

# Licensing Sub-Committee

## 17 December 2019



Working in partnership with **Eastbourne Homes**

**Time and venue:**

**6.00 pm in the Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG**

**Membership:**

**Councillors Amanda Morris, Candy Vaughan and Colin Murdoch**

**Quorum: 3**

*Published: Monday, 9 December 2019*

## Agenda

- 1 Appointment of Chair**
- 2 Minutes of the meeting held on 26 September 2019 (Pages 5 - 10)**
- 3 Apologies for absence / declaration of substitute members**
- 4 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**
- 5 Application for a variation to the current Premises Licence: Three Monkeys Bar and Kitchen, 16 Langney Road, Eastbourne, BN21 3QA (Pages 11 - 60)**  
Report of the Director of Service Delivery

## Information for the public

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## Information for councillors

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In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

**Councillor right of address:** Councillors wishing to address the meeting who are not members of the committee must notify the Chairman and Democratic Services in advance (and no later than immediately prior to the start of the meeting).

## Democratic Services

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## Licensing Sub Committee

**Minutes of meeting held in Court Room - Town Hall, Eastbourne on 26 September 2019 at 6.00 pm**

### **Present:**

Councillor Robin Maxted (Chair)

Councillors Candy Vaughan and Penny di Cara

### **Officers in attendance:**

Danielle Ball (Specialist Advisor - Licensing, Service Delivery), Michele Wilkinson (Lawyer (Housing & Regulatory)) and Elaine Roberts (Committee Officer)

### **1 Appointment of Chair**

Councillor Vaughan proposed and Councillor Di Cara seconded that Councillor Maxted be appointed as Chair of this meeting.

RESOLVED: That Councillor Robin Maxted was appointed Chair for the meeting.

### **2 Minutes of the meetings held on 1 April 2019**

The minutes of the meetings of the Sub Licensing Committee held on 1 April 2019 were approved and the Chair was authorised to sign them as a correct record.

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

None received.

### **4 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.

### **5 Application for the variation of a Sexual Entertainment Venue Licence, Lux, 2a-2b Pevensey Road, Eastbourne, BN21 3HJ**

The Chair welcomed everyone. All parties present introduced themselves and the Chair detailed the procedure to be followed and asked if there were any representations to vary it. There were none.

Counsel for the Applicant, Mr James Rankin, declared he would be speaking on behalf of the Applicant, Mr Forte.

The Specialist Advisor presented a report which outlined the application and highlighted relevant policy considerations.

The Chair invited Members and then the Applicant and Mr Rankin, to ask questions of the Specialist Advisor. There were none.

Mr Rankin, Counsel, representing the applicant, addressed the Sub Committee.

Having noted that no objections to the application had been received, Mr Rankin focussed on addressing considerations pertaining to the Council's own Policy.

Points put forward for consideration included:

- That Mr Forte's history of owning the adjacent nightclub demonstrated a well run establishment.
- That the investment in the nightclub had led to an increase of investment and overall improvement to the area
- That the Police traditionally welcomed such establishments, as high levels of management help to ensure avoidance of public disorder.
- That the variations being requested were in line with national trends and customer expectations around full nudity and that the Council's policy had become outdated in this area.
- That the current licence conditions had deterred national companies who would otherwise have been interested in operating the premises.
- That the club would be appealing to the same customer profile as identified in the Council's Tourism Policy (those aged 35+ with disposable income).
- That historically the 1 metre distance rule between dancer and customer had been shown to be difficult to enforce and difficult to evidence. Mr Rankin suggested that nationally, the stipulation now was for 'no physical contact' and further argued that this 'simpler' version was in line with advice from the Home Office and that the current Licence already had this stipulation (Condition 8) in place.

In summary, Mr Rankin said that the request for variations to the Licence brought the conditions in line with current expectations and norms, as outlined earlier.

The Chair invited Members to ask questions of Mr Rankin.

Councillors asked a number of questions and Mr Rankin replied, referring and expanding on the points of argument laid out in his addressing remarks.

Regarding questions about the variation for full nudity, Mr Rankin explained that his client had been unable to open and create a 'track record' because potential operators were not interested if they were unable to meet market

expectation for full nudity. To operate the premises himself, his client would be faced with the same barrier to business success.

Regarding questions about the loss of the 1 metre rule distance rule, Mr Rankin argued that any safeguarding rule needed to be practical and enforceable to have meaning and cited legal best practice and Home Office advice to argue that the 'No Touching' condition was an easier and clearer cut rule to enforce, which was why other Councils had removed this clause. It was still important to remove the 1 metre distance rule as fewer conditions was best practice and it left the potential for a £20k fine. Mr Rankin confirmed that the 'No Touching' rule would be clearly displayed at the entrance and around inside the premises, including on the tables, and also from staff, including door staff and CCTV.

The Chair invited the Applicant and Mr Rankin to make any closing remarks (maximum 2 minutes). Mr Rankin declared they had covered all the points in their earlier address.

The Sub Committee members retired at 6.42pm to consider and determine the application. Michele Wilkinson as Legal Adviser was in attendance to assist with any legal queries.

Having taken into account all the relevant considerations, the Sub Committee returned to the meeting at 7:12pm and announced the decision as follows:

**RESOLVED:** That the application to vary the licence be approved, as set out in the attached Decision Notice document (Minutes Appendix 1).

The meeting ended at 7.15 pm

Councillor Robin Maxted (Chair)

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## Appendix 1.



### **Decision of Licensing Sub Committee Hearing, 26 September 2019**

#### **Application for the variation of a Sexual Entertainment Venue Licence by F Forte Developments Ltd at LUX , 2a-2b Pevensey Road, Eastbourne, BN21 3HJ.**

The hearing concerned the application for a variation of the Sexual Entertainment Venue Licence by F Forte Developments Ltd at LUX, 2a-2b Pevensey Road, Eastbourne, BN21 3HJ.

The applicant applied, amongst other things, (as outlined in full in the Report at para 2.3) to remove the conditions on the licence which related to full nudity not being permitted and the requirement that there be a minimum distance of one meter between the dancer and the seated customers at all times.

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 noted that no objections had been received to the application.

The Sub Committee considered the application and the oral representations made by the applicant's representative, Mr Rankin, at the hearing. Those representations are outlined in the minutes of the hearing.

In its deliberations the Sub Committee considered what decision would be appropriate from the options outlined in paragraph 5.1 of the Report.

#### **Decision**

The Sub Committee's decision was to make the variations specified in the application and as set out in paragraph 2.3 of the Report.

#### **Reasons for decision**

The Sub Committee accepted the arguments made by the applicant's representative about the potential problems of enforceability in relation to the minimum 1 metre distance between the dancer and the seated customers (current condition 10) and noted that the conditions about no touching (current conditions 8 and 14) would remain. Further the Sub Committee were content with the applicant's arguments made regarding removing the condition which did not allow full nudity (current condition 7).

At the hearing the Chair confirmed that the Sub Committee agreed to make all the variations applied for.

