unable to open them because of the double-misfortune of an arson attack followed by the Covid-19 restrictions, to deny him the opportunity to operate his business (when the Covid-19 restrictions are lifted) at least until March 2022.

Gerald Gouriet QC.

Inner Temple

11 March 2021