

Eastbourne Borough Council
Decision Notice

Licensing Act Sub-Committee held on Monday 9 April 2018

Premises Licence Holder/Designated Premises Supervisor:	Mr G Mitchell
Premises:	Bottle Grove, 56b Grove Road Eastbourne, BN21 4UD
Reasons for Hearing:	Relevant representation received from interested parties under the prevention of public nuisance (noise) prevention of crime and disorder and the protection of children from harm.
Parties in attendance:	<p>Councillors: Colin Holt (Chairman) James Murray Patrick Rodohan</p> <p>Licensing Authority: Danielle Ball (Specialist Advisor - Licensing)</p> <p>Legal Advisor: Michele Wilkinson (Lawyer)</p> <p>Democratic Services: Katie Maxwell (Committee Officer)</p> <p>Applicant: Gregor Mitchell</p> <p>Representative: Clive Simpson Wells</p>
Decision made:	That the variation to the license is granted as requested.
Reasons for Decision:	<p>The hearing concerned a variation of the premises licence at Bottle Grove, 56b Grove Road, Eastbourne, BN21 4UD. The application is for a variation to permit the sale of alcohol on the premises during the existing hours of Monday to Saturday 8.00 to 23.00 and Sunday 10.00 to 22.30.</p> <p>In discharging its functions the Sub Committee considered the promotion of the relevant licensing objectives, the Council's own Licensing Policy, the Home Office guidance and the rules of natural justice.</p>

	<p>Due regard was given to the written representations from Clive Simpson-Wells, Sandra Slater, Mandy Catchpole and Keith Simpson-Wells, and the oral representations of Clive Simpson-Wells.</p> <p>Those representations were that to grant the application would impact on the prevention of public nuisance, the prevention of crime and disorder and the protection of children from harm Licensing Objectives. They stated the application would lead to an escalation in noise and anti- social behaviour including vandalism and swearing which may be heard by children. In particular the oral representations made on 9 April 2018 focused on the noise within the property.</p> <p>The Sub Committee noted that the premises are within the Cumulative Impact Zone.</p> <p>The Sub Committee considered the variation application and the oral representations made by the applicant at the hearing. It noted that the applicant had extensive experience of running similar properties and his view that this kind of premises did not invite a rowdy clientele.</p> <p>The Sub Committee noted that no Responsible Authorities had made any representations although Sussex Police had mediated with the applicant a number of conditions, which were outlined at Appendix 4.</p> <p>In its deliberations the Sub Committee considered what decision would be appropriate and proportionate from the options outlined in para. 9.2 of the Report.</p>
Date of Decision:	9 April 2018
Date decision notice issued:	13 April 2018.

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.