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**Report to:** Licensing Sub-Committee

**Date:** 17<sup>th</sup> December 2019

**Title:** Application for a variation to the current Premises Licence. Three Monkeys Bar and Kitchen, 16 Langney Road, Eastbourne BN21 3QA

**Report of:** Director of Service Delivery

**Ward(s):** Devonshire Ward

**Purpose of report:** To consider representations made against the variation application to the Premises Licence under the Licensing Act 2003 and make a decision on the application

**Officer Recommendations:** To consider representations made against the variation application to the current Premises Licence under the Licensing Act 2003 and make a decision on the application

**Reasons for Recommendations:** Relevant representations made within consultation period

**Contact Officer(s):** Name: Danielle Ball  
Post title: Specialist Advisor - Licensing  
E-mail: Danielle.Ball@lewes-eastbourne.gov.uk  
Telephone number: 01323 415333

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## 1 Introduction

- 1.1 Eastbourne Borough Council received an application for a major variation to the current Premises Licence under the Licensing Act 2003 for the Three Monkeys Bar and Kitchen premises at 16 Langney Road, Eastbourne from Dene Sonnessa. The application is included at **Appendix 1**.
- 1.2 The premises has held a licence since April 2017, under the name of Moreys, the change of name is included as part of this variation application. The premises has not traded as a licensed premises since receiving this licence therefore no DPS was needed to be named on the existing licence, going forward the DPS will be Mr Dene Sonnessa as confirmed in **Appendix 6**. The premises licence had been suspended due to non-payment of the annual fee but this was paid in full in September 2019 so it is a current licence. A copy of the current premises licence is included at **Appendix 2**.

2 **The Application**

2.1 An application for the grant of a variation to the premises licence under the Licensing Act 2003 for the following:

To add

**Films**

Monday - Sunday 08:00-03:00

**Live music**

Monday- Sunday 23:00-03:00

**Recorded Music**

Monday- Sunday 23:00-03:00

**Performances of dance**

Monday – Sunday 23:00-03:00

**Anything of a similar description**

Monday- Sunday 23:00-03:00

This is to cover use of an amplified karaoke machine

To extend

**Late night refreshment**

Monday –Sunday 23:30-02:30

**Supply of alcohol**

Monday- Sunday 23:00-02:30 (current licence is until 23:30hrs)

**Opening Hours**

Monday- Sunday 00:00-03:00

**Note:** Live and recorded music are deregulated within an on-licensed premises authorised and open for the sale of alcohol from 08:00hrs to 23:00hrs for audiences up to 500. Live unamplified music does not need a licence anywhere and with no audience limit between 08:00hrs to 23:00hrs.

**Note:** within the application some licensable activities have been crossed through this was done by a Licensing Caseworker with the applicant at the time of the application following a discussion about what he required on the licence.

2.2 The variation application is also asking to alter condition's as follows

To remove:

Waiter service to persons seated at tables

To change:

Substantial food available at all times to Substantial food available until 21:00hrs.

A copy of the application has been included at **Appendix 1**.

### 3 **Licensing Objectives**

3.1 When submitting an application for a variation to the current premises licence under the Licensing Act 2003, the applicant is required to describe any steps they intend to take to promote the four Licensing Objectives as defined by the Licensing Act 2003. The Operating Schedule detailing these steps can be seen in the application form. This is included at **Appendix 1**.

### 4 **Consultation Process**

4.1 The Licensing Act 2003 requires applicants to advertise both on the premises and in a local newspaper in order to inform the public of the application. The application details are also advertised on the council's website. A number of "Responsible Authorities" have also been consulted as part of the process. There was a consultation period of 28 days for representations to be made, the applicant conformed with all the requirements as laid out within the Licensing Act 2003.

4.2 During the consultation process Sussex Police have requested specific conditions to be placed onto the licence if/when it is granted. There is an email trail between Sussex Police and the applicant. A copy of this is included at **Appendix 3**. Sussex Police have also submitted a representation based around the Premises being located within the Cumulative Impact Zone and their concerns that the Premises would not effectively promote the Licensing objectives. A copy of this representation is included at **Appendix 4**.

4.3 Eastbourne Borough Councils Noise Pollution team have also submitted a representation asking for conditions to be attached to the licence if/when granted. A copy of this email is included at **Appendix 5**.

### 5 **The Decision Making Process - The Licensing Objectives**

5.1 In their decision making, the Licensing Sub-Committee must act to promote the four Licensing Objectives. All carry equal weight as part of the process. The

Licensing Objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

## 6 **Eastbourne Borough Council's Statement of Licensing Policy & Section 182 Guidance Issued**

6.1 Copies of the Council's Statement of Licensing Policy have previously been circulated to Members. A copy is also retained in the Members' Room.

6.2 Whilst each application will be considered on its merits, the Licensing Sub-Committee will act to promote the four licensing objectives and have due regard to:

- Eastbourne Borough Council's Statement of Licensing Policy 2019 – 2024.
- Section 182 Guidance issued by the Department of Culture, Media and Sport.

6.3 Eastbourne Borough Council's Statement of Licensing Policy outlines the matters that the Authority will consider when determining matters under the Licensing Act 2003. An overview appears below.

### 6.4 The Prevention Of Crime and Disorder

The Council's Statement of Licensing Policy states that the Operating Schedule should include steps to ensure the deterrence and prevention of crime and disorder on and in the vicinity of premises. The restriction of types of licensable activity, hours and imposition of conditions may be considered and applied as appropriate.

### 6.5 Public Safety

The Statement of Licensing Policy states that the Operating Schedule should include steps to ensure the physical safety of patrons. This might include the imposition of conditions regarding capacity and mechanisms to promote responsible drinking. The restriction of types of licensable activity, hours and imposition of conditions may be considered and applied as appropriate.

### 6.6 Protection of children from harm

The Statement of Licensing Policy requires that operating plans must specify the measures and management controls in place to protect children from harm. Conditions can be placed to restrict access to children to the premises during certain times or when certain licensable activities are taking place. The restriction of types of licensable activity, hours and imposition of conditions may be considered and applied as appropriate.

## 6.7 Prevention of Public Nuisance

The Statement of Licensing Policy states that within the Operating Schedule, applicants will be required to demonstrate how they intend to prevent nuisance arising, disturbance occurring and mechanisms to protect amenities. The restriction of types of licensable activity, hours and imposition of conditions may be considered and applied as appropriate.

## 7 Cumulative Impact

7.1 The premises in question are located within the Cumulative Impact Zone. It is recognised that the impact of the number, type and density of licensed premises in a given area may lead to problems of noise, nuisance, crime and disorder outside of, or a distance from licensed premises.

7.2 Cumulative Impact is defined as the “potential impact upon the Licensing Objectives of a significant number of licensed premises concentrated in an area,” and is a proper matter for consideration by the Licensing Authority.

7.3 The Licensing Authority may receive representations from a Responsible Authority or ‘Interested Party’ (any person) that the cumulative affect of licences is leading to an area becoming saturated. This creates exceptional problems of disorder and nuisance, over and above the impact from individual premises which undermines the promotion of one or more of the licensing objectives.

7.4 Where valid representations are received, the Cumulative Impact Policy creates a rebuttable presumption that the application will be refused.

It is for the applicant to address the Cumulative Impact Policy and produce evidence to demonstrate that the matter:

- (a) Will not add to the cumulative impact caused by licensed premises and challenges already experienced in the area;
- (b) Will not undermine the promotion of the Licensing Objectives.

7.5 The Cumulative Impact Policy clearly states that new licence applications and variations to existing licences, in the Zone should be refused, unless Members are satisfied that the applicant has provided evidence to show that premises will not exacerbate existing issues in the locality, or undermine the promotion of the Licensing Objectives.

7.6 It is stressed that the presumption to refuse an application does not relieve the Responsible Authority or anyone else making a representation of the need to provide supporting evidence in conjunction with a relevant representation. This must be submitted before the Licensing Authority may lawfully consider the effect of the Cumulative Impact Policy.

