

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Thursday, 29th April, 2021
Place: Virtual Meeting via MS Teams

Present: Councillor H McDonald (Chair)
Councillors N Folkard and K Mitchell

In Attendance: A Brown, T Row, A Penn, P Richards and E Cook

Start/End Time: 10.00 am - 12.10 pm

984 Apologies for Absence

There were no apologies for absence.

985 Declarations of Interest

No interests were declared at the meeting.

986 Mad Dogs & Englishmen Interior Ltd, 1349-1353 London Road, Leigh-On-Sea, Essex SS9 2AB - Application for a Premises Licence

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Mad Dog & Englishmen Interiors Ltd for the grant of a Premises Licence at Mad Dogs & Englishmen Interior Ltd, 1349-1353 London Road, Leigh-On-Sea, Essex SS9 2AB.

The application was presented by the Applicant, Ms Gill Hazell (Director) and Mr Justin Hazell (Designated Premises Supervisor).

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities

Eleven (11) representations in total had been received from local residents, objecting to the application. Three (3) of these representations were, however, not accepted by the Licensing Authority for the following reasons:

- a) One (1) was invalid as it did not refer/relate to any of the four licensing objectives;
- b) One (1) did not want their address passed on, nor published; and
- c) One (1) was received after the expiration of the consultation process.

One (1) of the representations was withdrawn prior to the commencement of the hearing. Six (6) of the objectors, namely Mr & Mrs Fleetwood, Mr & Mrs Harris, Mr Bewick and Ms Pickering, attended the hearing and gave evidence.

The objections/representations related to concerns of noise and public nuisance, particularly, the noise and disturbance of patrons attending and leaving the premises, and the protection of children from harm, given the close proximity of the premises to a local school. Other issues that were questioned the need for a

licensed premises/cocktail bar until 10.00 p.m. daily at this location, the fear of anti-social behaviour and disturbance from intoxicated patrons and the potential of the premises being converted into a bar in the future, parking in residential streets.

The need for licensed premises is not a matter for the sub-committee to consider. The sub-committee noted that there were other licensed premises in proximity to the schools in the area with longer operating hours. The sub-committee also heard that patrons would not be able to drink outside the premises and would only be able to smoke at the front of the premises in London Road. A doorman/concierge would be able to manage the front of house. There was no intention to change the business to a bar/club but would remain a predominantly afternoon tea business with themed events. The licence was being sought to enable alcohol to be served as part of the offer to customers, in line with other similar afternoon tea businesses. Patrons were currently permitted to bring their own alcohol for consumption on the premises. There had also been several temporary events held at the premises under temporary event notices and there had no recorded incidents/complaints about the premises. The premises had a good relationship with the local community and always tried to address any issues of concern.

During the hearing and in response to resident's concerns, the Applicants agreed to amend the application reducing the timing of licensable activities sought and the times the premises would be open to the public to now be as follows:-

Sundays and Mondays – 12.00 (noon) to 20.00 hrs
Tuesdays to Saturdays – 12.00 (noon) to 22.00 hrs.

The Applicants also offered the following conditions to be added to the licence should the application be granted:-

- Smokers will only be permitted to use the area at the front of the premises in London Road and shall be limited to a maximum of 6 persons.
- No drinks, glassware or bottles to be taken outside of the premises.
- Bottles would not be put into the external bins between the hours of 8.00 p.m. until 9.00 a.m. the following morning.
- Alcohol shall only be served to patrons seated at the tables.

The potential disturbance from the bottles being placed in the external bins and the collection of waste from the bins was discussed. Whilst the Applicant agreed not to put bottles in the bins after 8.00 p.m. until 9.00 a.m. the following day and the collection of the bins by the refuse company generally took place after 9.00 a.m., it may not be possible to prevent the company collecting at an earlier time. The sub-committee noted the undertaking of the Applicant to minimise disturbance and arrange collections after 9.00 a.m. where possible.

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 application as amended at the hearing, subject to the imposition of appropriate conditions. The sub-committee therefore:

Resolved:-

That the application as amended at the meeting be granted subject to:

(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 as set out in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment), subject to the amendment of Condition 10 to now read:

“10. Customers shall not be permitted to remove from the premises any drinks supplied by the premises and no bottles, glasses or drinking vessels shall be permitted to be taken beyond the licensed area marked on the authorised plan.”

(iii) The following additional conditions:

- Smokers are only be permitted to use the area at the front of the premises in London Road and shall be limited to a maximum of 6 persons at any one time.
- No disposal of bottles in the bins shall take place between the hours of 8.00 p.m. until 9.00 a.m. the following morning.
- All alcohol sales shall be delivered via a waiter/waitress service to tables. Consumption shall only be permitted while patrons are seated.
- The use of the door at the rear of the premises shall be restricted to authorised personnel, access and egress for disabled persons or emergency access/egress only.

Chair: _____