

## **Licensing Sub-Committee**

**Minutes of meeting held remotely on 2 October 2023 at 2.30 pm.**

**Present:**

Councillor Jenny Williams (Chair).

Councillors Daniel Butcher and Colin Belsey.

**Officers in attendance:**

Dean Love (Specialist Advisor, Licensing), Michele Wilkinson (Lawyer (Housing & Regulatory), Emily Horne (Committee Officer).

**19 Appointment of Chair**

Councillor Butcher proposed and Councillor Belsey seconded that Councillor Williams be appointed as Chair for this meeting.

**Resolved:** That Councillor Williams be elected Chair of the Sub-Committee for the duration of the meeting.

**20 Apologies for absence / declaration of substitute members**

None received.

**21 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.

**22 Application for a Premises Licence. T&F Food Centre Ltd. 58 Grove Road, Eastbourne, BN21 4UD**

Those attending were introduced, and the Chair of the Licensing Sub-Committee welcomed all parties to the hearing and detailed the procedure for the hearing.

The Specialist Advisor for Licensing, Dean Love, presented the report to the Sub-Committee and summarised the details. The Representor had been invited to attend the hearing, but was unable to attend remotely because they were unwell.

The Applicant's representatives, Mr Deniz Erdogan, Mr Furkan Yilmaz and Mr Abdulkadir Akan, addressed the Sub-Committee and responded to questions.

The Applicant's representatives summed up.

Following all the evidence presented, the Sub-Committee retired to consider and determine the application. Michele Wilkinson, Housing and Regulatory Lawyer was in attendance to assist with any legal queries. The Sub-Committee provided the following decision:

**Resolved:** The Sub Committee resolved to grant the licence but with the modified conditions as agreed by the Police (not the withdrawn conditions) and to add a condition, as suggested by the Applicant at the hearing, of "At least one SIA door staff shall be present at the premises between 20.00hrs to 23.00hrs on Fridays and Saturdays."

### **Reasons for the decision**

The Licensing Sub Committee carefully considered the relevant parts of the representation made by a member of the public. The Sub Committee noted that in the representation it was stated that there was no need for another premises selling alcohol in the area, but it was noted that the Licensing Authority should not take "need" for a premises into account when making a decision concerning a licence application.

However, take those concerns about noise and anti-social behaviour into account the Sub Committee considered that it would be appropriate and proportionate to add a condition to the premises licence relating to door staff. It was noted that the Applicant planned to employ door staff.

Further, the Sub Committee noted that the Council's Licensing Policy stated that "Shops and supermarkets will generally be permitted to sell alcohol at any time during their normal trading hours unless there are very strong reasons for restricting those hours." The Members believed that there were no strong reasons to depart from its own Policy in terms of restricting the licensable hours.

In making this decision, the Sub Committee took into account that no Responsible Authority had made a representation.

It was considered that, in light of the conditions agreed between the Applicant and the Police and the addition of condition relating to door staff, that the granting of the premises licence would not undermine the licensing objectives. Further, the Sub Committee were satisfied, on balance, that the Applicant would take seriously any concerns about noise or anti-social behaviour which could adversely impact on the licensing objective of the prevention of public nuisance.

The meeting ended at 3.20 pm

Councillor Jenny Williams (Chair)