7.7 The Cumulative Impact Policy can be found within the Council’s Statement of Licensing Policy 2014 – 2019.

## 8 Representations

8.1 A copy of the representations are included at **Appendix 4 and 5**, however a summary appears below:

|   |
|---|
| <p><b>‘Interested Parties’</b></p> <p>No representations have been received.</p>  |
| <p><b>Representations from Responsible Authorities</b></p> <p>The following summarises whether representations have been received from responsible authorities:</p> <ul style="list-style-type: none"><li>➤ <b>Sussex Police</b> – Email trail around extra conditions and representation around the premises being based within the CIZ.</li><li>➤ <b>Eastbourne Borough Council (Specialist Advisor) Environmental Health</b> – conditions asked for if/when the licence is granted.</li><li>➤ <b>Eastbourne Borough Council (Specialist Advisor) Health and Safety</b> – No representation.</li><li>➤ <b>Eastbourne Borough Council (Specialist Advisor) Planning</b> – No representation.</li><li>➤ <b>Eastbourne Borough Council (Specialist Advisor) Licensing</b> - No representation</li><li>➤ <b>East Sussex Fire and Rescue Service</b> – No representation</li><li>➤ <b>Area Child Protection Team</b>– No representations</li><li>➤ <b>Trading Standards (East Sussex County Council)</b> – No representation.</li><li>➤ <b>Primary Care Trust</b>- No representation</li></ul> |

8.2 The Sub-Committee will need to have regard to any history or likelihood of noise, nuisance, crime and disorder at the site, or in the vicinity of the site. In addition, matters impacting upon public safety and strategies to protect children from harm will also need to be considered.

8.3 The Sub-Committee may also consider any other matters that may negatively impact upon the Licensing Objectives and exercise their powers to impose conditions, or take the appropriate action as they see fit, in order to promote the Licensing Objectives.

8.4 In determining what, if any, conditions should be attached to a licence, these should only be imposed where it is considered appropriate and proportionate on a case by case basis. The applicant, any person or any Responsible Authorities may also suggest conditions to address concerns as a means to promote the Licensing Objectives. The Sub-Committee may not impose any condition unless its discretion has been exercised following receipt of a relevant representation and is satisfied that it is appropriate to promote one or more of the licensing objectives.



## 9 **Options open to the Sub-Committee**

9.1 The Licensing Sub-Committee shall take the steps it considers appropriate for the promotion of the Licensing Objections and may;

- Modify the conditions of the licence ( alter or omit or add new)
- Reject the whole or part of the variation application

9.2 The Sub-Committee are asked to note the procedures relating to this hearing which are contained in The Licensing Act 2003 ( Hearing ) Regulations 2005.

## 10 **Legal Considerations**

10.1 Under the Licensing Act 2003 section 34 the holder of a premises licence may apply to the Licensing Authority for the variation of the licence. Under section 35 on such an application the Licensing Authority must grant the application unless relevant representations are made in which case a hearing must be held unless the applicant and each person who has made representations agree that a hearing is unnecessary. The Sub Committee having regard to the representations made shall take such a step as referred to in paragraph 9.1 above as it considers appropriate for the promotion of the licensing objectives.

10.2 Under Schedule 5 Licensing Act 2003 the applicant may appeal if the Sub Committee rejects, in whole or in part, the application to vary the premises licence or the decision to modify conditions. Further, any person who has made relevant representations may appeal if they contend that any variation ought not to have been made or any conditions modified. Any appeals should be made to the Magistrates Court within 21 days of the appellant being notified in writing of the decision.

10.3 The Legal Section considered this Report on 9 December 2019 (IKEN 8796-EBC-MW)

## 11 **Financial Appraisal**

11.1 The cost of delivering the licensing function is fully covered by the Licensing fees.

## 12 **Risk management implications**

12.1 There are no risks associated with the content of this report.

## 13 **Equalities & Fairness Screening**

13.1 An Equality Analysis is not constructive in this instance

## 14 **Sustainability and/or carbon reduction implications**

14.1 There are no sustainability and/or carbon reduction implications associated with this report.

## 15 **Human Rights**

15.1 The provisions of the Human Rights Act 1998, must be borne in mind by the Sub-Committee when taking licensing decisions under the Licensing Act 2003. Particular regard should be had to Article 1 of the First Protocol, which relates to the protection of property and the peaceful enjoyment of possessions and property, and Article 8 - which relates to the right to respect for private and family life, home and correspondence - should also be borne in mind. While the Human Rights Act makes it unlawful for a local authority to act or to fail to act in a way that is incompatible with a Convention right, Article 1 of the First Protocol and Article 8 are both qualified rights which means that interference - to a justifiable extent - may be permitted as long as what is done:

- Has a basis in law;
- Is intended to pursue a legitimate purpose;
- Is necessary and proportionate; and
- Is not discriminatory.

## 16 **Appendices**

- Appendix 1 - Application for a variation to the premises licence under the Licensing Act 2003.
- Appendix 2 – copy of the current premises licence.
- Appendix 3 – Email trail between Sussex Police and applicant agreeing specific conditions.
- Appendix 4 – Representation from Sussex Police.
- Appendix 5 – Email from Environmental Health asking for specific conditions to be added to the licence if/when granted.
- Appendix 6 – Email trail to confirm the DPS – To Follow.

## 17 **Background papers**

- Section 182 Statutory Guidance to the Licensing Act 2003 available via: <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>
- Eastbourne Borough Council Licensing Statement 2019-2024 available via: [http://www.lewes-eastbourne.gov.uk/\\_resources/assets/inline/full/0/224048.pdf](http://www.lewes-eastbourne.gov.uk/_resources/assets/inline/full/0/224048.pdf)
- Human Rights Act 1998

Customer First Team  
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## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/             
 We DENE SONNESSA

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

|                         |        |
|-------------------------|--------|
| Premises licence number | 049909 |
|-------------------------|--------|

#### Part 1 – Premises Details

|  |            |           |         |
|--|------------|-----------|---------|
| Postal address of premises or, if none, ordnance survey map reference or description |            |           |         |
| 16 LANGNEY ROAD, EASTBOURNE, EAST SUSSEX<br>THREE MONKEYS BAR & KITCHEN              |            |           |         |
| Post town  | EASTBOURNE | Post code | BN213QA |

|   |              |
|---|--------------|
| Telephone number at premises (if any)   |              |
| Non-domestic rateable value of premises | £ 190 BAND B |

#### Part 2 – Applicant details

|   |            |
|---|------------|
| Daytime contact telephone number                          | [REDACTED] |
| E-mail address (optional)                                 | [REDACTED] |
| Current postal address if different from premises address | [REDACTED] |
| Post Town   | [REDACTED] |
| Postcode  | [REDACTED] |

**Part 3 - Variation**

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

**Please describe briefly the nature of the proposed variation** (Please see guidance note 1)

I would like the licence to authorise; Live music, dancing, karaoke, films, indoor sporting events, boxing & wrestling entertainment and dancing performance.

I would like to extend the 'supply of alcohol' and 'late night refreshment' to 02:30am.

I would like the following condition removed from the current licence: 'waiter service to persons seated at tables'.

I would also like the following condition 'substantial food available at all times' altered to 'substantial food available until 9pm'.

