

# Licensing Sub-Committee

## 12 April 2023



**Time and venue:**

**10.00 am in the Ditchling and Telscombe Rooms - Southover House, Southover Road, Lewes, BN7 1AB**

**Membership:**

**Councillor ; Councillors Sam Adeniji, Liz Boorman and Christine Robinson**

**Quorum: 3**

*Published: Friday, 31 March 2023*

## Agenda

- 1 Election of chair of the sub-committee for this meeting**
- 2 Apologies for absence/declaration of substitute members**
- 3 Declarations of interest**

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.
- 4 New Premises Licence application - 6 Station Approach Seaford (Pages 3 - 62)**

## Information for the public

**Accessibility:**

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# Information for Councillors

## Disclosure of interests:

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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).

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# Agenda Item 4

<b>Report to:</b>	<b>Licensing Sub-Committee</b>
<b>Date:</b>	<b>12<sup>th</sup> April 2023</b>
<b>Title:</b>	<b>Application for a new Premises Licence 6 Station Approach, Seaford, BN25 2AR</b>
<b>Report of:</b>	<b>Director of Service Delivery</b>
<b>Ward(s):</b>	<b>Seaford Central</b>
<b>Purpose of report:</b>	<b>To consider a representation made against the new Premises Licence application under the Licensing Act 2003 and make a decision on the application.</b>
<b>Officer recommendation(s):</b>	<b>To consider a representation made against the new Premises Licence application under the Licensing Act 2003 and make a decision on the application.</b>
<b>Reasons for recommendations:</b>	<b>Relevant representation made within consultation period</b>
<b>Contact Officer(s):</b>	<b>Name: Jade Marshall Post title: Specialist Advisor - Licensing E-mail: jade.marshall@lewes-eastbourne.gov.uk Telephone number: 07984552275</b>

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## **1 Introduction**

- 1.1 Lewes District Council received an application for a new Premises Licence under the Licensing Act 2003 for 6 Station Approach, Seaford, BN25 2AR from Mr Cumali Yilmaz (**Appendix 1**).
- 1.2 Conditions were volunteered by the Applicant and were sent in separately. (**Appendix 2**)
- 1.3 The Applicant also submitted a site plan for the premises with the licensable area outlined in red. (**Appendix 3**).
- 1.4 The premises is a single storey building within a parade of shops, with no premises above, and Seaford Train Station to the right. The premises are currently vacant and used to be open as a local shop for over 20 years.

## **2 The Application**

2.1 An application for the grant of a new premises licence under the Licensing Act 2003 for the following licensable activities:

### **2.2 Sale by Retail of Alcohol (Off the Premises)**

Monday to Sunday 00:00hrs until 00:00hrs (24 hours)

### **2.3 Late Night Refreshment (Indoor)**

Monday to Sunday 23:00hrs until 05:00hrs

### **2.4 Opening Hours**

Monday to Sunday 00:00hrs until 00:00hrs (24 hours)

## **3 Licensing Objectives**

3.1 When applying for a new 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, which forms part of the application, is contained in **Appendix 2**.

## **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. Several "Responsible Authorities" have also been consulted as part of the process. There was a consultation period of 28 days, from 13<sup>th</sup> February 2023 to the 13<sup>th</sup> March 2023, for representations to be made. The Applicant conformed with all the requirements as laid out within The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.

4.2 During the consultation period no representations were made by the Responsible Authorities however, Sussex Police agreed conditions with the Applicant. **(Appendix 4)**

- 4.3 Sussex Police and Mr Cumali Yilmaz have also agreed to the below new timings.

#### **Sale by Retail of Alcohol (Off the Premises)**

Monday to Saturday 05:00hrs until 00:00hrs

Sunday 05:00hrs until 23:00hrs

#### **Opening Hours**

Monday to Saturday 05:00hrs until 00:00hrs

Sunday 05:00hrs until 23:00hrs

- 4.4 Late Night Refreshment will therefore come into effect for one hour Monday to Saturday from 23:00hrs

- 4.5 During the consultation period one valid representation was submitted by a member of the public. **(Appendix 5)**

- 4.6 Members are asked to note not all the information provided within this representation is valid within the Licensing Act 2003.

- 4.7 The agreed conditions and new timings as agreed with Sussex Police were sent to the member of the public who made the representation. However, they felt this did not alleviate concerns within their representation.

### **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

- 5.2 A representation is a 'relevant representation' if it is about the likely effect of the grant of the licence on the promotion of the licensing objectives. The objector must establish that such a consequence is a likely effect of a grant (i.e. more probable than not)

## **6 Lewes District Council's Statement of Licensing Policy & Section 182 Guidance**

- 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:
- Lewes District Council's Statement of Licensing Policy 2022
  - Section 182 Guidance issued by the Home Office.
- 6.3 Lewes District Council's Statement of Licensing Policy outlines the matters that the Authority will consider when determining matters under the Licensing Act 2003. An overview of the relevant part of the Licensing Policy as referred to in the representations appears below.
- 6.4 The Licensing Sub Committee will consider the potential for public nuisance, crime and disorder and/or danger to public safety associated with the style, characteristics and activities of the business involved and the rights of residents to peace and quiet. It will examine the potential steps which could be taken to reduce the risk of these matters particularly in areas of dense residential accommodation. It will consider restricting the hours of trading in cases where there are good grounds for believing that the licensing objectives would be undermined.

