

## Licensing Sub-Committee

**Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 27 June 2024 at 6.00 pm.**

### **Present:**

Councillor Amanda Morris (Chair).

Councillors Hugh Parker and Teri Sayers-Cooper.

### **Officers in attendance:**

Jade Marshall (Specialist Advisor, Licensing), Michele Wilkinson (Lawyer (Housing & Regulatory)), Emily Horne (Committee Officer).

### **5 Appointment of Chair**

Councillor Parker proposed and Councillor Sayers-Cooper seconded that Councillor Morris be appointed as Chair for this meeting.

**Resolved:** That Councillor Morris be elected Chair of the Sub-Committee for the duration of the meeting.

### **6 Apologies for absence / declaration of substitute members**

None received.

### **7 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct**

There were none.

### **8 Application for a Full Variation of a Premises Licence - Joy Bar, 4 Bolton Road, Eastbourne, BN21 3JX**

Those attending were introduced, and the Chair of the Licensing Sub-Committee welcomed all parties to the hearing and detailed the procedure for the hearing.

The Specialist Advisor for Licensing, Jade Marshall, presented the report to the Sub-Committee and summarised the details.

The Applicant's representative, Mr Simon Gordon, addressed the Sub-Committee and responded to questions on behalf of the applicant's, Murat Suleyman Demirag and Omur Yoldas.

The Representors, Michael Knights, Elizabeth Stringer and Temitayo Olatunji - Responsible Authority (Eastbourne Borough Council, Specialist Advisor, Environmental Protection) addressed the Sub-Committee and responded to questions.

The Applicant's representative summed up.

The Representor's summed up.

Following all the evidence presented, the Sub-Committee retired to consider and determine the application. Michele Wilkinson, Housing and Regulatory Lawyer was in attendance to assist with any legal queries. The Sub-Committee provided the following decision:

**Resolved:** The Sub Committee resolved to vary the premises licence to amend the licensable hours for the retail sale of alcohol and live and recorded music from the applied for time of 01.30hrs to 03:00hrs to 01.30hrs to 02:30hrs.

To add a condition to the premises licence:

- That the outside part of the premises ground floor shall be cleared of customers and closed by 01:30hrs.

At the hearing the applicant provided a plan showing the inside parts of the premises marked within the yellow lines, the plan is attached to this minute.

For the sake of complete clarity, the following conditions will be included in the premises licence:

- A two door, double glazed side entrance shall be the only point for customers to enter and exit the premises after 21:00hrs on Fridays, Saturdays, and St George's Day, St Patrick's Day, Maundy Thursday, Good Friday, Christmas Eve and New Years Eve and any other applicable day preceding a Bank Holiday; and
- The premises licence holder or appointed representative shall take all reasonable steps to ensure that any customers loitering outside the premises and do not congregate.

### **Reasons for the decision**

The Licensing Sub Committee in making its decision took into account all the relevant parts of the representations made in writing and at the hearing. The Members appreciated the impact of noise nuisance upon local residents, particularly in light of the late licensable hours being applied for.

The Members took into account that a representation had been received from one Responsible Authority.

The Sub Committee also took into account the representations made at the hearing by the applicant's representative and appreciated that the applicant

had taken some steps to mitigate noise from the premises.

The Sub Committee noted that there were other premises in the area who may also be contributing to noise nuisance in the area. However, the Members believed that the premises, if the variation application was granted as applied for, would also contribute to the noise nuisance and noted there was evidence of excessive noise from these premises at the current licensable times.

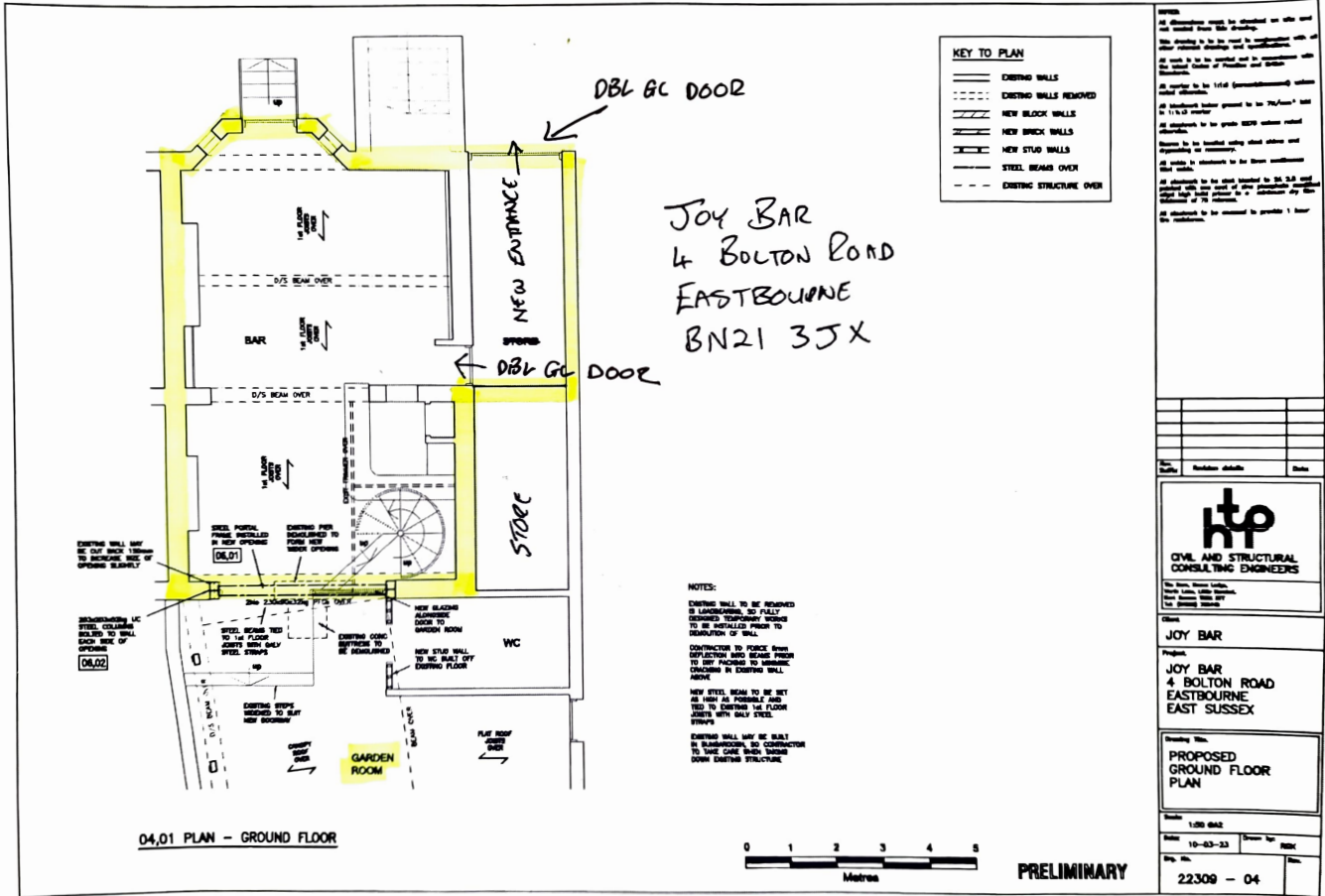
The Members were content to vary the relevant licensable hours until 02:30hrs but considered there would be a greater negative impact on the licensing objective of the prevention of public nuisance if that was to be extended to 03:00hrs.

The Members had significant concerns about noise in the outdoor part of the premises on the basis that whilst live and recorded music would be not be played in that part it was evident that customers would go and out of that area. This Members believed this noise would adversely impact upon local residents, even with the doors being kept shut, apart from ingress and egress. In addition, given the size of the outdoor area there would be significant noise from customers even without music being played in that area.

The meeting ended at 6.51 pm

Councillor Amanda Morris (Chair)

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Joy BAR  
4 BOLTON ROAD  
EASTBOURNE  
BN21 3JX

NOTES:  
All dimensions shall be checked on site and not assumed from this drawing.  
The drawing is for the proposed construction and is not to be used for any other purpose.  
All work to be done in accordance with the Building Regulations and the relevant parts of the Building Code of Practice.  
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**CS**  
CIVIL AND STRUCTURAL  
CONSULTING ENGINEERS

10, New, South, London,  
New South, London,  
New South, London,  
New South, London,

Client:  
**JOY BAR**

Project:  
**JOY BAR  
4 BOLTON ROAD  
EASTBOURNE  
EAST SUSSEX**

Showing the:  
**PROPOSED  
GROUND FLOOR  
PLAN**

Minute Item 9

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