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Premises / Personal Licences Sub-Committee

14 June 2021

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**MINUTES OF THE MEETING OF THE PREMISES / PERSONAL LICENCES SUB-COMMITTEE,  
HELD ON MONDAY, 14TH JUNE, 2021 AT 10.00 AM  
IN THE PRINCES THEATRE - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,  
CO15 1SE**

<b>Present:</b>	Councillors Davis, V Guglielmi, J Henderson and Winfield
<b>In Attendance:</b>	Linda Trembath (Senior Solicitor (Litigation and Governance) & Deputy Monitoring Officer), Karen Townshend (Executive Projects Manager), Michael Cook (Temporary Licensing Manager), Emma King (Licensing Officer), Emma Haward (Leadership Support Officer), Chloe Blackwell (Technical Licensing Officer), Matthew Cattermole (Communications Assistant).

**27. CHAIRMAN OF THE MEETING**

It was moved by Councillor Henderson, seconded by Councillor Davis and :-

**RESOLVED** – that the Councillor Winfield be elected as Chairman for the meeting.

**28. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies received from Councillor Coley, substituted by Councillors V Guglielmi.

**29. MINUTES OF THE LAST MEETING**

The minutes of the meeting of the Premises/Personal Licences Sub-Committee held on 12 February 2021 were approved as a correct record.

**30. DECLARATIONS OF INTEREST**

There were none.

**31. REPORT OF THE CORPORATE DIRECTOR (OPERATIONS AND DELIVERY) A.1 - APPLICATION FOR THE GRANT OF A PREMISES LICENSE - OAKMEAD SOCIAL CLUB, OAKMEAD ROAD, ST OSYTH, CO16 8NW**

The Chairman (Councillor Winfield) welcomed everyone to the meeting and made introductory remarks.

The Council's Temporary Licensing Manager (Michael Cook) then gave a verbal summary of the written report and advised that the Sub-Committee had before it, for its consideration, as set out in item A.1 of the Report of the Corporate Director (Operations and Delivery), an application for the grant of a Premises Licence in respect of Oakmead Social Club, Oakmead Road, St Osyth, CO16 8NW.

This application was made under the Licensing Act 2003 for a Premises Licence to include indoor sporting events, live music, recorded music, late night refreshment and the sale of alcohol on the premises.

The premises was a bar and Chinese restaurant, with smoking area, beer garden and large car park. Situated off the main road in a residential area.

Section 2.2 of the written report set out the proposed opening hours of the premises which were:-

Sundays to Thursday	1200 to 0000
Fridays and Saturdays	1200 to 0200

### **PROPOSED LICENSABLE ACTIVITIES**

#### **Indoor Sporting Events**

Mondays to Thursdays	1900 to 2300
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#### **Live Music**

Wednesdays	1900 to 2300
Fridays and Saturdays	1900 to 2300
Sundays	1400 to 1600
	1900 to 2200

#### **Recorded Music**

Mondays to Thursdays	1200 to 2300
Fridays to Sundays	1200 to 0000

#### **Late Night Refreshment**

Sundays to Thursdays	2300 to 0000
Fridays and Saturdays	2300 to 0200

#### **Sale of Alcohol on the Premises**

Sundays to Thursdays	1200 to 0000
Fridays and Saturdays	1200 to 0200

### **STEPS THAT APPLICANTS PROPOSED TO TAKE TO PROMOTE THE LICENSING OBJECTIVES WITHIN THEIR OPERATING SCHEDULE**

The applicant stated the following steps in the application to promote the licensing objectives. These measures were reproduced as shown in the application form and are detailed below for ease of reference. These were:

#### **Crime and Disorder**

Premises and outside areas are monitored by CCTV. Any suspicious activity will be reported to the Police.

#### **Public Safety**

Premises and outside areas are monitored by CCTV. Appropriate fire safety is in place with regard to exits and fire control equipment. First Aid equipment is available on the premises.

**Prevention of Public Nuisance**

Noise from any live or recorded music will be contained within the premises which has double glazed windows and a lobby.

When drinking in the beer garden, customers will be monitored on noise level.

**Protection of Children from Harm**

Children with only responsible adults will be admitted to the premises.

No alcohol will be sold to under 18 year olds and proof of age will be asked for when appropriate.