Ideally, I would like to serve alcohol from 8am to 02:30am and hot food from 8am to 9pm.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment**

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- ~~c) indoor sporting events (if ticking yes, fill in box C)~~
- ~~d) boxing or wrestling entertainment (if ticking yes, fill in box D)~~

- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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Le  
Le  
Le

~~Provision of entertainment facilities:~~

- ~~i) making music (if ticking yes, fill in box I)~~
- ~~j) dancing (if ticking yes, fill in box J)~~
- ~~k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)~~

~~Le~~  
~~Le~~  
~~Le~~  
Le  
Le  
Le

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

**A**

|   |              |               |  |                       |
|---|--------------|---------------|--|-----------------------|
| <b>Plays</b><br>Standard days and timings (please read guidance note 6) |              |               | <b>Will the performance of a play take place indoors or outdoors or both - please tick</b><br>(please read guidance note 2)  |                       |
|   |              |               | Indoors  | <input type="radio"/> |
|   |              |               | Outdoors   | <input type="radio"/> |
|   |              |               | Both   | <input type="radio"/> |
| <b>Day</b>  | <b>Start</b> | <b>Finish</b> | <b>Please give further details here</b> (please read guidance note 3)  |                       |
| Mon   |              |               |  |                       |
| Tue   |              |               |  |                       |
| Wed   |              |               | <b>State any seasonal variations for performing plays</b> (please read guidance note 4)  |                       |
| Thur  |              |               |  |                       |
| Fri   |              |               | <b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |                       |
| Sat   |              |               |  |                       |
| Sun   |              |               |  |                       |

**B**

| Films<br>Standard days and timings (please read guidance note 6) |              |        | Will the exhibition of films take place indoors or outdoors or both - please tick (please read guidance note 2)  | Indoors  | <input checked="" type="checkbox"/> |
|--|--------------|--------|--|----------|-------------------------------------|
| Day  | Start        | Finish |  | Outdoors | <input type="checkbox"/>            |
|  |              |        |  | Both     | <input type="checkbox"/>            |
| Mon  | 2300<br>0900 | 0300   | <b>Please give further details here</b> (please read guidance note 3)<br>Overhead projector to provide visual displays which may or may not contain footage from movies. May also wish to show movies in Private Booth from time to time. Amplified Music.             |          |                                     |
| Tue  | 2300<br>0600 | 0300   |  |          |                                     |
| Wed  | 2300<br>0800 | 0300   | <b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)   |          |                                     |
| Thur   | 2300<br>0200 | 0300   |  |          |                                     |
| Fri  | 2300<br>0800 | 0300   | <b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)<br>On our TV screens, over head projector or in a private booth. |          |                                     |
| Sat  | 2300<br>0800 | 0300   |  |          |                                     |
| Sun  | 2300<br>0800 | 0300   |  |          |                                     |

C

| <b>Indoor sporting events</b><br>Standard days and timings (please read guidance note 6) |       |        | <u>Please give further details</u> (please read guidance note 3)   |
|--|-------|--------|--|
| Day  | Start | Finish | I would like the option to show the larger sporting events such as The Olympics, The World Cup or Euros, Cricket World Cup, Formula One, Tennis, Snooker, Darts etc.<br>On our TV screens, over head projector or in a private booth. Amplified. |
| Mon  | 2300  | 0300   |  |
| Tue  | 2300  | 0300   | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)  |
| Wed  | 2300  | 0300   |  |
| Thur   | 2300  | 0300   | <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)   |
| Fri  | 2300  | 0300   |  |
| Sat  | 2300  | 0300   |  |
| Sun  | 2300  | 0300   |  |



**D**

| Boxing or wrestling entertainments<br>Standard days and timings (please read guidance note 6) |       |        | Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)   | Indoors  | <input checked="" type="checkbox"/> |
|---|-------|--------|---|----------|-------------------------------------|
| Day   | Start | Finish |   | Outdoors | <input type="checkbox"/>            |
| Mon   | 2300  | 0300   | <p><b>Please give further details here</b> (please read guidance note 3)<br/>I would like the option to show the larger World title events or competitions.<br/>On our TV screens, over head projector or in a private booth.<br/>Amplified.</p> <p><b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)</p> <p><b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p> | Both     | <input type="checkbox"/>            |
| Tue   | 2300  | 0300   |   |          |                                     |
| Wed   | 2300  | 0300   |   |          |                                     |
| Thur  | 2300  | 0300   |   |          |                                     |
| Fri   | 2300  | 0300   |   |          |                                     |
| Sat   | 2300  | 0300   |   |          |                                     |
| Sun   | 2300  | 0300   |   |          |                                     |

**E**

|  |              |               |   |          |                                     |
|--|--------------|---------------|---|----------|-------------------------------------|
| <b>Live music</b><br>Standard days and timings (please read guidance note 6) |              |               | <b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)  | Indoors  | <input checked="" type="checkbox"/> |
|  |              |               |   | Outdoors | <input type="checkbox"/>            |
|  |              |               |   | Both     | <input type="checkbox"/>            |
|  |              |               |   |          |                                     |
| <b>Day</b>   | <b>Start</b> | <b>Finish</b> | <b>Please give further details here</b> (please read guidance note 3)   |          |                                     |
| Mon  | 2300         | 0300          | Live Bands, DJs, Open mic night, Percussionist, Saxophonist. Amplified and unamplified.   |          |                                     |
| Tue  | 2300         | 0300          |   |          |                                     |
| Wed  | 2300         | 0300          | <b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)  |          |                                     |
| Thur   | 2300         | 0300          |   |          |                                     |
| Fri  | 2300         | 0300          | <b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |          |                                     |
| Sat  | 2300         | 0300          |   |          |                                     |
| Sun  | 2300         | 0300          |   |          |                                     |

**F**

| Recorded music<br>Standard days and<br>timings (please read<br>guidance note 6) |       |        | Will the playing of recorded music take<br>place indoors or outdoors or both -<br>please tick (please read guidance note 2)   | Indoors  | <input checked="" type="checkbox"/> |
|---|-------|--------|---|----------|-------------------------------------|
| Day   | Start | Finish |   | Outdoors | <input type="checkbox"/>            |
| Mon   | 2300  | 0300   | Please give further details here (please read guidance note 3)<br>Recorded music to be played from a playlist, via a live DJ or<br>via a Karaoke machine. Amplified.  | Both     | <input type="checkbox"/>            |
| Tue   | 2300  | 0300   |   |          |                                     |
| Wed   | 2300  | 0300   | State any seasonal variations for the playing of recorded<br>music (please read guidance note 4)  |          |                                     |
| Thur  | 2300  | 0300   |   |          |                                     |
| Fri   | 2300  | 0300   | Non standard timings. Where you intend to use the<br>premises for the playing of recorded music at different<br>times to those listed in the column on the left, please list<br>(please read guidance note 5) |          |                                     |
| Sat   | 2300  | 0300   |   |          |                                     |
| Sun   | 2300  | 0300   |   |          |                                     |

**G**

| Performances of dance<br>Standard days and timings (please read guidance note 6) |       |        | <u>Will the performance of dance take place indoors or outdoors or both - please tick</u><br>(please read guidance note 2)  | Indoors  | <input checked="" type="checkbox"/> |
|--|-------|--------|---|----------|-------------------------------------|
| Day  | Start | Finish |   | Outdoors | <input type="checkbox"/>            |
| Mon  | 2300  | 0300   | <b><u>Please give further details here</u></b> (please read guidance note 3)<br>I would like the option for Professional dancer/dancers performing alongside a band or recorded music.                        | Both     | <input type="checkbox"/>            |
| Tue  | 2300  | 0300   |   |          |                                     |
| Wed  | 2300  | 0300   | <b><u>State any seasonal variations for the performance of dance</u></b><br>(please read guidance note 4)   |          |                                     |
| Thur   | 2300  | 0300   |   |          |                                     |
| Fri  | 2300  | 0300   | <b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) |          |                                     |
| Sat  | 2300  | 0300   |   |          |                                     |
| Sun  | 2300  | 0300   |   |          |                                     |
|  |       |        |   |          |                                     |