## **7 Representations**

- 7.1 A copy of the representation is included at **Appendix 5** however a summary appears below:

**‘Interested Parties’**

One representation has been received, the representation relates to the Prevention of Crime and Disorder, The Protection of Children from Harm and The Prevention of Public Nuisance.

**Representations from Responsible Authorities**

The following summarises whether representations have been received from responsible authorities:

- **Sussex Police** – No representation. Agreed Conditions and change in timings
- **Lewes District Council (Specialist Advisor) Environmental Health** – No representation
- **Lewes District Council (Specialist Advisor) Health and Safety** – No representation.
- **Lewes District Council (Specialist Advisor) Planning** – No representation.
- **Lewes District Council (Specialist Advisor) Licensing** – No representation
- **East Sussex Fire and Rescue Service** – No representation
- **Area Child Protection Team**– No representations
- **Trading Standards (East Sussex County Council)** – No representation.
- **Primary Care Trust**- No representation

**8 Options open to the Sub-Committee**

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

- Grant the Licence in the same terms as it was applied for.
- Grant the Licence but modify the conditions as appropriate for the promotion of the licencing objectives.
- Grant the Licence but modify the hours of licensable activity as appropriate for the promotion of the licensing objectives.
- Reject the application.

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

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

- 8.3 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 Financial appraisal**

- 9.1 The cost of delivering the licensing function is fully covered by the Licensing fees.
- 9.2 A decision made by the Sub Committee may be appealed by any party to the proceedings to a Magistrates' Court. Costs associated with this matter and incurred by any party, may in certain circumstances be awarded against the Council. The impact of these additional costs (if any) will therefore need to be met from within existing revenue budgets.

## **10 Legal implications**

- 10.1 Under section 18 Licensing Act 2003 (as amended), following receipt of an application for a premises licence, if a relevant representation is received, unless all parties agree that a hearing is unnecessary, the Licensing Authority must hold a hearing. At the hearing the Sub Committee shall, having regard to the representations, take such steps as it considers appropriate for the promotion of the licensing objectives. The relevant options are outlined in para. 8.1 of this Report.
- 10.2 The Licensing Sub Committee should be mindful of the requirements and responsibilities placed upon them by other legislation, in addition to those contained within the Licensing Act 2003. These include, but are not limited to, having due regard to the relevant parts of the Equality Act 2010, the Human Rights Act 1998 and the Crime and Disorder Act 1998.
- 10.3 Under section 181 and Schedule 5 Licensing Act 2003 there is a right of appeal to the Magistrates' Court in respect of applications for new licences. This right of appeal is open both to the Applicant and to any person who has made a relevant representation. The appeal application must be made within 21 days of the written notification of the Sub Committees decision to the appellant.
- 10.4 The Legal Section considered this Report on 28 March 2023 (IKEN-11923-LDC-MW).

## **11 Risk management implications**

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

## **12 Equality analysis**



**12.1** An Equality Analysis is not constructive in this instance.

**13 Environmental sustainability implications**

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

**14 Appendices**

- 14.1
- Appendix 1 - Application for a new premises licence under the Licensing Act 2003
  - Appendix 2- Volunteered Conditions
  - Appendix 3- Application Plan submitted for Premises Licence Application.
  - Appendix 4- Police agreed conditions
  - Appendix 5- Representation made by a member of the public

**15 Background papers**

15.1 The background papers used in compiling this report were as follows:

- Section 182 Statutory Guidance to the Licensing Act 2003
- Lewes District Council Licensing Statement 2017-2022
- Human Rights Act 1998
- Equality Act 2010
- Crime and Disorder Act 1998

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## **Guidance notes on completing the application form for the grant of a Premises Licence**

These notes provide guidance on completing the application form for the grant of a premises licence under the Licensing Act 2003. You are advised to consult our Statement of Licensing Policy before completing the form as this document provides guidance on a number of matters relevant to the application process.

It is your responsibility to check with the Lewes District Council Planning Department as to whether planning permission is in place for the type of business and hours of trading which you propose to engage in. Because the Licensing and Planning regimes are totally separate, the grant of a Premises Licence will **not** give you any authorisation under the Planning legislation.

If you complete your application on-line you will not need to send copies of the application to all the Responsible Authorities as the Council will attend to this. You must attach a plan of the premises, consent of the proposed Designated Premises Supervisor (if applicable) and pay the relevant licence fee at the time of submitting your application electronically.

