

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Licensing Sub-Committee A

Date: Wednesday, 17th August, 2022

Place: Committee Room 1 - Civic Suite

Present: Councillor A Thompson (Chair)
Councillors A Jones and A Line

In Attendance: E Anakwue, T Row, M Newton and T Bahannack

Start/End Time: 10.10 am - 11.10 am

219 Apologies for Absence

There were no apologies for absence.

220 Declarations of Interest

Councillors A Jones and A Line declared an interest in respect of this application on the basis that the Applicant and, in particular, Ms Hodges on the basis that they had met during the course of their work. The interests were not so significant to disqualify them from considering the application.

221 The Ironworks, 90 The High Street, Southend-on-Sea, SS1 1JN - Application for Grant of Premises Licence

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Kiwi Community Events C.I.C. for the grant of a premises licence at The Ironworks, 90 The High Street, Southend-on-Sea, SS1 1JN.

The application was presented by Ms Gillian Crew (Counsel). Ms Natalie Hodges (Director and Licensee) was also in attendance and gave evidence on behalf of the Applicants.

The sub-committee noted that no letters of objections to this application had been received from any of the Responsible Authorities, although conditions had been agreed with Essex Police, acting as a Responsible Authority during the consultation period, should the application be granted. These conditions were set out in Appendix 2 to the submitted report of the Council's Executive Director (Neighbourhoods and Environment).

One (1) representation had, however, been received from the neighbouring business objecting to the application. The objector did not attend the meeting. A copy of the representation was provided to the sub-committee.

The sub-committee noted that no objections had been received from the Environmental Health, in its capacity as responsible authority, the Applicant had been in discussion with them about the application and had subsequently agreed to some additional conditions to be added to the licence, in the event that the application was granted.

In determining the application, the sub-committee had regard to the Statutory Guidance Notes and Southend-on-Sea City Council's Statement of Licensing Policy. It 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.

The sub-committee concluded that, on the basis of the evidence presented to it, the issues raised in the representation, were either not matters for the sub-committee to consider or could be addressed by the imposition of appropriate conditions. The Police and Environmental Health Service were both experts in their respective fields (paragraph 9.12 of the Revised Guidance issued under section 182 of the Licensing Act 2003 refers) and neither had objected to the application. Furthermore, a key protection for the community where problems associated with the licensing objectives occur, was the possibility of reviewing the licence.

The only matter of concern was the sub-letting of market stalls to other licensed traders. Although these traders may be personal licence holders and be bound by conditions on their own premises, they would need to comply with any requirements/conditions attached to the licence regarding the authorisation/consent to sell alcohol and training requirements and record keeping.

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. It therefore:-

Resolved:-

That the application for a Premises Licence at The Ironworks, 90 The High Street, Southend-on-Sea, SS1 1JN be granted, subject to:

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

(ii) The conditions drawn from the Operating Schedule, agreed with Essex Police, as set out in Appendix 2 to the submitted report of the Executive Director (Neighbourhoods and Environment), subject to the following amendment:

Condition 16 to now read:

“16. A record of staff training shall be kept on the premises and made available to the Police, Trading Standards and Licensing Authority on request.”

3. The following additional conditions:

- “Contact details shall be published for the site for complaints about noise or other nuisances.”
- “A complaints procedure shall be produced which will be made available to the Police and Licensing Authority at all times. This shall include a log detailing any complaints made and any action taken.”
- “Clearly visible signage shall be displayed advising customers to be quiet when leaving the premises.”

- The bin areas shall not be used between 21:00 hrs and 10:00 hrs the following day.”
- “No loudspeakers shall be located or operated in the outside areas. (For clarity, this includes the roof terrace)

NOTE: The applicant is recommended to seek appropriate legal advice regarding the proposed sub-letting of market space within the licensed area to other personal licence holders/traders to ensure there is no breach of the conditions attached to the licence hereby granted.

Chair: _____