**H**

|  |       |        |   |                          |                                     |
|--|-------|--------|---|--------------------------|-------------------------------------|
| <b>Anything of a similar description to that falling within (e), (f) or (g)</b><br>Standard days and timings (please read guidance note 6) |       |        | <b>Please give a description of the type of entertainment you will be providing</b>   |                          |                                     |
| Day  | Start | Finish | <b>Will this entertainment take place indoors or outdoors or both - please tick</b><br>(please read guidance note 2)  | Indoors                  | <input checked="" type="checkbox"/> |
| Mon  | 23 00 | 03 00  |   | Outdoors                 | <input type="checkbox"/>            |
|  |       |        | Both  | <input type="checkbox"/> |                                     |
| Tue  | 23 00 | 03 00  | <b>Please give further details here</b> (please read guidance note 3)<br><i>Use of a Karaoke machine. Amplified.</i>  |                          |                                     |
| Wed  | 23 00 | 03 00  |   |                          |                                     |
| Thur   | 23 00 | 03 00  | <b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b><br>(please read guidance note 4)   |                          |                                     |
| Fri  | 23 00 | 03 00  |   |                          |                                     |
| Sat  | 23 00 | 03 00  | <b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |                          |                                     |
| Sun  | 23 00 | 03 00  |   |                          |                                     |

**I**

| <b>Provision of facilities for making music</b><br>Standard days and timings (please read guidance note 6) |       |        | <b>Please give a description of the facilities for making music you will be providing</b>  |                                     |
|--|-------|--------|--|-------------------------------------|
|  |       |        | Will the facilities for making music be indoors or outdoors or both - please tick (please read guidance note 2)  |                                     |
|  |       |        | Indoors  | <input checked="" type="checkbox"/> |
|  |       |        | Outdoors   | <input type="checkbox"/>            |
|  |       |        | Both   | <input type="checkbox"/>            |
| Day  | Start | Finish | <b>Please give further details here</b> (please read guidance note 3)  |                                     |
| Mon  | 2300  | 0300   | I would like the option to have a karaoke machine wether it be front of house or in a private booth. Amplified.  |                                     |
| Tue  | 2300  | 0300   |  |                                     |
| Wed  | 2300  | 0300   | <b>State any seasonal variations for the provision of facilities for making music</b> (please read guidance note 4)  |                                     |
| Thur   | 2300  | 0300   |  |                                     |
| Fri  | 2300  | 0300   | <b>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |                                     |
| Sat  | 2300  | 0300   |  |                                     |
| Sun  | 2300  | 0300   |  |                                     |

J

| Provision of facilities for dancing<br>Standard days and timings (please read guidance note 6) |       |        | Will the facilities for dancing be indoors or outdoors or both - please tick (see guidance note 2)  |
|--|-------|--------|---|
|  |       |        | Indoors <input checked="" type="checkbox"/>   |
|  |       |        | Outdoors <input type="checkbox"/>   |
|  |       |        | Both <input type="checkbox"/>   |
|  |       |        | <b>Please give a description of the facilities for dancing you will be providing</b>  |
| Day  | Start | Finish |   |
| Mon  | 2300  | 0300   | <b>Please give further details here (please read guidance note 3)</b>   |
| Tue  | 2300  | 0300   |   |
| Wed  | 2300  | 0300   | <b>State any seasonal variations for providing dancing facilities (please read guidance note 4)</b>   |
| Thur   | 2300  | 0300   |   |
| Fri  | 2300  | 0300   | <b>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)</b> |
| Sat  | 2300  | 0300   |   |
| Sun  | 2300  | 0300   |   |

**K**

| Provision of facilities for entertainment of a similar description to that falling within I or j<br>Standard days and timings (please read guidance note 6) |       |        | <u>Please give a description of the type of entertainment facility you will be providing</u>   |   |
|---|-------|--------|--|---|
| Day   | Start | Finish | <u>Will the entertainment facility be indoors or outdoors or both - please tick</u> (please read guidance note 2)  | Indoors <input checked="" type="checkbox"/> |
| Mon   | 2300  | 0300   |  | Outdoors <input type="checkbox"/>           |
|   |       |        |  | Both <input type="checkbox"/>               |
| Tue   | 2300  | 0300   | <u>Please give further details here</u> (please read guidance note 3)  |   |
| Wed   | 2300  | 0300   |  |   |
| Thur  | 2300  | 0300   | <u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or j</u> (please read guidance note 4)  |   |
| Fri   | 2300  | 0300   |  |   |
| Sat   | 2300  | 0300   | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5) |   |
| Sun   | 2300  | 0300   |  |   |



**L**

| Late night refreshment<br>Standard days and timings (please read guidance note 6) |       |        | Will the provision of late night refreshment take place indoors or outdoors or both - please tick (please read guidance note 2)   | Indoors  | <input checked="" type="checkbox"/> |
|---|-------|--------|---|----------|-------------------------------------|
| Day   | Start | Finish |   | Outdoors | <input type="checkbox"/>            |
| Mon   | 2300  | 0230   | Please give further details here (please read guidance note 3)<br>I would like to offer a late night menu to consist of light bites and or snacks.  | Both     | <input type="checkbox"/>            |
| Tue   | 2300  | 0230   |   |          |                                     |
| Wed   | 2300  | 0230   | State any seasonal variations for the provision of late night refreshment (please read guidance note 4)   |          |                                     |
| Thur  | 2300  | 0230   |   |          |                                     |
| Fri   | 2300  | 0230   | Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) |          |                                     |
| Sat   | 2300  | 0230   |   |          |                                     |
| Sun   | 2300  | 0230   |   |          |                                     |

M

| Supply of alcohol<br>Standard days and<br>timings (please read<br>guidance note 6) |       |        | Will the supply of alcohol be for<br>consumption (Please tick box) (please<br>read guidance note 7)  | On the<br>premises  | <input checked="" type="checkbox"/> |
|--|-------|--------|--|---------------------|-------------------------------------|
| Day  | Start | Finish |  | Off the<br>premises | <input type="checkbox"/>            |
| Mon  | 2300  | 0230   | <b>State any seasonal variations for the supply of alcohol</b><br>(please read guidance note 4)  | Both                | <input type="checkbox"/>            |
| Tue  | 2300  | 0230   |  |                     |                                     |
| Wed  | 2300  | 0230   |  |                     |                                     |
| Thur   | 2300  | 0230   | <b>Non-standard timings. Where you intend to use the<br/>premises for the supply of alcohol at different times to<br/>those listed in the column on the left, please list</b> (please<br>read guidance note 5) |                     |                                     |
| Fri  | 2300  | 0230   |  |                     |                                     |
| Sat  | 2300  | 0230   |  |                     |                                     |
| Sun  | 2300  | 0230   |  |                     |                                     |

**N**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)**

0

|   |       |        |   |
|---|-------|--------|---|
| <b>Hours premises are open to the public</b><br>Standard days and timings (please read guidance note 6) |       |        | <b>State any seasonal variations</b> (please read guidance note 4)  |
| Day   | Start | Finish |   |
| Mon   | 2300  | 0300   | <b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5) |
| Tue   | 2300  | 0300   |   |
| Wed   | 2300  | 0300   |   |
| Thur  | 2300  | 0300   |   |
| Fri   | 2300  | 0300   |   |
| Sat   | 2300  | 0300   |   |
| Sun   | 2300  | 0300   |   |
|   |       |        |   |

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

- 1) Waiter service to persons seated at a table
- 2) Substantial food available at all times

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

**P**

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

Restaurant will be open planned and well illuminated for good supervision.  
Substantial food available until 9pm when premises is open. Plentiful non-alcoholic drinks available including water.

