

SOUTHEND STANDARD

May 14th 1896

THE EMPIRE THEATRE LICENCE

At the beginning of the business the clerk asked if Mr Marlow was represented with a view to his application for a theatre licence. The Police Superintendent said he believed Mr Marlow was under the impression that next Tuesday was the day on which he was to appear. The Clerk: "He ought not to be under this impression, there has been no official communication to him of anything of the sort." Mr Marlow was sent for, and said he understood his application was to be heard on Tuesday next. He was not quite ready to apply that day. The mayor said it was right to let Mr Marlow know there were several matters brought before the magistrates by their architect which Mr Marlow's serious attention should be drawn to. Mr Marlow: "Could the bench let me know, sir, so that I could meet the matter?" Mr Burrows: "It is proposed to let you know during the day. After consultation, the mayor said to Mr Marlow: "The application is adjourned for a week but we shall meet this afternoon, in order to discuss points submitted to me by our architect, we will let you know the result as soon as we possibly can." Mr Marlow: "Thank you, good morning Gentlemen."

Southend Fire Brigade's Annual Dinner

May 15th 1896

THE EMPIRE THEATRE LICENCE

GRANTED

The Court sat again at half-past three for the further consideration of the Empire Theatre licence application by Mr T Hood, on behalf of Mr W Marlow, when it was constituted as follows: The Mayor was in the chair, and with him sat J H Burrows, T Dowsett, D W Gosset, J B Howard, J O Hudson, H Wood and O Woosnam, Esqrs.

In opening, Mr Hood apologised for the mistake and his absence at last court, and went on to say he was instructed to apply for a licence for stage plays for the finest building ever erected in the Borough, certainly a building that was a credit to the Borough, and one which would provide innocent amusement for the inhabitants and the thousands who visited the place. With regard to Mr Marlow, the applicant, he had for over twenty years travelled all over England in connection with the performance of stage plays and for eight years had been the proprietor of a theatre, so he thoroughly understood the management of such places. There were in this building the usual appendages in the shape of refreshment bars, which would be under his (Mr Marlow's) personal supervision. He suggested they should be permitted to keep the bars open until half-past eleven, so that those taking part in the performance of the plays might have half-an-hour for refreshment after the performance was over. He should call various gentlemen - some possessed of practical experiences - as witnesses, and he would then ask the justices to grant him at once and unconditionally a licence for stage plays for a place which would add to the success of the Borough.

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Wm Marlow, applicant, said he had travelled all over the United Kingdom in connection with stage plays, and had been a proprietor of theatres - at Bow and Southend - for a period of eight years. He had personally supervised the building operations at the present theatre. In addition to himself, Mr C H Bowmaker, Mrs Marlow and son, there would be 22 employees on the permanent staff, whose duty it would be to look after the building and walk round during plays and performances. The Surveyor to the Town Council had now certified the iron work was satisfactory, Mr Billham had inspected and tested the water arrangements and had returned them as complete, and the gas was nearly completed with the exception of the putting up of several brackets which would be done before the end of the week.

Mr Walter J Wood, architect, said the building was practically completed. There were several small things which would be done before the end of the week, including gas brackets. The gallery floors had been covered as an additional protection against fire.

By the Clerk: There was no partition between the refreshment bar in the gallery and the auditorium.

By the Bench: A hydrant had not been fixed in the cellar, but there were five in the centre building. Witness was satisfied as to the stability of the building, and the means of ingress and egress were amply sufficient.

Mr Marlow remarked that no properties would be put in the cellar, but all in a fire-proof store room - built for the purpose in the basement.

Mr H Garon, captain of Southend Fire Brigade, had inspected and tried the water arrangements that morning as regarded an

outbreak of fire, and he had found everything satisfactory.

Coun. Dennis said he had had a large experience as a builder. He had watched the erection of the theatre and had inspected it every eight or nine days, and he was satisfied it was a splendid building from beginning to end in every respect. He believed that to be the opinion of every practical man in the borough. It was a building with an excess of strength from top to bottom.

Coun. Darke had also taken interest in its erection, and held a similar opinion.

