



**MINUTES of  
LICENSING SUB-COMMITTEE  
9 AUGUST 2021**

---

**PRESENT**

Purpose of the Hearing:	To consider an application for a new Premises Licence under the provision of the Licensing Act 2003
Premises:	Riverside Park, Station Road, Burnham-on-Crouch, Essex
Councillors	M F L Durham, CC, R H Siddall, Mrs J C Stilts and Mrs M E Thompson
Representing the Licensing Sub-Committee:	Ms Lacey Latimer, Licensing Officer Mr Damien Ghela, Lead Specialist: Community Mr Simon Quelch, Lead Legal Specialist and Monitoring Officer
Applicant	Mr C Durham
Interested Party:	None
Responsible Authority:	None

**195. TO APPOINT A CHAIRMAN FOR HEARING**

**RESOLVED** that Councillor M F L Durham be appointed Chairman for the meeting.

IN THE CHAIR: COUNCILLOR M F L DURHAM

**196. CHAIRMAN'S NOTICES (PLEASE SEE BELOW)**

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

**197. APOLOGIES FOR ABSENCE**

There were none.

**198. DISCLOSURE OF INTEREST**

Councillor M F L Durham declared a non-pecuniary interest advising that he was a personal licence holder and in the interest of openness and transparency he advised that he was not related to the applicant of the premises licence due to be considered by the Committee.

**199. LICENSING ACT 2003: APPLICATION FOR A NEW PREMISES LICENCE - RIVERSIDE PARK, STATION ROAD, BURNHAM-ON-CROUCH, ESSEX**

The Chairman sought confirmation that all present were in possession of and had read the report of the Director of Service Delivery along with Appendices A to C. He drew the Committee's attention to the Aide Memoire found on page 2 of the meeting pack that outlined the procedure to be followed during the meeting.

This was followed by a brief presentation of the report by the Licensing Officer.

The Chairman then called on the applicant Mr Durham to make his opening statement. In his opening statement Mr Durham advised that following discussions with the Police and the Licensing Department that he would reduce the proposed closing times from 10pm to 9:30pm. The applicant confirmed he would not be calling any witnesses.

Following the opening statement and in response to questions raised Mr Durham clarified a number of points, including:

- the location of the site and its current set up;
- that the site was operating under a contract with the Council until the end of September 2021;
- it was planned that the trailer would be removed when the premise was not open, although at present this was not happening due to an access issue which was being resolved with the Council;
- through Temporary Event Notices, the site had been operating since 1 July 2021 and Mr Durham advised that 80% of sales were from soft drinks, coffee and food;
- the premises would open at 08:30am with alcohol sales from 11:00am;
- apart from the lighting in the trailer there was no other lighting on the site.

In response to a discussion regarding closing at dusk and the possible conditioning of this, the Lead Legal Specialist and Monitoring Officer advised that the definition of dusk was very unclear and that a specific closing time should be given.

The Lead Specialist: Community advised the Committee that there had been no anti-social behaviour or Environmental Health concerns raised in respect of the site. The Licensing Officer confirmed that no complaints relating to the licensing of the premises had been received.

There was some discussion regarding the licensable area and Members were provided with details of a Public Spaces Protection Order (PSPO) that the Council was looking to put in place for the Riverside Park. The Lead Specialist: Community clarified that if agreed the PSPO would cover the whole of the Riverside Park area, including the licensable activity area, and appropriate enforcement action could be taken if the Order was breached. The Lead Legal Specialist and Monitoring Officer drew Members' attention to the letters of representation received and how they gave no evidence of any public order issues that could be considered and explained the Government guidance in respect of the requirement for an evidence base.

There being no further questions Mr Durham made a closing statement.

The Chairman thanked everyone present for their contributions and advised that the meeting would now close. The Committee would then consider the evidence and

representations made before reaching its decision. All parties would be notified of the decision within five working days of this hearing.

There being no other items of business the Chairman closed the meeting at 11:15am.

## **200. POST COMMITTEE DECISION**

The Sub-Committee considered carefully all the information in the report from the Licensing Officer along with oral representations from the applicant and the written representations of interested parties contained in Appendix C of the Licensing Officers report.

**RESOLVED** that a premises licence be **GRANTED** in accordance with the application and agreed conditions with the following amendment:

- that on all days the sale of alcohol should cease at 21.30 which is a reduction of 30 minutes for the second part of the week

M F L DURHAM, CC  
CHAIRMAN