**b) The prevention of crime and disorder**

Incident/Refusal Register maintained. CCTV installation for Internal & External surveillance to Sussex Police requirements.

**c) Public safety**

Health & Safety: Fire Risk assessments made. 1st Aid station on site. Fire Safety system to specification of E.Sussex Fire Rescue Service.

**d) The prevention of public nuisance**

Promote cleanliness outside immediate vicinity. Discourage loitering (when seen).

**e) The protection of children from harm**

Proof of identity/age cards (as required by licensee). Challenge 25 scheme adopted.

- I have made or enclosed payment of the fee Please tick **yes**
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.**

|           |            |
|-----------|------------|
| Signature | [REDACTED] |
| Date      | 24/10/19   |
| Capacity  |            |

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.**

|           |  |
|-----------|--|
| Signature |  |
| Date      |  |
| Capacity  |  |

**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)**

[REDACTED]

|  |            |           |            |
|--|------------|-----------|------------|
| Post town  | [REDACTED] | Post code | [REDACTED] |
| Telephone number (if any)  | [REDACTED] |           |            |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) |            |           |            |
| [REDACTED]   |            |           |            |

## Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour dock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

**Before completing this form you should read our step by step guidance booklet 'The new licensing system: a guide to the changes' available from our offices or to download from our website (see top of page 1), which includes addresses to send copies of this form. Incomplete or incorrect applications will be returned and will delay issuing your licence**

"This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes."



**Part A**  
**Premises Licence 049907**

**Part 1 - Premises Details**

POSTAL ADDRESS OF PREMISES OR, IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Morey's**  
16 Langney Road, Eastbourne, East Sussex, BN21 3QA

WHERE THE LICENCE IS TIME LIMITED THE DATES

Start Date: 16<sup>th</sup> March 2017

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Late Night Refreshment  
Supply of Alcohol

THE OPENING HOURS OF THE PREMISES:

|                |   |
|----------------|---|
| <b>Primary</b> | Mon 08:00-00:00<br>Tue 08:00-00:00<br>Wed 08:00-00:00<br>Thu 08:00-00:00<br>Fri 08:00-00:00<br>Sat 08:00-00:00<br>Sun 08:00-00:00 |
|----------------|---|

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:

|                                   |   |
|-----------------------------------|---|
| Late Night Refreshment<br>Primary | Mon 23:00-23:30<br>Tue 23:00-23:30<br>Wed 23:00-23:30<br>Thu 23:00-23:30<br>Fri 23:00-23:30<br>Sat 23:00-23:30<br>Sun 23:00-23:30 |
| Supply of Alcohol<br>Primary      | Mon 08:00-23:30<br>Tue 08:00-23:30<br>Wed 08:00-23:30<br>Thu 08:00-23:30<br>Fri 08:00-23:30<br>Sat 08:00-23:30<br>Sun 08:00-23:30 |

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF PREMISES

On the Premises

## Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Mr Dene Mario Sonnessa  
[REDACTED]

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence Number:

Issued By:

ANNEXES

### Annex 1

#### Mandatory Conditions

#### Sale/Supply of Alcohol (On & Off Sales)

1. No supply of alcohol may be made under the Premises Licence –
  - (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or
  - (b) at a time when the Designated Premises Supervisor does not hold a personal licence or his/ her personal licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a personal licence.
3. (1) The Responsible Person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the Responsible Person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

**4.** The Responsible Person must ensure that free potable water is provided on request to customers where it is reasonably available.

**5.** The Responsible Person must ensure that:

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml.

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**6.** (1) The Relevant Person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) For the purposes of the condition set out in paragraph (1)

a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

b) "permitted price" is the price found by applying the formula –

$$P = D + (D \times V)$$

Where

- i. P is the permitted price;
  - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol; and,
  - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol.
- c) "relevant person" means in relation to premises in respect of which there is in force a premises licence –
- i. The holder of the premises licence;
  - ii. The designated premises supervisor (if any) in respect of such a licence; or,
  - iii. The personal licence holder who makes or authorises a supply of alcohol under such a licence.
- d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4)(1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies which take place before the expiry of the period of 14 days beginning on the second day.

**7.**(1) The Premises Licence holder or Club Premises Certificate holder must ensure that an

age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The Designated Premises Supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the Responsible Person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- (a) a holographic mark, or
- (b) an ultraviolet feature.

**Note:**

In section 153(4) of the Licensing Act 2003, "Responsible Person" means:

(a) In relation to licensed premises:

- (i) the holder of a Premises Licence in respect of the premises;
- (ii) the Designated Premises Supervisor (if any) under such a licence; or,
- (iii) any individual aged 18 or over who is authorised for the purposes of this section by such a holder or supervisor.

(b) In relation to premises in respect of which there is in force a Club Premises Certificate, any Member or Officer of the Club present on the premises in a capacity which enables him to prevent the supply in question.

**Annex 2 – Conditions consistent with the operating schedule**

**All Licensing Objectives**

Restaurant will be open designed and well illuminated for good supervision. Substantial food available at all times premises open. Non alcoholic drinks, including water. Waiter service to persons seated at tables.

**Prevention of Crime and Disorder**

Incident/Refusal Register maintained. CCTV installation for Internal & External surveillance, to Sussex Police requirements

**Public Safety**

Health & Safety: Fire Risk assessments made  
1st Aid station on site Fire safety system to specification of E. Sussex Fire & Rescue Service

**Prevention of Public Nuisance**

Promote cleanliness outside immediate vicinity Discourage loitering (when seen)

**Protection of Children from Harm**

Proof of identity/age cards(as required by licensee) Challenge 25 Scheme adopted

**Annex 3 – Conditions attached after a hearing by the licensing authority**

N/A

**Annex 4 – Plans**

At the time of submission the attached plans are an accurate reflection of the design and layout of the premises.

**Part B**  
**Premises Licence Summary 049907**

**Premises Details**

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**

**Morey's**  
16 Langney Road, Eastbourne, East Sussex, BN21 3QA

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Start Date 16<sup>th</sup> March 2017

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

Late Night Refreshment  
Supply of Alcohol

**THE OPENING HOURS OF THE PREMISES:**

|         |   |
|---------|---|
| Primary | Mon 08:00-00:00<br>Tue 08:00-00:00<br>Wed 08:00-00:00<br>Thu 08:00-00:00<br>Fri 08:00-00:00<br>Sat 08:00-00:00<br>Sun 08:00-00:00 |
|---------|---|

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:**

|                                   |   |
|-----------------------------------|---|
| Late Night Refreshment<br>Primary | Mon 23:00-23:30<br>Tue 23:00-23:30<br>Wed 23:00-23:30<br>Thu 23:00-23:30<br>Fri 23:00-23:30<br>Sat 23:00-23:30<br>Sun 23:00-23:30 |
| Supply of Alcohol<br>Primary      | Mon 08:00-23:30<br>Tue 08:00-23:30<br>Wed 08:00-23:30<br>Thu 08:00-23:30<br>Fri 08:00-23:30<br>Sat 08:00-23:30<br>Sun 08:00-23:30 |

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF PREMISES**

On the Premises

NAME AND (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Mr Dene Mario Sonnessa  
[REDACTED]

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

N/A



## APPENDIX 3

**From:** Dene SONNESSA [REDACTED]  
**Sent:** 21 November 2019 14:14  
**To:** Rolfe Kirstie [REDACTED] <[uk](#)>  
**Subject:** Re: Major Variation application 3 Monkeys Bar & Kitchen, 16 Langney Road Eastbourne

**\*\*External Email - Do not click any links or open any attachments unless you trust the sender and know the content is safe. Further information can be found [here](#).**\*\*

Hi Kirstie,

thank you for meeting with me to raise your concerns regarding my licence application. Please accept my apology for my delayed response. I have reviewed your suggested conditions and am happy to accept them. I am also happy to join the Eastbourne BCRP but could you please remind me how i would go about in doing so?