Coun. Christmas, who "endeavoured" to be an expert in plumbing matters, had had the entire management of such work in the building. He was present when the hydrants were tested that morning and was satisfied they were satisfactory.

By Mr Burrows: Water was raised from 30ft to 40ft through the by-pass. The building was 60ft at its highest part; when coming through the main the water was raised to the highest point of the building; it would reach the roof. In the case of an outbreak of fire it could be put out with the water inside the theatre as it came though the by-pass.

Mr Hood said he had nothing more to do than to address the Bench on the rules laid down by the Justices of the Borough for insuring order and decency in theatres in their division. He took it they would not be held to be inflexible and like the law of the Medes and Persians - not to be altered in any case. He (Mr Hood) made reference to rule 6, which read "No application shall be made to the excise for the grant of any licence for the sale of intoxicating liquors in any theatre under

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Statute 5 and 6, William IV, dep 39 or any existing or future Act relating to the sale thereof, nor shall any such liquors be sold or consumed thereon." He had looked into the subject and he thought there was no other theatre in the country where a bar was not provided for people wishing to get refreshments. He asked the Bench with all respect that the licence be granted at once and unconditionally. He doubted also whether the Bench had the power to lay down such a standing order as the one in question. By the Act Justices could grant licences "at their discretion" but if it meant they should lay down certain rules of procedure which were contrary to the words and spirit of the Licensing Act under which a man was entitled to go to the bench for his licence, it would be ultra vires. It was perfectly clear to his mind - and he should also think to the Clerk as well - that the words "at their discretion" must be used in a reasonable way, and this would not be a reasonable way when another Act of Parliament said they were entitled to have a licence for the sale of intoxicating liquors. From first to last there had been nothing kept back by Mr Marlow, and the only thing he could do now was to ask the justice with all respect to suspend rule number six and grant the licence to the theatre at once and unconditionally, thereby allowing one of the greatest places of amusement which had been brought forward in this Borough to go on at once. If history could repeat itself and the Borough could be polled, there was no doubt the inhabitants would be largely in favour of it. (Applause from the large number present, which was quickly subdued).

The Justices retired and after consultation for

over an hour the Chairman announced the licence would be granted under the old regulations, except that the following would be substituted for No. 6, which prohibited the sale of intoxicants in the Theatre: "That intoxicants be sold only during the hours of the performance and only to the audience, employees and company engaged in the house, and only in the refreshment buffets, no sale or consumption of liquor to take place in the auditorium; artistes and employees actually engaged in the performance only to be entitled to be supplied for half an hour after the performance, but not later than 11 o'clock pm". It was also stated the licence would be retained by the Clerk until the whole of a schedule of unfinished works were completed; every item except two to be completed before the opening next Monday, and the others to be done within a fortnight.

Much amusement was occasioned by the readiness with which Mr Marlow, the applicant, agreed to every condition and request, but Mr Hood would have none of this eagerness, and reproved his client for it; preferring - as he expressed it - to get the advice of a practical man before accepting anything. Ultimately, having conferred with Coun. Dennis, he cheerfully agreed to every condition, and promised the work would be carried out.

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LOOK ROUND

When a crowded court on Tuesday afternoon were got to realise that a licence was conceded to Mr Marlow for the new Southend theatre a great shout of exultation went up. I wonder why. Had anybody got it into his head that a licence would be refused? If so, he must have been an exceedingly foolish or equally ill-informed man; for had it been intended to refuse a licence the justices would many months ago have declined to examine plans for the new building; instead of which, they considered them carefully and sought the aid of a gentleman to act as assessor for them who might, without undue presumption, aspire to the title of an international expert in the construction of theatres. Under his advice and at the command of the justices, many alterations were made for the safety and comfort of the public and these, I believe, Mr Marlow as readily concedes were necessary and advantageous as he cheerfully agreed to carry them into execution.

What other conclusion would requests for alterations of plans and their acceptance on amendment point to than when a building had been erected which answered to all the requirements that it should be licensed?

The cheering came too late by months.

I join with many in hoping that in the new building numerous successive generations may enjoy amusement unalloyed by mischief of any kind, and that the tendency of caterers during recent years to consider well-thinking and goodliving folk will develop until they alone are provided for in every theatre and music-hall.