



To be submitted to the Council at its meeting on 29th July 2021

LICENSING SUB-COMMITTEE

18th June 2021 at 10.00 a.m.

Present:

Councillors Cairns, Green and Woodward.

Officers in attendance:

- Adrian Moody (Licensing and Environmental Protection Manager)
- Eve Richardson-Smith (Deputy Monitoring Officer)
- Kate Todd (Licensing Enforcement Officer)
- Paul Windley (Democratic and Scrutiny Team Manager)

Others in attendance:

- David Holland (Bettles, Miles and Holland representing Mr Gardner)
- Jax Hussain (Designated Premises Supervisor)
- Michael Kheng (Kurnia Licensing Consultants)
- Nathan Niroshan (Premises Manager)

LSC.1 APPOINTMENT OF CHAIR

Councillor Woodward was appointed as Chair for this meeting.

COUNCILLOR WOODWARD IN THE CHAIR

LSC.2 DECLARATIONS OF INTEREST

There were no declarations of interest received in respect of any item on the agenda for this meeting.

LSC.3 APPLICATION FOR A NEW PREMISES LICENCE – “CALCUTTA STREET KITCHEN” 17 SEAVIEW STREET, CLEETHORPES

The Chair introduced herself, the other members of the sub-committee, and the officers present.

The purpose of the meeting was to hear and determine an application for a new Premises Licence for the Premises to be known as “Calcutta Street Kitchen”, 17 Seaview Street, Cleethorpes.

Mrs Richardson-Smith explained the procedure for the hearing and ensured that everyone in attendance had copies of the agenda.

Mr Moody summarised the application and he explained that no representations had been received from responsible authorities, but a representation had been received from a Mr Gardner on the grounds of ‘crime and disorder’ and ‘the prevention of public nuisance’.

The Chair invited Mr Kheng to address the sub-committee on behalf of the applicant. He emphasised that the application was for an Indian kitchen-themed restaurant. In response to the representation that had been received, he commented that no evidence had been presented to back up any anti-social behaviour problems in the vicinity of the premises during the daytime. Furthermore, this would be a matter of responsibility for individual premises and he reiterated that the application was for a restaurant, rather than for a bar. Regarding noise concerns, he noted that the application was not for any regulated entertainment. Having consulted with Humberside Police, a number of amended and additional conditions had been agreed. He noted that the police were therefore in support of the application, and he added that there had been no objections from Environmental Health.

The sub-committee sought clarification on the number of people expected to be employed and whether the premises licence holder had experienced any issues at any of the other premises that he operated. The sub-committee had a particular interest in the longer-term intentions for the premises. Mr Kheng responded that a condition had been included which restricted the supply of alcohol at the premises to persons taking a meal. Any proposed change to this condition would need to be re-advertised, allowing any concerns to be raised and brought back to this sub-committee as appropriate.

The Chair invited Mr Holland to address the sub-committee on behalf of Mr Gardner. Mr Holland commented on the dramatic changes that had been made to Sea View Street in recent years. He noted that residents in flats above premises on the street, now had to sleep to the rear of the property to avoid the noise nuisance. He added that this was exacerbated by the street being very narrow. Upon being questioned by the sub-committee, Mr Holland commented that the demand for retail in Sea View Street was being weakened by the increased number of bars and restaurants.

The Chair invited Mr Kheng to make a closing statement on behalf of the applicant.

The sub-committee withdrew to deliberate. After an interval, the sub-committee returned to advise of their findings.

The Chair advised that the sub-committee had decided to grant the application with the amended and additional conditions agreed between the applicant and Humberside Police. The sub-committee felt assured that the proposed conditions were appropriate and would promote the licensing objectives.

In taking its decision, the sub-committee listened to the representations received, but without the evidence of anti-social behaviour or any representations from the police or the local authority's environmental health team regarding anti-social behaviour or noise then there were no grounds to refuse the application based on these concerns. The sub-committee urged that any such issues arising from premises in the area be reported to the relevant authorities at the earliest opportunity so that appropriate action can be taken. It was noted that, should there be a need for a review of any premises licences, the sub-committee would have the option to review conditions, amend licensing hours and/or suspend or revoke the premises licence.

The sub-committee added that, having listened to the representations, it had not taken its decision lightly but there was a changing culture in terms of what communities wanted and it was hoped that the right mix of retail and hospitality could be achieved within the area, whilst maintaining and retaining acceptable standards of responsibility and behaviours. There was a need to encourage tourism and the sub-committee hoped that all parties would work together to make Sea View Street a place for all communities to visit and enjoy.

RESOLVED – That the premises licence be granted with the amended and additional conditions agreed between the applicant and Humberside Police.

There being no other business, the Chair thanked those in attendance for their contributions and concluded the meeting at 11.00 a.m.