Kindest regards,

Dene Sonnessa  
DPS & Director  
Three Monkeys Bar & Kitchen Ltd  
[REDACTED]

---

**From:** [Kirstie.j.Rolfe](#) [REDACTED] <[REDACTED]>  
**Sent:** 13 November 2019 15:02  
**To:** [dmsonnessa](#) [REDACTED]  
**Cc:** [Daren.buck](#) [REDACTED] >  
**Subject:** RE: Major Variation application 3 Monkeys Bar & Kitchen, 16 Langney Road Eastbourne

Good afternoon Mr Sonnessa,

Thank you for meeting with me today at Bexhill Police Station to discuss your application.

You informed me that you will be a restaurant during the day up and till 2100hrs allowing all ages in for meals (you advised me you didn't want to be restricted with restaurant conditions). At 2100hrs you want to become late night venue with a lively atmosphere. You want to have DJs, recorded and live music and karaoke. Your audience being aimed at the younger generation (over 18yrs), a bar to visit before heading to Cameo.

Your application has not referred to the Cumulative Impact Zone or the Eastbourne Borough Councils statement of licensing. You have not offered sufficient conditions that would help mitigate any potential risk in a busy part of Eastbourne or provided enough assurances of how the premises will promote the four licensing objectives.

You were asked if you had read the Councils statement of licensing which you confirmed you hadn't. You were not aware of the Cumulative Impact Zone or what it meant but did have little knowledge of the Four Licensing Objectives (mainly that they formed part of the application form) You informed me you had sought advice from a licensing consultant but that was two and a half years ago. You felt because you obtained the original licence you would be ok to make variations. I

explained the difference in the type of licence you currently have to the one you are applying for, a vertical drinking establishment.

Rather than object to the application at this stage I said I would work with you first to see what we could agree to. We discussed conditions that could go on the licence to help support the four licensing objectives. Below are a number of conditions I would like you to consider having on your licence when/if granted. Please review them, make changes where required but clearly highlight those changes so I can easily see them;

### **CCTV:**

- Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (current PSDB Publication), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
- The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
- CCTV footage will be stored for a minimum of 31 days.
- The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
- The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
- Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.
- Any breakdown or system failure will be notified to the police immediately & remedied as soon as is practicable.
- In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

### **Training/Authorisation:**

- a) The Premises Licence Holder shall ensure that all staff members engaged, or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:  
\*The lawful selling of age restricted products

\*Refusing the sale of alcohol to a person who is drunk

- b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 3 months, with the date and time of the verbal reinforcement/refresher training documented.
- c) All such training undertaken by staff members shall be fully documented and recorded and signed by both the employee and the DPS. All training records shall be kept on the premises and made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.
- d) A list of staff members who are authorised to sell alcohol on the premises shall be kept. This shall be endorsed by the DPS with the date such authorisation commences.

#### **Challenge 25:**

- a) The premises will operate an **age verification** policy set at a minimum of 25 years (e.g. "Challenge 25") whereby any person attempting to buy alcohol who appears to be under the specified age e.g. 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of recommended forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.
- b) Signage advertising the age verification or 'Challenge 25' policy will be displayed in prominent locations in the premises.

#### **Incident Log:**

An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) every 4 weeks.

- a) The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence.
- b) Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises.
- c) Any refusals made for alcohol service e.g. underage, will also be recorded (either in electronic or written form) and feedback given to staff as relevant. The log will be kept at the premises for a minimum of twenty four (24) months.

### **Refusals Book T**

The premises shall at all times maintain and operate an age-restricted sales refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book shall be available upon request to Sussex Police, officers of the local authority and officers from the Trading Standards team. The log will be kept at the premises for a minimum of twenty four (24) months.

### **Outside Areas**

- a) Customers will not be permitted to take alcohol or open vessels outside the premises to consume whilst smoking, congregating or eating on the pavement outside the premises.

### **SIA Numbers:**

SIA registered door staff will operate at the premises as follows:

- a) Fridays and Saturdays (and additionally Sundays when there is a bank Holiday Monday the following day, Christmas Eve and New Years Eve); two door staff from 21:00hrs until the premises has closed to the public, licensable activity has ceased and the venue is completely clear of patrons.
- b) In addition, all events shall be risk assessed by the Designated Premises Supervisor and a minimum of two SIA registered door staff shall be on duty on any occasion where the risk assessment shows it to be necessary.

- No persons under the age of 18yrs old to be within the premises after 2100hrs.

We talked a bit about the benefits of joining Eastbourne BCRP and the assistance you could get from both Sussex Police Licensing and Eastbourne Councils Licensing department. If your application is granted I hope you would consider taking advice from us all. In the meantime, please review the conditions above and let me know your acceptance or otherwise no later than 20<sup>th</sup> November 2019.

Please feel free to contact me via email or phone should you need to.

Kind regards,  
Kirstie Rolfe  
Licensing Officer  
Eastbourne, Lewes, Wealden, Hastings & Rother District  
Local Policing Support Team, Bexhill Police Station  
Terminus Road, Bexhill, East Sussex TN39 3NR  
[REDACTED]

**From:** Rolfe Kirstie 31774  
**Sent:** 06 November 2019 14:41  
**To:** Dene SONNESSA <[REDACTED]>  
**Subject:** RE: Major Variation application 3 Monkeys Bar & Kitchen, 16 Langney Road Eastbourne

Hello,

Thanks for your prompt response.

I will book you in for next Wednesday 10am at Bexhill Police Station. I wouldn't have thought we need to meet for any more than an hour.

Could you let me know at the meeting the capacity for the premises.

I look forward to meeting you next Wednesday.

Kind regards,  
Kirstie Rolfe  
Licensing Officer  
Eastbourne, Lewes, Wealden, Hastings & Rother District  
Local Policing Support Team, Bexhill Police Station  
Terminus Road, Bexhill, East Sussex TN39 3NR  
[REDACTED]

**From:** Dene SONNESSA [REDACTED]  
**Sent:** 06 November 2019 14:25  
**To:** Rolfe Kirstie [REDACTED]  
**Subject:** Re: Major Variation application 3 Monkeys Bar & Kitchen, 16 Langney Road Eastbourne

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Hi Kirstie,

Wednesday 13th at 10am is the more suitable for me. Do you know how long our meeting will take?

Kind regards

Dene Sonnessa  
[REDACTED]

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**From:** [Kirstie.j.Rolfe](#) [REDACTED] <[REDACTED]>  
**Sent:** Wednesday, November 6, 2019 1:00:45 PM  
**To:** [dmsonnessa](#) [REDACTED]  
**Subject:** Major Variation application 3 Monkeys Bar & Kitchen, 16 Langney Road Eastbourne

Good afternoon Mr Sonnessa,

I am in receipt of your application for a Major Variation at the above premises. I would like to meet with you to discuss some concerns I have about the application.

I would like to meet with you at Bexhill Police Station on either Tuesday 12<sup>th</sup> November 2019 at 1300hrs or Wednesday 13<sup>th</sup> November at 1000hrs.