When children are present appropriate language and behaviour will be expected and monitored from other customers.

General Information in support of the application in relation to all of the licensing objectives.

Staff are aware of contacts to be made in case of any emergencies. Staff will be instructed and made aware of other steps listed.

21 letters of representations/objections and 2 letters of support were received.

As standards procedure, all relevant authorities were consulted. No representations were received from any other Responsible Authorities.

The following papers were attached as part of the agenda for Members of the Sub-Committee only:-

- (i) Application form and any supporting documentation.
- (ii) Location Plan.
- (iii) Representation/objection letters

Copies of all documentation concerning this application were also available from Licensing Section upon request.

The applicant advised the Committee that previously, a customer was charged for an offence relating to Anti-Social Behaviour. Various items were destroyed. Ms Kung advised most customers are elderly. Complaints were received regarding litter, the applicant advised that the litter from passers-by is regularly cleared and disposed of. The license was to extend the premises opening hours.

Councillor Henderson asked what the relationship with residents was like. Ms Kung advised relationships were friendly with the exception of the individual in which she explains above.

A resident read a letter in support of the application.

Councillor Winfield asked if the premises advertised the legal age in which alcohol would be sold. The representative of the applicant confirmed that 18 years of age was the legal age to drink alcohol in the premises.

Councillor Davis acknowledged the letters of objection received. The letters exercised the 2am finish. Councillor Davis suggested making the provision to apply for a special licences when late openings are required.

The applicant's representative asked whether there would be a compromise in the Committee's decision to potentially close the premises at 1200hrs.

A resident, on behalf of St Osyth Parish Council read a letter against the application.

Councillor John White, on behalf of St Osyth Parish Council spoke in support of the application.

The applicant advised that a decision to extend opening hours to 12am would be suitable.

### **32. ADJOURNMENT OF MEETING**

The meeting was adjourned whilst the Sub-Committee made its deliberations.

### **33. REPORT OF THE CORPORATE DIRECTOR (OPERATIONS AND DELIVERY) A.1 - APPLICATION FOR THE GRANT OF A PREMISES LICENSE - OAKMEAD SOCIAL CLUB, OAKMEAD ROAD, ST OSYTH, CO16 8NW**

After a period of time, the Sub-Committee, the Council's Solicitor and the Leadership Support Officer returned to the meeting.

The Chairman read the following statement:-

1. The Sub-Committee gave careful consideration to this application. In reaching their decision, they took into account the views expressed by the applicant, the representations received from residents and the Parish Council and the Resident's Association along with Guidance issued by the Secretary of State and other matters set out in the Licensing Authority's own Statement of Licensing Policy.  
The Sub-Committee **DID NOT AGREE** to grant the application in full but agrees to the sale of alcohol on the premises and late refreshments until 0000 Mondays to Sundays, in relation to Indoor Sporting Events, Live and Recorded Music, these were agreed as the applicant asked for. The Sub-Committee noted what the application said about her previous record and the issues in the last year were primarily down to a tenant that she had let the premises to. However, the running of the Social Club is still this applicant's responsibility.
2. Whilst the Sub-Committee accept that the applicant would not be responsible for littering the area around the premises, she was to encourage people to dispose of litter in receptacles around the premises or to take it home to safely dispose of, and also to undertake regular litter picks around the exterior of the premises to improve the area for all.
3. If residents have any concerns in the future with reference to Anti-Social Behaviour and noise to contact the Licensing Team.

Finally, the Chairman advised that all parties who were aggrieved at the decision of the Sub-Committee, they have the right of appeal to the Magistrates' Court.

The decision was made today, 14 June 2021 and would be confirmed in writing to all parties.

**REVISED LICENSABLE ACTIVITIES:**

**Indoor Sporting Events**

Mondays Thursdays 1900 to 2300

**Live Music**

Wednesdays 1900 to 2300

Fridays and Saturdays 1900 to 2300

Sundays 1400 to 1600

1900 to 2200

**Recorded Music**

Mondays to Thursdays 1200 to 2300

Fridays to Sundays 1200 to 0000

**Late Night Refreshments:**

Mondays – Sundays 2300 to 0000

**Sale of Alcohol on the Premises:**

Mondays – Sundays 1200 to 0000

The Chairman then formally closed the meeting.

The meeting was declared closed at 12.00 pm

**Chairman**

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