

## **General Licensing Sub-Committee**

**Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 9 July 2018 at 5.30 pm**

### **Present:**

Councillor Troy Tester (Chair)

Councillors Pat Hearn and Margaret Robinson.

### **Officers in attendance:**

Ed Hele, Functional Lead Quality Environment  
Danielle Ball, Specialist Advisor for Licensing  
Michele Wilkinson, Housing & Regulatory Lawyer

### **Also in attendance:**

Katie Maxwell, Committee Officer

#### **1 Election of Chair.**

It was proposed by Councillor Hearn and seconded by Councillor Robinson that Councillor Tester be elected Chair for this General Licensing Sub Committee.

#### **2 Apologies for absence.**

There were none.

#### **3 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.

#### **4 Application for a Sexual Entertainment Licence - premises above Embassy Nightclub, 2A-2B Pevensey Rd, Eastbourne BN21 3HJ.**

All parties present introduced themselves and the Chairman detailed the procedure to be followed at the meeting.

The Specialist Advisor for Licensing outlined the report detailing the application for a Sexual Entertainment Venue (SEV) Licence by F Forte

Developments Ltd at Above Embassy, 2a-2b Pevensey Road, Eastbourne, BN21 3HJ. The applicant applied for a licence for the performance of exotic dance on Monday to Saturday between 22.00hrs and 4.00hrs and on Sunday between 22.00hrs and 3.00hrs.

In discharging its functions the Sub Committee considered the relevant legislation, the relevant Home Office guidance, the Council's Sex Establishment and Encounter Policy, and the rules of natural justice.

The Sub Committee were asked to exercise its discretion to consider whether a late objection, received on 9 July 2018 from Mrs Medway, would be accepted. The Sub Committee decided that the third bullet point on her objection letter would be accepted, since that was substantially the same point (about the suitability of the location) as the objection received from Mr Ley, but that they would not consider the remainder of her objections.

Mr Ley, representing the Town Centre Neighbourhood Panel, addressed the Sub-Committee. His representation focussed on the location of the premises to which the application relates. Mr Ley stated that the proposed venue was not in a suitable location given the high volume of traffic and pedestrian crossing etc. The premises would be highly visible and in the proximity of the main retail and tourist accommodation area. There were a number of residential units in the area housing vulnerable and young adults and families with children. The venue would impact on the regeneration on an area of high deprivation. Mr Ley raised concerns regarding incidents outside of the premises, and felt that crime and disorder would increase as a result of the granting of an SEV licence. He also stated that there would be an increase in noise and disturbance.

The Sub Committee noted that Sussex Police had mediated a number of conditions with the applicant, which were outlined at Appendix 4, and the agreed conditions were clarified with the Police and a Council Officer prior to the hearing and at the hearing.

The Sub Committee considered the application and the verbal representations made by the applicant's representative Mr Rankin at the hearing. Mr Rankin stated that the premises would have a positive impact upon tourism in the area and it would operate between 10pm and 4am six nights a week. This would not impact on the nearby retail area as many of the shops would be closed before the venue would be open. There would also be no full nudity, with a 'tops off only' policy. There would be no private booths, with CCTV throughout the premises with strict controls on ID scanning equipment, with very discrete advertising with discrete signage. It was contended that the grant of the licence would have no adverse impact on local people. Mr Rankin stated that in similar venues patrons preferred to spend money on the dancers rather than alcohol. Further Mr Rankin sought to clarify the conditions at contained within appendix 4 of the report as follows:

Conditions 2 and 3 – they were included as part of the premises licence and therefore could be considered duplication.

Condition 7 – remove ‘pole dancing’ and amend to full not fully. (EBC conditions 24 and 25)

Condition 12 – included as part of the premises licence.

Conditions 13 to 15 – remove ‘pole dancing’; there would be no private booths.

Mr Rankin continued that the permission would only be for one year and any issues could be discussed at a future meeting of the committee when considering an application for renewal. There was no interconnection between the proposed premises and the existing Embassy nightclub unless in case of emergency and only for Security Industry Authority (SIA) staff.

Mr Forte, applicant stated that the club had undergone an extensive, high quality refurbishment and that the ID scanning equipment was considered one of the best systems for ensuring the safety of patrons.

Following all the evidence presented, the Sub-Committee withdrew to deliberate in private.

**Resolved:** That the application for a Sexual Entertainment Venue Licence above Embassy, 2a-2b Pevensey Road, Eastbourne, BN21 3HJ, be granted subject to the standard conditions and the conditions mediated with all parties prior to the meeting, and as stated within the Licence.

**Reasons for decision:**

In its deliberations the Sub Committee considered what decision would be appropriate and proportionate from the options outlined in paragraph 5 of the report.

The Sub Committee were satisfied that the grant of the application would not be inappropriate having regard to the character of the relevant locality and having regard to the strict conditions imposed upon the licence.

The meeting ended at 7.40 pm

Councillor Troy Tester (Chair)