Please can you respond and let me know which day you can attend no later than Monday 11<sup>th</sup> November 2019. It is important we do try to meet as soon as possible as we are well within the 28 day consultation period.

Kind regards,  
Kirstie Rolfe  
Licensing Officer  
Eastbourne, Lewes, Wealden, Hastings & Rother District  
Local Policing Support Team, Bexhill Police Station  
Terminus Road, Bexhill, East Sussex TN39 3NR  
[REDACTED]



## Local Policing Support Team

28<sup>th</sup> November 2109

Licensing department  
Eastbourne Borough Council  
Grove Road

Dear Mrs Ball,

**RE: APPLICATION FOR VARIATION AT THREE MONKEYS BAR & KITCHEN, 16 LANGNEY ROAD EASTBOURNE BN21 3QA, UNDER THE LICENSING ACT 2003. LICENCE 049909**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds that it will undermine the Licensing Objectives of the prevention of crime and disorder, the prevention of public nuisance and public safety.

This is a proposed licence variation in an area of Eastbourne which is subject to a Special Policy adopted by Eastbourne Borough Council (EBC). The premises lies within the Cumulative Impact Zone (as defined in the EBC statement of Licensing Policy 2019-2024) and seeks to amend the licence by removing a number of existing premises licence conditions and extending licensable activities and hours.

Paragraph 8.1 of Eastbourne Borough Councils statement of Licensing Policy 2019-2024 states; **The impact of the number, type and density of licensed premises in a given area may lead to problems of noise, nuisance, crime and disorder outside of, or a distance from licensed premises. Cumulative Impact is defined as the “potential impact upon the Licensing Objectives of a significant number of licensed premises concentrated in an area,” and is a proper matter for consideration by the Licensing Authority.**

The current premises licence, under the name of Morey's, is suspended and has no Designated Premises Supervisor (DPS) they had the following licensable activities;

- Late Night Refreshment Monday to Sunday 2300-2330hrs
- Supply of Alcohol Monday to Friday 0800-2330hrs

**The applicant describes the nature of proposed variation;** live music, dancing, karaoke, films, indoor sporting events, boxing & wrestling entertainment and dancing performances. They also want to extend the “supply of alcohol” and late night refreshment to 0230hours.

The following conditions to be removed;

- Waiter service to persons seated at tables.
- Substantial food available at all times.

The applicant seeks the following licensable activities and timings;

- Films Monday Sunday 0800-0300
- Indoor Sporting events Monday to Sunday 2300-0300 **(this has been crossed out, unsure if actually required)**
- Boxing or wrestling Monday to Sunday 2300-0300 **(this has been crossed out, unsure if actually required)**
- Live music Monday to Sunday 2300-0300
- Recorded music Monday to Sunday 2300-0300
- Performances of dance Monday to Sunday 2300-0300
- Anything of a similar nature Monday to Sunday 2300-0300 "use of Karaoke machine amplified.
- Provisions of facilities for making music Monday to Sunday 2300-0300 **(crossed out, nothing mentioned in brief description)**
- Provisions of facilities for dancing Monday to Friday 2300-0300 **(this has been crossed out, unsure if actually required)**
- Late Night Refreshment Monday to Sunday 2300-0230
- Supply of alcohol Monday to Sunday 2300-0230

Under the four Licensing Objectives, the applicant has copied the current licence conditions minus those applied to be removed. Nothing additional has been added or offered.

On review of the application it appears that the premises is looking to become a late night bar/club. This is evidenced by the requested removal of the restaurant condition therefore making them a vertical drinking establishment, the extended licensable hours and description of what licensable activities they would like to have.

Paragraph 14.24 of the Secretary of State's Guidance to the Licensing Act 2003 (April 2018) provides:

*"A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licence and club premises certificates in a specified area."*

Paragraph 14.40 of the Secretary of State's Guidance to the Licensing Act 2003 (April 2018) provides:

*'In publishing a CIA a licensing authority is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described.... Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives'*

The applicant has not referred to the Cumulative Impact Policy or the EBC statement of Licensing in their application. They had not offered any additional conditions that would help mitigate any potential risk in a busy part of Eastbourne or provided any assurances of how the premises will promote the licensing objectives.

Sussex Police Licensing held a meeting with the applicant Mr Dene Sonnessa on 13<sup>th</sup> November 2019 at Bexhill Police Station. He was asked to clarify what type of premises he wanted to be as his application was not clear. He didn't really know but wanted the freedom within the licence to be able to try different things which is why he has asked for everything. He was advised that the application fell short of what was required. He explained he thought it would be straight forward as he was granted the current one without issue. It became clear he didn't understand the difference of licence he was applying for, have knowledge of the CIZ or had read the EBC statement of licensing. We spent an hour discussing things he should have been aware of but unfortunately wasn't.

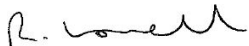
Mr Sonnessa was emailed some conditions to consider being placed on his licence. He responded a day later than requested but was in agreement to the conditions. It is felt that as much as he has accepted the conditions, he had a further opportunity to detail himself how his premises would not have a negative impact on the night time economy which despite our meeting and having been handed the EBC statement of policy, failed to do so. We are therefore not confident that this premises will effectively promote the licensing objectives.



The night time economy within Eastbourne can at times be very challenging for all the emergency services and the CIA has been shown to be a hot spot location within Eastbourne for crime and violent offences. There are already a high number of late night licensed venues all of which are in very close proximity to this new proposed venue and yet another late night vertical drinking establishment is likely to negatively add to the cumulative impact which in turn is likely to undermine the licensing objectives.

In light of the above together with recent data showing an increase in Sexual assault within the Cumulative area, Sussex Police are not satisfied that this application presents an exceptional case to override the presumption of rebuttal for new applications within the CIA. We invite the Licensing Authority to seriously consider refusing this application.

Yours sincerely,



Insp Rob Lovell  
Licensing Inspector  
Local Policing Support Team  
Sussex Police

Please address all future correspondence to Licensing Officer Kirstie Rolfe, Bexhill Police Station, Terminus Road, Bexhill TN39 3NR email; [kirstie.j.rolfe@sussex.pnn.police.uk](mailto:kirstie.j.rolfe@sussex.pnn.police.uk)

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## APPENDIX 5

**From:** Albon, Adrian

**Sent:** 02 December 2019 14:01

**To:** Pallister, Kevin

**Cc:** Ball, Danielle

**Subject:** RE: Representation : Major variation to premises licence, (ref: 052668)

### Representation

Three Monkeys Bar & Kitchen, 16 Langney Road, Eastbourne BN21 Reference 052668

I would like to make a representation as a responsible authority, the current application does not meet the prevention of 'public nuisance' licensing objectives: I have concerns that the premises will add to the cumulative noise in the area and cause noise nuisance to residential properties in the area.

I request the following conditions to be added to the licence if/when granted.

- 1) A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Specialist Advisory Team, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Specialist Advisory Team and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Specialist Advisory Team. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Specialist Advisory Team. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
- 2) No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 3) Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- 4) Doors leading into the premises should be kept closed apart from allowing ingress and egress after 23:00 hrs to avoid the escape of music/noise.
- 5) Customers outside the front of the premises should be monitored by staff and their numbers limited to 4 persons to ensure they do not cause any nuisance to residents.

Adrian Albon

Specialist Advisor

Lewes District and Eastbourne Borough Councils

T: 01323 410000

E: [adrian.albon@lewes-eastbourne.gov.uk](mailto:adrian.albon@lewes-eastbourne.gov.uk)

W: [lewes-eastbourne.gov.uk](http://lewes-eastbourne.gov.uk)

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