**MINUTES OF THE MEETING OF THE PREMISES / PERSONAL LICENCES SUB-COMMITTEE,
HELD ON FRIDAY, 23RD JANUARY, 2026 AT 10.00 AM
IN THE COMMITTEE ROOM, TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

Present:	Councillors J Henderson (Chairman), Casey, Smith (standby Member) and Wiggins
Also Present:	Councillor A Cossens
In Attendance:	Sarah Opene (Litigation Lawyer), Michael Cook (Licensing Manager), Emma King (Licensing Officer), Katie Koppenaal (Democratic Services Officer) and Bethany Jones (Democratic Services Officer)
Also In Attendance:	Kim Black (Licensing Technical Officer)

26. ELECTION OF A CHAIRMAN FOR THE MEETING

It was moved by Councillor Wiggins, seconded by Councillor Casey and:-

RESOLVED that Councillor J Henderson be elected as Chairman for the meeting.

27. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence submitted nor substitutions made on this occasion.

28. MINUTES OF THE LAST MEETING

It was moved by Councillor Casey, seconded by Councillor Wiggins and:-

RESOLVED that the minutes of the meeting of the Sub-Committee held on Friday, 23 January 2026, be approved as a correct record and be signed by the Chairman.

29. DECLARATIONS OF INTEREST

Councillor Wiggins declared for the public record that she held a personal licence, but that it had no bearing on her capacity to be a member of the Sub-Committee.

30. REPORT OF THE ASSISTANT DIRECTOR (CORPORATE POLICY & SUPPORT) - A.1 - GRANT OF A PREMISES LICENCE, KIRBY EXPRESS, 1-5 SHOP PARADE, HALSTEAD ROAD, KIRBY CROSS, CO13 0LN

The Sub-Committee heard from the Licensing Manager that an application had been received for the grant of a premises licence, under the Licensing Act 2003, from Mrs Selvabhavani Sujananth for the sale of alcohol off the premises at Kirby Express, 1-5 Shop Parade, Halstead Road, Kirby Cross and further that objections to that proposed licensable activity had been received from members of the public.

The applicant had described Kirby Express as a former pharmacy/general store which had been closed. The premises was to be renovated and refitted as a convenience store with all products and services.

The applicant had proposed to open to the public on the following days/hours:

Everyday 06:00 to 23:00

Proposed sale of alcohol off the premises hours:

Everyday 06:00 to 23:00

The full application had been attached to the main report (A.1) as Appendix A.

The Sub-Committee heard that eight representations/objections had been received from residents. Those letters of representations/objection had been attached to the main report (A.1) as Appendix B.

Members were reminded that each application must be considered in its own right and on its own merits only as to how it might impact on the four licensing objectives which were the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The Licensing Manager advised Members that matters such as parking did not fall within the licensing objectives or the scope of the Licensing Act 2003. It was further noted that the Planning Team had been consulted as a responsible authority and had raised no concerns.

Questions by Members:	Answers:
What are the current hours of the Tesco Express [on Halstead Road, Kirby Cross].	(Michael Cook) I'll look into this and update you accordingly. [Later on in the meeting as recorded below, Mr. Cook provided the requested information to Members.]

The agent representing the applicant, addressed the Sub-Committee in support of the application. The agent outlined a range of measures that would be implemented to promote and uphold the licensing objectives. Those included steps to enhance customer safety within the premises, the installation of CCTV to support the prevention of crime and disorder, the adoption of comprehensive safety procedures, and ensuring that all staff received appropriate training in the Challenge 25 policy. Additional measures included the provision of external waste bins for customer use and the display of signage outside the premises requesting that customers leave quietly.

Questions by Members:	Answers:
Will additional staff be scheduled to operate the shop during night shifts alongside the applicant?	(Agent) Three full-time staff members will be scheduled on rotating evening shifts alongside the applicant, and all personnel will receive appropriate

	training.
The 'Public Safety' section of the application (Appendix A) does not indicate that incidents will be recorded. Can you confirm that such incidents will indeed be documented?	(Councillor J Henderson) Under the 'Prevention of Crime and Disorder' section on page 23 of the agenda, it is noted that an incident log will be maintained and made readily available.
Will waste bins be provided for customers' use?	(Agent) Yes.
Can you confirm that the CCTV will cover the external area?	(Agent) Yes, it will.

An objector, Ray Frith, spoke in opposition to the application, expressing his concerns regarding the proposed opening hours (6 am to 11 pm) and the potential for increased noise during early morning and late evening periods. He also highlighted issues relating to delivery operations and the possible parking problems these may generate.

Another objector, Lorraine Crowder, addressed the Sub-Committee and spoke in opposition to the application. She highlighted a perceived issue regarding the potential promotion of drinking and gambling to young children through external advertisements, noting the close proximity of a primary school. Mrs Crowder also expressed concern that parking issues could give rise to a public nuisance and observed that the previous occupier, a chemist, had operated only between 9am and 5:30pm on weekdays. Additional concerns were raised regarding the display of a false notice outside the premises.