### **The application process**

Whether you apply online or in writing the process is very similar, you will need to ensure the following is carried out:

- Complete the application form
- Attach the Designated Premises Supervisor consent form (if applicable)
- Attach the plan
- Deposit the application with the Licensing Authority and pay the application fee
- Send the application to the Responsible Authorities (not applicable to online applications)
- Advertise the application on the premises and in the local press

### **Determination of your application**

The Licensing Authority will commence a 28 day consultation period starting on the day after your application is received. If any representations are received from a Responsible Authority or any other person then you will be advised as soon as possible. If the representation cannot be resolved then

the application will be presented to the Licensing Sub-Committee at a Hearing which will be held within 20 working days of the end of the consultation period. You will be invited to attend that hearing to present your case along with any party that made a representation.

## COMPLETING THE FORM

### Opening Statement

Insert the name of the applicant/s who is/are applying for the premises licence.

### PART 1: Premises Details

Provide the name of the premises, postal address and phone number (if available) or the location of the premises or give the Ordnance Survey map reference.

The section also asks for the non-domestic rateable value (NDRV) of the premises. This is not the same as the actual business rates which you pay but is a value determined by the Valuation Office, which helps determine business rates. The NDRV, rather than your business rates bill, will determine the fee level to be paid with the licence application and the annual fee thereafter, so it is important that this information is correct. The NDRV of any premises can be checked on the GOV.UK website <https://www.gov.uk/correct-your-business-rates>. Premises that do not have a non domestic rateable value are treated as falling into Band A for licensing fee purposes.

### Application Fee

Application Fee	£	Cost
Band A	0 - 4,300	£100
Band B	4,301 - 33,000	£190
Band C	33,001 - 87,000	£315
Band D	87,001 - 125,000	£450
Band E	125,001 and over	£635

Annual Charge	Cost
Band A	£70
Band B	£180
Band C	£295
Band D	£320
Band E	£350

*Where the number of people that the applicant allows on the premises at any one time is 5,000 or more; an additional fee will be charged*

Numbers in attendance at any one time	Additional Fee

5000-9999	£1000
10000-14999	£2000
15000-19999	£4000
20000-29999	£8000
30000-39999	£16000
40000-49999	£24000
50000-59999	£32000
60000-69999	£40000
70000-79999	£48000
80000-89999	£56000
90000 and over	£64000

All cheques must be made payable to Lewes District Council

## **PART 2 – Applicant Details**

This section asks you to state the capacity in which you are applying, for example as – a) individual, b) a limited company, c) a recognised club, d) a charity, etc. You can only apply in one of these capacities, so you should only tick one box.

You should then give full details in either section – (A) INDIVIDUAL APPLICANTS or section (B) OTHER APPLICANTS, but not both.

## **PART 3 – Operating Schedule (pages 5-17)**

Premises licence start time 0- You should state the start date you would like the licence to start. A premises licence will last indefinitely, unless surrendered or revoked.

Limited period licence – as an alternative to a licence that lasts indefinitely you can opt for one that only operates for a specified period only, ie. for an event that only occurs at a particular time of year/s. It is important to be aware that you make clear if the event is for a single year or consecutive years.

5000 or more occupancy – it is necessary to state the number of people attending the premises at any one time in order that the additional fee for large events can be determined. It is not necessary to complete this box if you think that less than 5000 people will attend the premises at any one time. The figure relates to the maximum number of people on the licensed premises, including employees and artistes, at any one time – not the total number over a period of time.

### **General description of the premises**

You are asked to describe the premises. For example the type of premises it is, its general situation and layout and any other information that would be relevant to the licensing objectives. You should also describe any areas that you intend to provide for people to consume alcohol that you sell or supply such as outside areas, eg. beer gardens. If you do not include the garden as

part of the licensed premises, drinks that are bought to be consumed there will count as off supplies and any conditions that relate to off sales would apply.

### **Licensable activities**

You should indicate which licensable activities you wish to carry on by ticking the appropriate boxes. In considering what to put in this section, you should think about all the activities you may want to conduct at the premises.

### **Boxes A-H**

You should complete the relevant boxes from A to H that relate to the licensable activities you are making application for – put a line through those that are not being applied for. Only complete the boxes that relate to the activities you have ticked. You should give timings using the 24-hour clock (ie. 0800-2330 etc) and only give details for days of the week when you intend the premises to be used for the licensable activities in question.

Except in box C (indoor sport) you are asked to indicate whether the activity is taking place indoors, outdoors or both. Indoors may include a tent.

In the space marked 'please give further details here', please 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.

The space marked 'state any seasonal variations', gives you the opportunity to include for example, any longer hours or additional days during the summer etc.

The space marked 'non standard timings', gives you the opportunity to record occasions when the timings will change. For example, you may wish the activity to go on longer on Christmas Eve or weekends preceding bank holidays/New Years Eve or for international sporting events. etc.

