



Minutes of the Licensing Sub-Committee meeting held on 18 June 2024, when there were present: -

Cllr J Knott	Chair
Cllr P Greig	
Cllr B Palmer	Substitute for Cllr R Savage

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr R Savage.

OFFICERS PRESENT

J Parker-East	- Assistant Director, Environmental Health, Licensing & Community
S Worthington	- Democratic Services Manager
S Wilde	- Licensing Officer
A Azono	- Assistant Solicitor
L Piatto-Hill	- Governance Officer

1 APPOINTMENT OF CHAIRMAN

Councillor John Knott was appointed Chairman.

2 DECLARATIONS OF INTEREST

There were none.

3 PROCEDURE FOR THE SUB-COMMITTEE

All parties noted the procedure to be followed during the hearing.

4 APPLICATION FOR A PREMISES LICENCE

The Licensing Officer presented their report on an application to vary a premises licence for the Bread and Cheese Public House, CPBC/LU0366 - 520 London Road, Benfleet, Essex, SS7 1AA.

The Bread and Cheese Licensed Premises had applied to vary its Premises Licence CPBC LU0366; the full application was attached to the officer's report at Appendix 1. The current premises licence was attached to the officer's report at Appendix 2.

The main changes to the licence proposed by the application were:

- To extend the red line boundary of the premises to include the outside area, as indicated on the plan attached to the application contained at Appendix 1 to the officer's report.
- Licensable activities to take place in the outside garden area between the hours of 10.00 am to 9.30 pm each evening during April to September and from October to March from 10.00 am until 6.00 pm.
- The use of the outside area for permitted activities (above) to include live music, recorded music, dance and films.
- To change the start time for licensable activity on the premises from 11.00 am to 8.00 am.

Due to the Bread and Cheese premises being sited amongst residential properties the Council's Environmental Health Department had made a representation against the granting of this application relating to the licensing objective of the prevention of public nuisance. The objection was set out in Appendix 3 to the officer's report. There was also a representation from an interested party, a local resident, which was set out at Appendix 4 to the officer's report.

It was, however, noted that the applicants had proposed some amendments to their application, following discussions with Environmental Health. Environmental Health had subsequently withdrawn their representation.

No representations were received from Essex Police in respect of this application.

The panel members and representatives were invited to ask questions of the Licensing Officer. There were none.

The Applicant's Submission

Mr Domleo, who was representing the applicants, submitted their case.

The applicants had refurbished and significantly invested in the Bread & Cheese Pub. 23 jobs had been created (35 in total). The Bread & Cheese was recently mentioned in a BBC News breakfast broadcast. The beer garden had also been redeveloped for live events and films. The applicants would like to show 12 films per year during April - September. There were no proposals to operate later, only earlier. They would like to change the timings so that alcohol could be served with breakfast (i.e. champagne breakfasts).

In response to questions from the Sub-Committee, it was clarified that the sale of alcohol was supplementary to breakfast for celebrations for customers to have champagne breakfasts. There had also been no complaints regarding live entertainment, other than noise which was being rectified with the reduced closing time of 9.30 pm.

The proposed modifications to the application are:

- Performances of film outside to be limited to 12 occasions per year.
- Live music outside to be limited to 15 times per year.
- Opening hours to be brought forward to 0800 hours.
- Sale of alcohol to be brought forward to 0800 hours; however, alcohol only to be sold between 0800 hours – 1000 hours with the purchase of food.
- A noise and management plan to be submitted to and approved by Environmental Health.

Interested Party's Submission

Mr Brown had been a resident of Thundersley for 28 years and advised that life for residents within the area of the Bread & Cheese had been adversely affected by the activities of the premises and, in particular, noise pollution. During the past 10-15 years there had been problems with cars, shouting, drugs and fights at the pub. The full representation from Mr Brown was set out at Appendix 4 to the officer's report.

However, Mr Brown stated that he was satisfied with the modifications to the application that had been agreed with Environmental Health.

Adjournment

The sub-committee adjourned to consider its decision.

Decision

The Sub-Committee had noted that there were no representations from the Police and that the interested party was satisfied with the modifications to the application that had been agreed prior to the hearing. Taking into account all of the modifications proposed to the application that had been agreed by the applicants and Environmental Health, the Sub-Committee considered that the proposed modifications would further promote the licensing objectives and that the applications should be granted, subject to the modified conditions agreed today, together with the mandatory conditions on the premises licence.

Resolved

To grant the application as per the modified conditions set out below, in addition to the mandatory conditions on the premises licence:

- Performances of film outside to be limited to 12 occasions per year.
- Live music outside to be limited to 15 times per year.
- Opening hours to be brought forward to 0800 hours.
- Sale of alcohol to be brought forward to 0800 hours; however, alcohol only to be sold between 0800 hours – 1000 hours with the purchase of food.
- A noise and management plan to be submitted to and approved by Environmental Health.

The hearing commenced at 11.00 am and ended at 11.50 am.

Chairman:

Date: