

**Eastbourne Borough Council**  
**Decision Notice**

**Licensing Act Sub-Committee held on Thursday 7 December 2017**

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| Premises Licence Holder/Designated Premises Supervisor: | Nelson Coffee Co.  |
| Premises:   | Nelson Coffee, 4 Terminus Road, Eastbourne, BN21 3LP   |
| Reasons for Hearing:                                    | Relevant representation received from interested parties under the prevention of public nuisance (noise).  |
| Parties in attendance:                                  | <p>Councillors:<br/>Colin Belsey (Chairman)<br/>Colin Murdoch<br/>Colin Swansborough</p> <p>Licensing Authority:<br/>Murrae Hume (Specialist Advisor - Licensing)</p> <p>Legal Advisor:<br/>Michele Wilkinson (Lawyer)</p> <p>Democratic Services:<br/>Katie Maxwell (Committee Officer)</p> <p>Applicant:<br/>Nelson Coffee Co.</p>   |
| Decision made:  | That the application is granted in full as requested.  |
| Reasons for Decision:                                   | <p>The hearing concerned an application from Nelson Coffee Co for a premises licence at Nelson Coffee, 4 Terminus Rd, Eastbourne for the sale of alcohol for consumption on the premises for Monday to Wednesday inclusive from 8.00am to 5.00pm, and for Thursday to Sunday inclusive from 8.00am to 10.30pm.</p> <p>In discharging its functions the Sub Committee considered the promotion of the four licensing objectives and in particular the prevention of public nuisance, the Council's own Licensing Policy, the Home Office guidance, other relevant legislation and the rules of natural justice.</p> <p>The Sub Committee considered the application and the applicant's oral representations made at the hearing.</p> |

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|                              | <p>One representation was received from a member of the public during the consultation process and the Sub Committee gave due regard to the written representations of Mr William Smith who was concerned that if the licence was granted there would be an increase in noise and litter emanating from the premises.</p> <p>The Sub Committee noted that the premises are in the cumulative impact zone.</p> <p>The Sub Committee noted that no Responsible Authority had made representations regarding the application, although Sussex Police had mediated a reduction in the hours and a number of conditions with the applicant.</p> <p>The Sub Committee considered which decision from the options outlined in paragraph 9.2 of the Report would be appropriate and proportionate.</p> <p>The Sub Committee felt that the applicant had provided sufficient evidence to demonstrate that the application would not add to the cumulative impact on the area and undermine the licensing objectives.</p> |
| Date of Decision:            | 7 December 2017   |
| Date decision notice issued: | 12 December 2017.   |

A written or electronic copy of this Notice will be available to all Parties and published on the Council's website.

## **RIGHT OF APPEAL**

The Licensing Act provides a right appeal to the Magistrates Court in respect of an application for a variation of a premises licence. An appeal must be commenced by notice of appeal being given by the appellant to the Magistrates Court within a period of 21 days beginning on the date the appellant was notified in writing of the decision of the Licensing Act Sub-Committee.