### **Important note on live music**

An amendment to the Licensing Act was brought in on the 1<sup>st</sup> October m2012 in relation to live music. The following outlines those instances when the performance of live music will **not be a licensable activity** and therefore will not need to be applied for as part of your application:

1. The performance of unamplified live music occurring on any premises between 8am and 11pm
2. The performance of amplified live music occurring between 8am and 11pm on premises licensed to sell alcohol for consumption on the premises provided that:
  - a) the audience does not exceed 200, and

- b) at the time of the live music, the premises are open for the purposes of being used for  
the supply of alcohol for consumption on the premises.
3. The performance of amplified live music occurring between 8am and 11pm in workplaces not licensed under the 2003 Act (or licensed only for the provision of late night refreshment) provided the audience does not exceed 200)
  4. The playing of live or recorded music that forms an integral part of a performance of Morris Dancing or any dancing of a similar nature.

Outside of the above exemptions, the performance of live music is still a licensable activity (ie. if you wish to have live music after 11pm or before 8am or if the number of the audience will exceed 200). If you wish to permit live music in such cases you should include the activity/days/times as part of your application.

#### **Important note on performance of a play / indoor sporting events / performance of dance**

An amendment to the Licensing Act was brought in on the 27<sup>th</sup> June 2013. As a result of the Order, no licence is required for the following activities to the extent that they take place between 8am and 11pm on any day:

- a performance of a play in the presence of any audience of no more than 500 people
- an indoor sporting event in the presence of any audience of no more than 1000 people
- most performances of dance in the presence of any audience of no more than 500 people

#### **Designated Premises Supervisor**

If you intend to sell alcohol, you should give details of the person who you wish to be the designated premises supervisor (DPS) under the new licence. The DPS will need to hold a valid personal licence. The DPS will need to complete a consent form acknowledging that they agree to this nomination.

#### **BOX K**

This asks you to give information about anything to occur at the premises or ancillary to the use

of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or gambling. You do not need to give details here of AWP machines. You do not complete this section if it does not apply to your premises, but rather than leave blank, it is requested that you write 'none' or 'n/a' to be clear that you have considered this, rather than simply forgotten to complete the box.

### **BOX L: Hours premises are open to the public**

Whilst this may include times where no licensable activities take place, it is important for responsible authorities, interested parties and the licensing authority to know how long your premises is open in addition to the times where licensable activities will take place. For example, it might be necessary and proportionate to ensure that licensable activities finish in good time before the premises closes to the public to allow orderly departure. You should indicate whether any of the 'seasonal variations' to and 'non standard timings' for licensable activities, would affect the hours the premises are open to the public, in the spaces provided. You may wish to consider whether there will be any seasonal variations or non-standard timings when the premises will be open to the public at different times for non-licensable activities – for example, opening early to provide breakfasts during the Summer holidays.

### **M – Steps to promote the licensing objectives**

You are asked to describe the general steps you intend to take to promote the four licensing objectives a) and the four licensing objectives themselves b) – e):

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

If you do intend to take additional measures, you should consider carefully what to include. Anything you put down here is likely to become a condition of your licence. Failure to meet those conditions would constitute an offence under the Act. You should, therefore, think carefully about adding conditions to ensure that they are achievable, realistic, necessary, appropriate and proportionate and within your control. Base your response on a proper,



common sense consideration of the risks and what you can realistically do to mitigate them.

### **Checklist and declaration**

By ticking this list, you are making a declaration that you have carried out the listed actions. If you tick the boxes and do not carry out these actions, you may be making a false statement in relation to the application, which is an offence, which on conviction may make you liable to a fine of up to £5000.

### **Part 4 – Signatures**

The application form must be signed. An applicants agent (for example a solicitor) may sign the form on their behalf provided that they have actual authority to do so. Where there is more than one applicant, both applicants or their respective agents, must sign on the application form. You must also provide relevant contact details in the final box on the form.

## **Your application must be accompanied by a plan of the premises**

Standard scale plans (1 millimetre represents 100 millimetres)

1. An application for a premises licence under section 17, or a club premises certificate under section 71, shall be accompanied by a plan of the premises to which the application relates and which shall comply with the following paragraphs of this regulation.
2. Unless the relevant licensing authority has previously agreed in writing, the applicant, following a request by the applicant that an alternative scale plan is acceptable to it, in which case the plan shall be drawn in that alternative scale, the plan shall be drawn in standard scale.
3. The plan shall show:
  - a) the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises
  - b) the location of points of access to and egress from the premises
  - c) if different from sub-paragraph 3b), the location of escape routes from the premises
  - d) in a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity.
  - e) fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment
  - f) in a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor
  - g) in a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts
  - h) in the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms.
  - i) the location and type of any fire safety and any other safety equipment including, if applicable, marine safety equipment, and
  - j) the location of a kitchen, if any, on the premises.
4. The plan may include a legend through which the matters mentioned or referred to in paragraph 3 are sufficiently illustrated by the use of symbols on the plan

*The Licensing Act 2003 (Premises Licences and Club Premises Certificates) regulations 2005*

## Responsible Authorities

On the same day as the application is given to the licensing authority (not applicable to on-line applications), you are required to give a copy of the application to the 'responsible authorities' listed below

The Licensing Officer  
Standards  
Bexhill Police Station  
Terminus Road  
Bexhill on Sea  
East Sussex  
TN39 3NR  
Telephone: 0845 6070999  
418200

The Head of Trading  
  
St Mary's House  
52 St Leonards Road  
Eastbourne  
East Sussex  
BN21 3UL  
Telephone: (01323)

The Chief Officer  
Safeguards and  
East Sussex Fire & Rescue Service  
Assurance  
Fire Safety Department  
Council  
Lewes Fire Station  
North street  
Lewes  
East Sussex  
BN7 2PE  
Telephone: 01323 462132/462154  
481289

Head of Childrens  
  
Quality  
  
East Sussex County  
  
PO Box 5, County Hall  
St Annes Crescent  
Lewes  
East Sussex  
BN7 1SW  
Telephone: (01273)

Planning Services  
Lewes District Council  
Southover House  
Southover Road  
Lewes, East Sussex  
BN7 1AB  
Telephone: (01273) 471600  
471600

Environmental Health  
Lewes District Council  
Southover House  
Southover Road  
Lewes, East Sussex  
BN7 1AB  
Telephone: (01273)

Public Health  
C Floor, East Block  
Immigration Enforcement  
County Hall  
St Anne's Crescent  
Lewes  
BN7 1UE  
Telephone (01273) 335012  
Alcohol@homeoffice.gsi.gov.uk

Alcohol Licensing Team  
Home Office  
  
Lunar House  
40 Wellesley Road  
Croydon  
CR9 2BY  
E.mail:

**If you do not do this the application process will be delayed until such time as the Responsible Authorities have had 28 days to consider the application**

Responsible authorities are the public bodies that are entitled to make representations to the licensing authority in relation to an application. Any representations must be about the likely effect of granting the application on the promotion of the licensing objectives.

With regard to a vessel, this list also includes the relevant navigation authority, the Environment Agency, British Waterways Board or the Secretary of State.

## **Advertising your application**

You will need to advertise the application as follows (A specimen form of notice is attached below)

**Please note that any failure to observe the notice requirements is likely to result in your application being delayed or even rejected.**

## Application for a premises licence to be granted 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 Mr Cumali Yilmaz

*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

#### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
6 Station approach			
Post town	Seaford	Postcode	BN25 2AR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 7600

#### Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i as a limited company/limited liability partnership  please complete section (B)
- ii as a partnership (other than limited liability)  please complete section (B)
- iii as an unincorporated association or  please complete section (B)
- iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> Yilmaz			<b>First names</b> Cumali		
<b>Date of birth</b> 01/07/1988		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
<b>Nationality</b> Turkish					
Current residential address if different from premises address		5 Dannfields House, Richmond Road			
Post town	Seaford			Postcode	BN25 1DS
<b>Daytime contact telephone number</b>			07447 469749		
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
<b>Nationality</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Name Derya Teke
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)



Telephone number (if any)

E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	0	03 2023

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The premises is currently vacant. It used to be open as a local shop for the past 20 years and more.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- 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)

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

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

# C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			
Thur			<b><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></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
Sun					

# E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					



# G

Performances of dance Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><u>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</u></b> (please read guidance note 6)		
Sun					

**I**

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	05:00	<b><u>Please give further details here</u></b> (please read guidance note 4)  Consideration of opening hours is due to the distance of the nearest superstore is more than 20 minute drive and the applicant is keen to open a store that will be quite broad with daily necessities.		
Tue	23:00	05:00			
Wed	23:00	05:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur	23:00	05:00			
Fri	23:00	05:00	<b><u>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</u></b> (please read guidance note 6)		
Sat	23:00	05:00			
Sun	23:00	05:00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)		
Mon	00:00	24:00			
Tue	00:00	24:00			
Wed	00:00	24:00			
Thur	00:00	24:00			
Fri	00:00	24:00			
Sat	00:00	24:00			
Sun	00:00	24:00			
			<b><u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

<b>Name</b>	Mr Cumali Yilmaz
<b>Date of birth</b>	01/07/1988
<b>Address</b>	5 Dannfields House, Richmond Road Seaford
<b>Postcode</b>	BN25 1DS
<b>Personal licence number (if known)</b>	2015/01841/LAPREN
<b>Issuing licensing authority (if known)</b>	BRIGHTON AND HOVE



## M

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

PLEASE REFER TO ATTACHED ADDITIONAL PDF FOR ALL LICENSING OBJECTIVES.

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

**c) Public safety**

**d) The prevention of public nuisance**

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

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li><li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her</li></ul>
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	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	<i>dake</i>
Date	09.02.2022
Capacity	AGENT

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
The Space Studios BTN 99St James's Street			
Post town	Brighton	Postcode	BN2 1TP
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) derya@thespacestudios.co.uk			



## Notes for Guidance

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. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and

- (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the 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.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (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.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. 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 or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.

**15. Entitlement to work/immigration status for individual applicants and applications**

**from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or

- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's

permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of [permanent residence in the UK](#) or is one of the following if they have been in the UK for more than 3 months:

- (i) working e.g. employment contract, wage slips, letter from the employer,
- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

## Consent of individual to being specified as premises supervisor

I \_\_\_\_\_  
*[full name of prospective premises supervisor]*

of

\_\_\_\_\_ *[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

\_\_\_\_\_ *[type of application]*

by

\_\_\_\_\_ *[name of applicant]*

relating to a premises licence \_\_\_\_\_  
*[number of existing licence, if any]*

for

\_\_\_\_\_ *[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by

.....  
*[name of applicant]*

concerning the supply of alcohol at

.....  
*[name and address of premises to which application relates]*

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

.....  
*[insert personal licence number, if any]*

Personal licence issuing authority

.....  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed

.....  
Name (please print)

.....  
Date

THIS NOTICE MUST BE IN FONT 16 OR LARGER AND PRINTED ON PALE BLUE PAPER. \* Delete as applicable

## **PUBLIC NOTICE**

### **Licensing Application Licensing Act 2003**

An application has been made by

(insert name of applicant) \_\_\_\_\_ to the  
Licensing Authority for Lewes District Council for the grant  
of/variation to\* a Premises Licence\*/Club Premises Certificate\* at  
(insert name and full address of premises)

The application includes the following proposals:

Specify all licensable activities applied for/details of variation

The register for the Licensing Authority for Lewes District Council is kept at the Council Offices, Southover House, Southover Road, Lewes BN7 1AB. The application may be viewed by appointment – please contact [licensing@lewes-eastbourne.gov.uk](mailto:licensing@lewes-eastbourne.gov.uk)

Responsible Authorities or other persons may make representations at any time on or before \_\_\_\_\_

All representations shall be made in writing to the Licensing Officer at Southover House, Southover Road, Lewes BN7 1AB or [licensing@lewes-eastbourne.gov.uk](mailto:licensing@lewes-eastbourne.gov.uk)

**It is an offence knowingly or recklessly to make a false statement in connection with an application, the maximum fine for which a person is liable is unlimited, on summary conviction for the offence.**



### **Notes on completing the form:**

1. Insert the full name of the individual/company/partnership etc. that is making the application as detailed in the application itself.
2. Insert the full name of the premises and the full address for which the application is being made.
3. List all the proposed licensable activities as detailed on the application and the hours of those activities.
4. 'Notice Posted': insert the date the day after the application was given to the Licensing Authority.

### **Displaying the notice on the premises**

You must, for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the Licensing Authority, display a notice which is of a size equal or larger than A4, of a pale blue colour, printed legibly in black in or typed in black in a font of a size equal to or larger than 16 in all cases, prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises. In the case of a premises covering an area of more than fifty metres square, a further notice in the same form and subject to the same requirements must be placed every fifty metres along the external perimeter of the premises abutting any highway.

### **In the local press**

You must publish a notice in a local newspaper, in a local newsletter circular or similar document circulating in the vicinity of the premises on at least one occasion during the period of ten working days starting on the day after the day on which the application was given to the Licensing Authority.

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6 Station approach, Seaford BN25 2AR

Application for premises licence and late night refreshment

Opening hours: 00:00 - 24:00

Proposed hours for sale of alcohol off the premises - 00:00 - 24:00

The premises is proposing to be a convenience store.

Conditions -

**General:**

1. Authorised staff employed by Sussex Police shall have free access to all parts of the licensed premises at all times licensable activity is taking place or when open to members of the public for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives
2. No beer, lager, perry or cider with an ABV of 6% or above shall be sold at the premises save that this shall not apply to premium beer, lager, perry or cider with an ABV of 6% or above such as craft or speciality brands or brands produced by a micro-brewery, or brands produced to commemorate a national or local event.
3. All alcohol will be displayed/stored in full sight of the serving counter.
4. Spirits will be stored and displayed behind the serving counter.

**For the Prevention of Crime and Disorder:**

5. a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System, 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.
- b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
- c) CCTV footage will be stored for a minimum of 31 days.
- d) 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.
- e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
- f) 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.

g) Any breakdown or system failure will be notified to the police immediately and remedied as soon as practicable.

h) 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.

6. a) 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) at least once a week.

b) The logbook 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.

c) Any refusals made for alcohol service e.g. underage, will be recorded (either in electronic or written form) and feedback given to staff as relevant. The log will be kept for a minimum of twenty-four (24) months.

**For Public Safety:** None

**For the Prevention of Public Nuisance:**

7 . Provide signage at all exits and outdoor area by staff and patrons "Please respect the needs of local residents, including leaving quickly and quietly; do not disturb the neighbours"

**For the Protection of Children from Harm:**

8. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 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.

9. Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.

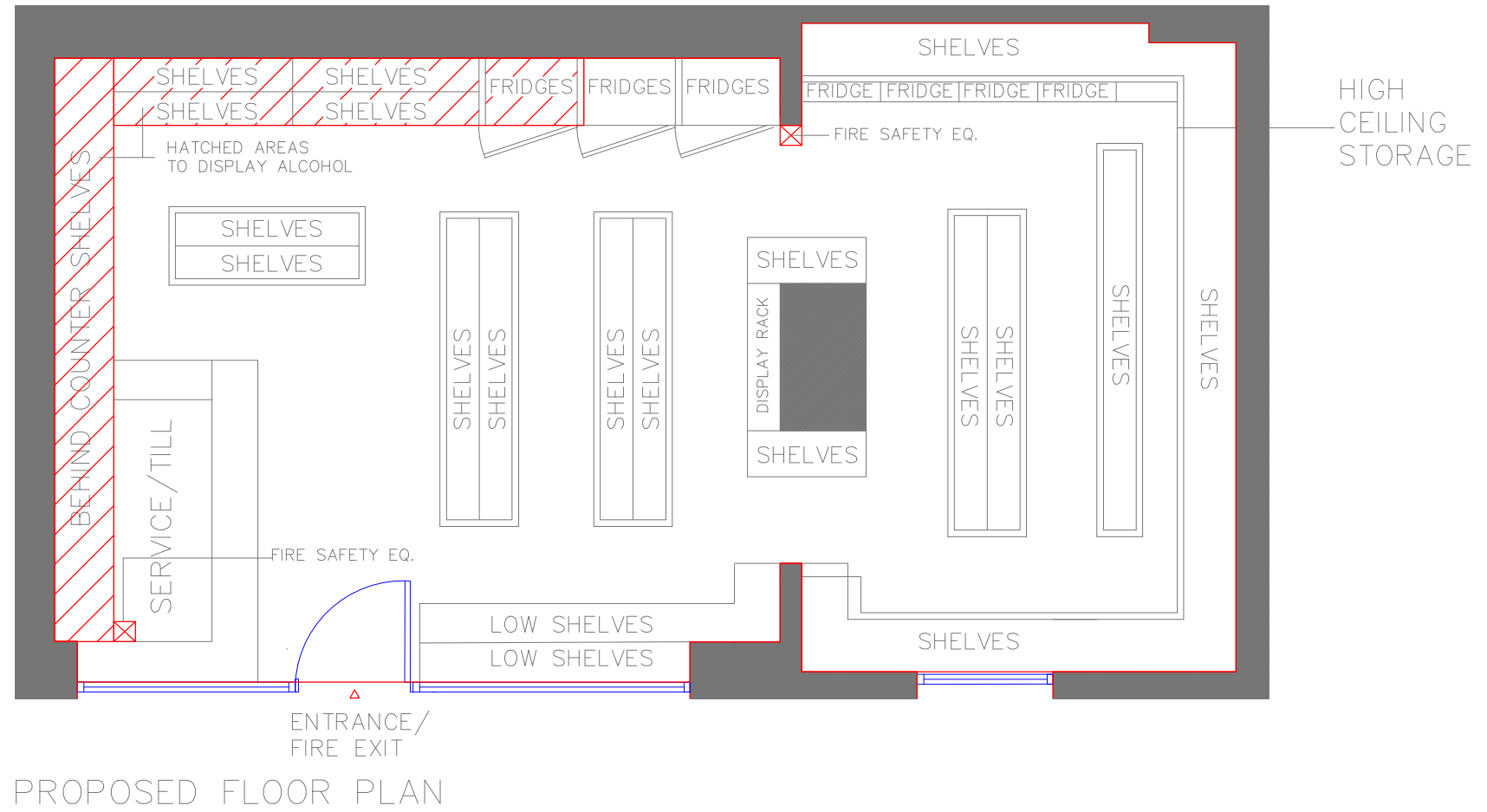
10. a) The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive induction training. This training will take place prior to the selling of such products:

- The lawful selling of age restricted products
- Refusing the sale of alcohol to a person who is drunk
- Refusing the sale of alcohol for consumption off the premises to people who may have alcohol dependency issues

b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, 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. All training records shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

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<b>6 STATION APPROACH SEAFORD BN25 2AR</b>	DETAIL	SCALE: 1:50 @ A3	PROJECT NO. <b>SOPL.1023</b>  JAN 2023	<small>NOTES: THE CONTRACTORS ARE TO CHECK ALL DIMENSIONS, DRAIN RUNS AND GENERAL CONDITIONS ON SITE BEFORE WORKS COMMENCE, AND INFORM SPACE1 STUDIOS IMMEDIATELY UPON DISCOVERY OF ANY ERRORS, OMISSIONS OR DISCREPANCIES. ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH CURRENT BUILDING REGULATIONS, BRITISH STANDARDS, CODE OF PRACTICE AND LOCAL AUTHORITY REQUIREMENTS. DO NOT SCALE FROM THIS DRAWING WITHOUT OBTAINING WRITTEN AUTHORIZATION FROM SPACE1 STUDIOS FIRST. THE CONTENTS OF THIS PLAN INCLUDING THE PRINTED NOTES ARE COPYRIGHT AND REPRODUCTION IN WHOLE OR PART IS NOT PERMITTED WITHOUT PRIOR CONSENT OF SPACE1 STUDIOS IN WRITING.</small>	<b>The Space Studios BTN</b> <small>ARCHITECTURAL SERVICES</small>
	PROPOSED PLANS				

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## **6 Station Approach, Seaford**

Agreed timings and conditions with Sussex Police

Operating hours Mon-Sat 05:00-00:00 Sun: 05:00-23:00

Sale by retail of alcohol Mon-Sat 05:00-00:00 Sun 05:00-23:00

### **Conditions**

#### **CCTV**

Subject to GDPR guidance and legislation:

(a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrances/exits to the premises as well as any outside space. The system shall be on and recording at all times the premises licence is in operation.

(b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

(c) CCTV footage will be stored for a minimum of 31 days

(d) 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.

(e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

(f) 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 Police e.g. USB) or provide footage via an online link as initiated by Police, without difficulty or delay and without charge.

(g) Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

(h) In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by 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 8 weeks, 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.

(b) Signage advertising the age verification or 'Challenge 25' policy will be displayed in prominent locations in the premises.

### **Incident/Refusal Log:**

(a) An incident/refusal 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) at least once every two weeks.

(b) 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.

(c) Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises.

(d) 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.

**OFF Sales;**

(a) All sales of alcohol, for consumption off the premises, to be made in a sealed container.

(b) No beer, lager or cider with an ABV of 6% or above, will be stocked, displayed for sale or Sold.

(c) All alcohol will be kept behind the serving counter beyond arms reach of customers.

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**From:** [REDACTED]  
**Sent:** 20 February 2023 12:10  
**To:** licensing <[licensing@lewes-eastbourne.gov.uk](mailto:licensing@lewes-eastbourne.gov.uk)>  
**Subject:** Licensing Officer - Re: Licensing Application for 6 Station Approach Seaford BN25 2AR

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**From:** [REDACTED]

Dear sir/madam

Re: Alcohol Licensing Application for 6 Station Approach, Seaford, BN25 2AR

I am writing to you about the above application as I feel will feel deeply concerned if this application is granted for the following reasons.

- 1 Seaford is a quiet residential area. This location is very close to residential housing.
- 2 The business hours are not compatible with this location.
- 3 As alcohol is involved, the possibility for inappropriate behaviour/anti-social behaviour and crime and disorder is increased and will put further pressure on our police force.
- 4 Who will police the area for drink drivers, other substances or anti-social behaviour which is always increased by alcohol sale and especially extended hours.
- 5 There are residential properties including families and children living in the immediate vicinity therefore no licence for alcohol should extended out of public house hours placing existing residents at risk.
- 6 I am aware that change of use restrictions have been lightened but this application is very different to the original usage which was a "sweet shop/newsagent"
- 7 The potential for customers to spill out onto the street while consuming alcohol in hot summers or if generally under the influence will be high.
- 8 Leaving the premises between midnight and 5am has a great potential to cause noise and nuisance to those living locally e.g. talking, shouting, car doors slamming, outside mobile telephone calls and will increase traffic in the area generally.
- 9 As the primary purpose of this application is the sale and consumption of alcohol either consumed on the premises or sold over the counter Monday through to Sunday, It will be difficult for this to happen without influence affecting children and young people in Seaford.
- 10 There are already a number outlets in Seaford town selling off and on premises alcohol.

11 The requirement for off premises alcohol on any evening after 10pm may be limited locally but may well encourage visitors from surrounding areas to overdrink in Seaford then potentially drive as there is little public overnight transport.

12 Many school and college pupils, pensioners and other vulnerable people travel to and from Seaford Station and the local bus stops. It is not a suitable place for this type of establishment.

13 I believe that if this type of extended alcohol license is granted, the Council will be ignoring the social responsibility towards the majority of Seaford residents

The current status of the health services, GP shortage and local policing there is not a compromise to encouraging people to consume more alcohol through the night. Alcohol consumption can lead to high blood pressure, heart disease, stroke, liver disease, digestive problems, cancer of breast, mouth throat, sickness general, memory problems, family abuse and therefore should be avoided by Lewes District Council

Please confirm receipt of this email letter

[REDACTED]