The Licensing Manager clarified that the blue notice had remained displayed for an extended period because the Licensing Authority had not initially received the application. Once the Licensing Team had become aware, the agent had been contacted and had been fully compliant. An amended notice had been subsequently displayed and advertised in accordance with the legislative requirements, and the application had been correctly served. Ward Councillors had also been notified.

The Licensing Manager further advised that Tesco Express on Halstead Road, Kirby, held a licence permitting operation from 6am to 12am, although, to his knowledge, the premises closed at 10pm.

Questions by Members:	Answers:
Are there any other premises in the area that open at 6am?	(Michael Cook) Tesco Express are open from 6am.
Are you aware of any issues with pests, particularly as the store is currently closed? Do you have pest control in place?	(Agent) The store will implement a formal pest-control programme once operations commence. Whilst work has been taking place, no pest activity has been observed. The applicant is committed to ensuring that appropriate pest-control measures are fully in place prior to the store becoming operational.
Could you please clarify the comments in your statement concerning the kebab shop's licensing status, as my understanding is that it does not	(Agent) Ordinarily, hot-food businesses wishing to operate beyond 11pm are required to obtain a premises licence. At present, however, they may trade up to

currently hold a licence.	that time without the need to submit a licence application.

The Chairman (Councillor J Henderson) then adjourned the meeting at this time whilst the Sub-Committee retired to deliberate. The Litigation Lawyer (Sarah Opene) and the Democratic Services Officer (Katie Koppenaal) retired with the Sub-Committee for observatory reasons only.

Upon resuming the meeting, the Chairman (Councillor J Henderson) read out a statement detailing the Sub-Committee's decision, which was as follows:

"The Sub Committee has given careful consideration to this application. The premises being Kirby Express, 1-5 Shop Parade, Halstead Road, Kirby Cross, Essex, CO13 0LN.

In reaching its decision, we have taken into account the views expressed by the Applicant Mrs Sujananth, the objectors present being Mrs Crowder and Mr Frith alongside written objections received.

The applicant's agent on the applicant's behalf submitted that she is local and her children attend school locally. She has been here for 5 years and has retail experience. He submitted that to prevent crime and disorder they have measures in place such as CCTV which the police will have access to, if necessary, signs encouraging customers to leave the area quietly, they operate challenge 25 policy, make available a refusal book, adequate bins will be made available for customers, staff will be trained etc.

He further stated that there are approximately 20 – 30 residents minimum in the area and that there were 8 objections which he insinuated showed the majority being in support. He addressed the concerns raised such as parking and said that these were planning issues.

As regards the noise he stated that the premises is located on a main road and there is already noise and as per loitering he said they had not seen anyone loitering.

Cllr Casey asked whether the applicant will be working alone for the purpose of nighttime working and in response it was said that there will be 3 staff working full time alongside the applicant.

Objector Mr Frith states that he lives 2 doors away from the current shop. He has no objection to anyone making an honest living but is concerned about the hours. He is worried about noise and parking. he says there is a Tesco about 200 yards away and the hours are nothing like the applicant is seeking. It was asked whether the defibrillator at the premises will be retained but the agent could not provide a response to the question. We are aware the Tesco licence in place for 6am – 12 midnight even though they close at 10pm.

Ms Crowder submitted that there will be a public nuisance and that there was previously chemist which only opened on weekdays and not the weekends and they would shut at lunch time and that they would shut at 5:30pm. She stated the other shop being a kebab shop shuts 9pm and its peaceful and quiet. She was very concerned about parking in the area and the safety of children walking to school.

She also mentioned a blue notice was put up without the application being made with the wrong reference which was only corrected following an objection to the Council.

The sub-committee has also considered the licensing objectives namely, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

The application has been determined on its own merit. The hours being sought for opening and for the sale of alcohol are Mondays – Sundays 06:00am to 23:00pm. The decision of the Sub-Committee is to grant the licence as requested.

The grant is subject to the actioning of the undertakings/conditions given by the Applicant and other mandatory conditions. The Committee is conscious of the various objectors' concerns, however it is mindful of its licensing objectives and its limitation but would encourage that should issues arise such as pest control issues there are departments within the Council dedicated to addressing such issues such as the environmental health team team-and where necessary licenses can be reviewed. As par parking there is parking services and highways England as it seems there may be ongoing concerns even though they do not relate to this premises as it is yet to be opened.

There has been no advise from the Legal Advisor in arriving at our decision.

Anyone aggrieved by this decision can appeal to the Magistrates court within the relevant statutory period.

You will get notification of this decision in 5 days."

The meeting was declared closed at 11.46 am

Chairman