

**Licensing Sub-  
Committee  
27 June 2024**



**Time and venue:**

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

**Membership:**

**Councillors Amanda Morris, Hugh Parker and Teri Sayers-Cooper**

**Quorum: 3**

*Published: Wednesday, 19 June 2024*

## **Agenda**

- 1 Appointment of Chair**
- 2 Apologies for absence / declaration of substitute members**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct**
- 4 Application for a Full Variation of a Premises Licence - Joy Bar, 4 Bolton Road, Eastbourne, BN21 3JX (Pages 3 - 60)**  
Report of the Chief Executive.

# 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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<b>Report to:</b>	<b>Licensing Sub-Committee</b>
<b>Date:</b>	<b>27<sup>th</sup> June 2024</b>
<b>Title:</b>	<b>Application for a Full Variation of a Premises Licence for Joy Bar, 4 Bolton Road, Eastbourne, BN21 3JX.</b>
<b>Report of:</b>	<b>Chief Executive</b>
<b>Ward(s):</b>	<b>Meads</b>
<b>Purpose of report:</b>	<b>To consider representations made in relation to a full variation of a premises licence application under the Licensing Act 2003 and make a decision on the application.</b>
<b>Officer recommendation(s):</b>	<b>That the Licensing Sub-Committee determine an application for a full variation of a premises licence under the Licensing Act 2003 for Joy Bar, 4 Bolton Road, Eastbourne, BN21 3JX.</b>
<b>Reasons for recommendations:</b>	<b>Relevant representations 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: 07984 552275</b>

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## **1 Introduction**

- 1.1 Eastbourne Borough Council received an application for a full variation of a premises licence under the Licensing Act 2003 for **Joy Bar, 4 Bolton Road, Eastbourne, BN21 3JX**. The application is included at **Appendix 1**.
- 1.2 Alongside the application a plan of the premises was submitted, and this can be found at **Appendix 2**.
- 1.3 The current premises licence can be found at **Appendix 3**.
- 1.4 **Current Permitted Licensable Activity**  
**Sale by Retail of Alcohol**  
Monday to Sunday 10:00hrs- 01:30hrs  
St George's Day 10:00hrs to 02:00hrs  
St Patrick's Day 10:00hrs to 02:00hrs  
Maundy Thursday 10:00hrs to 02:00hrs  
Good Friday 10:00hrs to 02:00hrs  
Christmas Eve 10:00hrs to 02:00hrs  
New Year's Eve 10:00hrs to 02:00hrs  
Twelve other occasions as specified in special notice 10:00hrs to 02:00hrs.

**Live Music and Recorded Music (indoors and outdoors)**

Monday to Sunday 10:00hrs- 01:30hrs

St George's Day 10:00hrs to 02:00hrs

St Patrick's Day 10:00hrs to 02:00hrs

Maundy Thursday 10:00hrs to 02:00hrs

Good Friday 10:00hrs to 02:00hrs

Christmas Eve 10:00hrs to 02:00hrs

New Year's 10:00hrs to 02:00hrs

Twelve other occasions as specified in special notice 10:00hrs to 02:00hrs.

**Late Night Refreshment (indoors and outdoors)**

Monday to Sunday 23:00hrs- 00:30hrs

St George's Day 23:00hrs to 02:00hrs

St Patrick's Day 23:00hrs to 02:00hrs

Maundy Thursday 23:00hrs to 02:00hrs

Good Friday 23:00hrs to 02:00hrs

Christmas Eve 23:00hrs to 02:00hrs

New Year's Eve 23:00hrs to 02:00hrs

Twelve other occasions as specified in special notice 23:00hrs to 02:00hrs.

**2 The Application**

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

**Extend the Sale by Retail of Alcohol on the ground floor only:**

Fridays and Saturdays until 03:00hrs.

**Seasonal variation:** St Georges Day, St Patricks Day, Maundy Thursday, Good Friday, Christmas Eve and New Years Eve until 03:00hrs as well as any other applicable day preceding a Bank Holiday.

**Extend Recorded and Live Music on the ground floor only:**

Fridays and Saturdays until 03:00hrs.

**Seasonal Variation:** St Georges Day, St Patricks Day, Maundy Thursday, Good Friday, Christmas Eve and New Years Eve until 03:00hrs as well as any other applicable day preceding a Bank Holiday.

**Opening Hours on the ground floor only:**

Fridays and Saturdays until 3:30hrs.

**Seasonal variation:** St Georges Day, St Patricks Day, Maundy Thursday, Good Friday, Christmas Eve and New Years Eve until 03:00hrs as well as any other applicable day preceding a Bank Holiday.

### **3 Licensing Objectives**

- 3.1 When applying for a full variation of a premises licence under the Licensing Act 2003, the applicant is able to describe any additional 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. Responsible Authorities have also been consulted as part of the process. There was a consultation period of 28 days, from the 3<sup>rd</sup> May 2024 until midnight on the 31<sup>st</sup> May 2024, for representations to be made.
- 4.2 The applicant conformed with all the requirements as laid out within The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.
- 4.3 No mediation has been advised to the Licensing Officer at this time.

### **5 Representations**

- 5.1 Three representations were made during the consultation period under the licensing objective of the Prevention of Public Nuisance. This can be found at **Appendix 4, 5 and 6**.
- 5.2 **Interested Parties:**  
**Two** representations have been received, the representators have made comments under Prevention of Public Nuisance.
- 5.3 **Representations from Responsible Authorities:**  
The following summarises whether representations have been received from responsible authorities:
- **Sussex Police** – No representation.
  - **Eastbourne Borough Council (Specialist Advisor) Environmental Health** – Representation Appendix 6.
  - **Eastbourne Borough Council (Specialist Advisor) Health and Safety** - No representation.
  - **Eastbourne Borough Council (Specialist Advisor) Planning** – No representation.
  - **Eastbourne Borough 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.

5.4 Members are asked to note that not all the information provided within the representation valid against the four Licensing Objectives within the Licensing Act 2003.

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

6.1 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.

6.2 A representation is a 'relevant representation' if it is about the likely effect of the variation 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).

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

7.1 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 Home Office.](#)

7.2 Members are asked to consider, in particular, section 14 of the Statement of Licensing Policy when making a decision on this application.

## **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 objectives and may:

- Modify the conditions on the licence
- Modify the hours of licensable activity
- Reject the whole of the application
- Reject part of 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.

- 8.3 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.
- 8.4 The applicant, any person or any Responsible Authorities may also suggest conditions to address concerns as a means to promote the licensing objectives.
- 8.5 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 There are no specific financial implications arising from this application as 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 34 Licensing Act 2003 (as amended) a holder of a premises licence may apply to the Licensing Authority for a variation of a licence, in certain circumstances. Under section 35, when relevant representations are made during the consultation period the Licensing Authority must hold a hearing to consider the representations and having regard to those representations take such steps as it considers appropriate for the promotion of the licensing objectives.
- 10.2 Under section 181 and Schedule 5 (1) and (4) 2003 Act there is a right of appeal to the Magistrates' Court within 21 days of the appellant being notified of the written decision.
- 10.3 The Legal Section considered this report on 17 June 2024 (IKEN 12975-EBC-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 form

Appendix 2 - Plan of premises

Appendix 3 - Current Premises Licence

Appendix 4 & 5 - Public Representation

Appendix 6 - Environmental Protection Representation.

## **15 Background papers**

15.1 Section 182 Statutory Guidance to the Licensing Act 2003 available [here](#)

Eastbourne Borough Council Licensing Statement 2019 - 2024 available [here](#)

Human Rights Act 1998

Equality Act 2010

Crime and Disorder Act 1998.



**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.

We Omi Leisure Ltd

*(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**

<b>Premises licence number</b> 003959
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**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description Joy Bar 4 Bolton Road Eastbourne BN21 3JX			
Post town		Postcode	

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£29,750

**Part 2 – Applicant details**

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

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect? 

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

Extend the hours of 'Sale of Alcohol by Retail' to 03:00 in ground floor of premises only on Friday's, Saturday's, St George's Day, St.Patrick's Day, Maundy Thursday, Good Friday, Christmas Eve, and New Year's Eve and any other applicable day preceding a Bank Holiday

Extend the hours of 'Regulated Entertainment' (Live Music and Recorded Music) to 03:00 in ground floor of premises only on Friday's, Saturday's, St George's Day, St.Patrick's Day, Maundy Thursday, Good Friday, Christmas Eve, and New Year's Eve and any other applicable day preceding a Bank Holiday

Extend the closing hours to 03:30 in ground floor of premises only on Friday's, Saturday's, St George's Day, St.Patrick's Day, Maundy Thursday, Good Friday, Christmas Eve, and New Year's Eve and any other applicable day preceding a Bank Holiday

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.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b>   |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>            |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>            |

**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

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<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> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed			<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> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<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 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<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> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri	10:00		<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> (please read guidance note 7)		
		03:00			
Sat	10:00		10:00 to 03:00 on St George’s Day, St.Patrick’s Day, Maundy Thursday, Good Friday, Christmas Eve, and New Year’s Eve and any other applicable day preceding a Bank Holiday in ground floor of premises only		
		03:00			
Sun					



F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri	10:00		<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> (please read guidance note 7)		
		03:00			
Sat	10:00		10:00 to 03:00 on St George’s Day, St.Patrick’s Day, Maundy Thursday, Good Friday, Christmas Eve, and New Year’s Eve and any other applicable day preceding a Bank Holiday in ground floor of premises only		
		03:00			
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)		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 5)			
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)			
Wed			<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 7)			
Thur						
Fri						
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 8)			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 4)	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 5)		
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 6)		
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 7)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input 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 6)		
Mon					
Tue					
Wed					
Thur					
Fri	10:00	03:00			
Sat	10:00	03:00			
Sun			<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 7)  10:00 to 03:00 on St George’s Day, St.Patrick’s Day, Maundy Thursday, Good Friday, Christmas Eve, and New Year’s Eve and any other applicable day preceding a Bank Holiday in ground floor of premises only		

K

<p><b>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</b> (please read guidance note 10).</p>
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L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<u><b>State any seasonal variations</b></u> (please read guidance note 6)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri	10:00	03:30	
Sat	10:00	03:30	
Sun			<u><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></u> (please read guidance note 7)  10:00 to 03:30 on St George's Day, St.Patrick's Day, Maundy Thursday, Good Friday, Christmas Eve, and New Year's Eve and any other applicable day preceding a Bank Holiday in lower ground floor of premises only

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.

Please tick as appropriate

- 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 not enclosed the premises licence or relevant part of premises licence.

Online application

**M** 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 and e) (please read guidance note 11)**

The application recognises that the premises fall within the late-night economy and therefore has offered the following further steps to promote the licensing objectives to ensure activities on the premises do not create problems of disorder and nuisance, and do not undermine any of the licensing objectives.

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

The premises will operate a no entry or re-entry policy after 02:00 to reduce capacity in the final hours of trading. The Dispersal policy will be updated to reflect this change.

A scanner I.D. machine will be in use lower ground floor of premises.

SIA Door Supervisors will remain on the premises until 30 minutes after closing or the last patron has left the premises if sooner.

**c) Public safety**

**d) The prevention of public nuisance**

A new two door entrance has been installed for the ground floor that will be used after 21:00 on Fridays, Saturdays's and St George's Day, St.Patrick's Day, Maundy Thursday, Good Friday, Christmas Eve, and New Year's Eve and any other applicable day preceding a Bank Holiday, to greatly reduce noise disturbance allowing the main door to be kept closed after 21:00.

Customers arriving after this time will enter and exit via the side entrance that has two separate double-glazed doors.

The premises licence holder or appointed representative shall take all reasonable steps to ensure that any customers loitering outside the premises disperse quickly and do not congregate.

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



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Checklist:

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- 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, 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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	01/05/2024
Capacity	Agent

**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 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15)			
Simon Gordon (Director) GPS Food Service Solutions c/o The Works 12 Station Street Eastbourne, BN21 4RG			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>	[REDACTED]		
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b> simon@gpsfoodsolutions.co.uk			

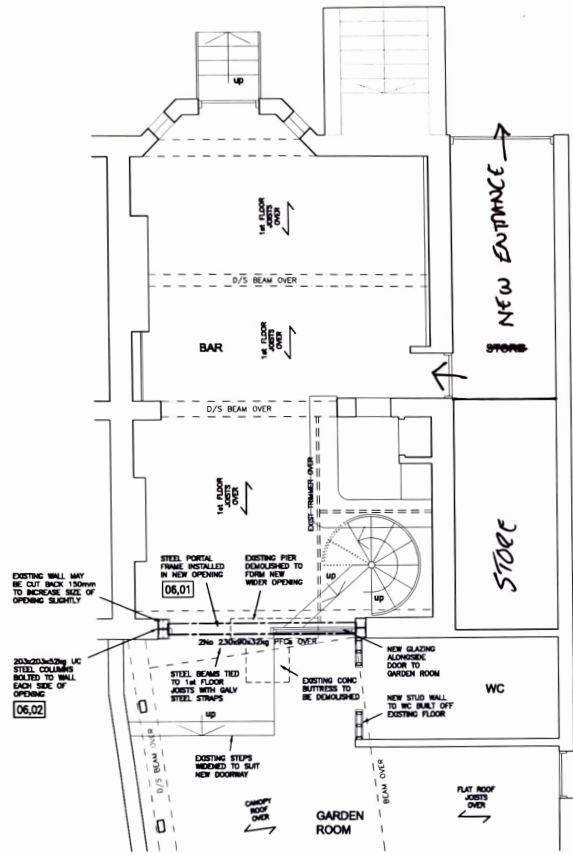
### Notes for Guidance

**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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. 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.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

8. 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.
9. 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'.
10. 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.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.



04,01 PLAN - GROUND FLOOR

Joy BAR  
4 BOLTON ROAD  
EASTBOURNE  
BN21 3JX

**KEY TO PLAN**

- EXISTING WALLS
- - - EXISTING WALLS REMOVED
- ▨ NEW BLOCK WALLS
- ▩ NEW BRICK WALLS
- ▧ NEW STUD WALLS
- ▬ STEEL BEAMS OVER
- - - EXISTING STRUCTURE OVER

**NOTES:**

EXISTING WALL TO BE REMOVED IS LONGBEARING, SO FULLY DESIGNED TEMPORARY WORKS TO BE INSTALLED PRIOR TO DEMOLITION OF WALL.

CONTRACTOR TO FORCE down DEFLECTION WITH BRASS PRIOR TO DRY PACKING TO MINIMIZE CRACKING IN EXISTING WALL ABOVE.

NEW STEEL BEAM TO BE SET AS HIGH AS POSSIBLE AND TIED TO EXISTING 1st FLOOR JOISTS WITH GALV STEEL STRIPS.

EXISTING WALL MAY BE BUILT IN BUNGALOWS, SO CONTRACTOR TO TAKE CARE NEVER TRACK DOWN EXISTING STRUCTURE.

**NOTES:**

All dimensions must be checked on site and not copied from this drawing.

This drawing is to be used in conjunction with all other relevant drawings and specifications.

All work to be carried out in accordance with the relevant Codes of Practice and British Standards.

All masonry to be 1116 (normal/brickwork) unless noted otherwise.

All blockwork to be grade S275 unless noted otherwise.

Roofs to be finished with lead unless and depending on necessary.

All walls to standwork to be 3mm minimum flat work.

All windows to be shut during for 28, 28 and 28 days with the wall of 280 photographs attached to the drawings. To a minimum any flat surface of 28.

All masonry to be checked to provide 1 hour fire resistance.

No.	Revis.	Revision details	Date

HO  
CIVIL AND STRUCTURAL CONSULTING ENGINEERS

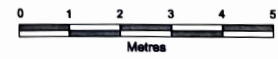
80, St. Peter's Lane, Little Wymondley, East Sussex TN39 5JF  
Tel: 01323 810000

Client  
**JOY BAR**

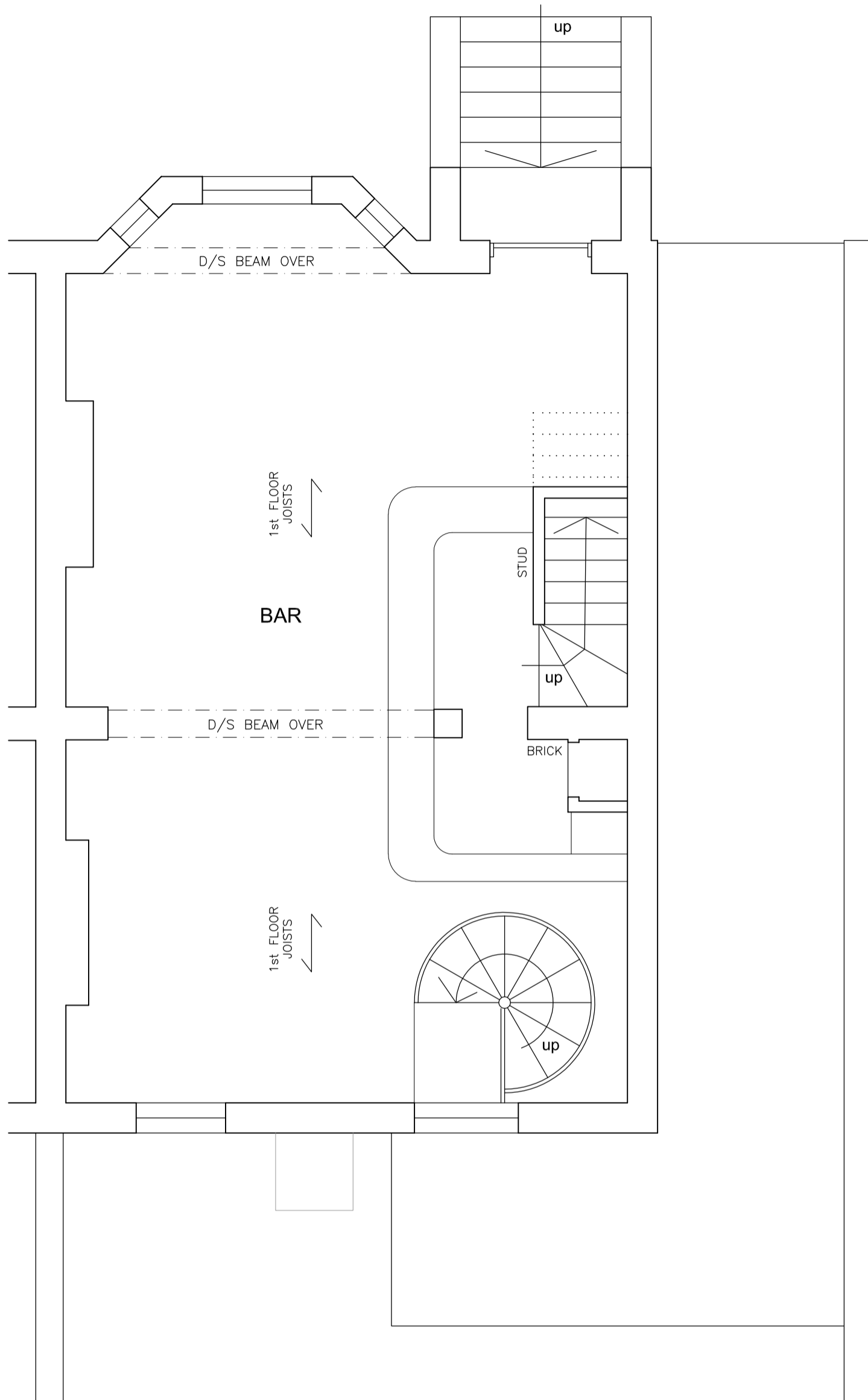
Project  
**JOY BAR  
4 BOLTON ROAD  
EASTBOURNE  
EAST SUSSEX**

Drawing Title  
**PROPOSED  
GROUND FLOOR  
PLAN**

Scale 1:50 @A2	Drawn by RDK
Date 10-03-23	Rev. 22309 - 04

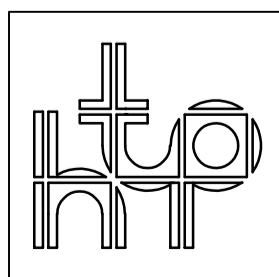
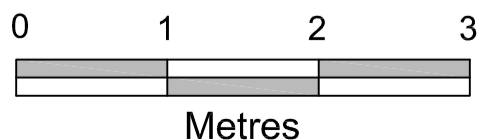


**PRELIMINARY**



**02,01 PLAN – FIRST FLOOR**

**PRELIMINARY**

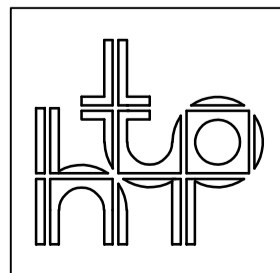
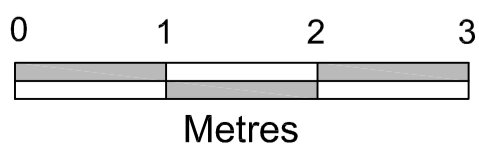


CONSULTING CIVIL & STRUCTURAL ENGINEERS		Date. 07-03-23
The Barn, Keens Lodge, Worth Lane, Little Horsted TN22 5TT 01825 750440		Made by. RGK Checked.
Project: <b>JOY BAR, EASTBOURNE</b>		Scale. 1:50
Drawing: <b>EXISTING FIRST FLOOR PLAN</b>		Drg No. 22309-02



03,01 PLAN – SECOND FLOOR

PRELIMINARY



CONSULTING CIVIL & STRUCTURAL ENGINEERS		Date.	07-03-23
The Barn, Keens Lodge, Worth Lane, Little Horsted TN22 5TT 01825 750440		Made by.	RGK
Project: <b>JOY BAR, EASTBOURNE</b>		Checked.	
Drawing: <b>EXISTING SECOND FLOOR PLAN</b>		Scale.	1:50
		Drg No.	22309-03

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**Part A**  
**Premises Licence 003959**

**APPENDIX 3**

**Part 1 - Premises Details**

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

**Boltons**  
4 Bolton Road, Eastbourne, East Sussex, BN21 3JX

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

Start Date: 25 November 2005 (Variation made 25 January 2019)

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

Live Music  
Recorded Music  
Late Night Refreshment  
Supply of Alcohol

**THE OPENING HOURS OF THE PREMISES:**

Mon 10:00-02:00  
Tue 10:00-02:00  
Wed 10:00-02:00  
Thu 10:00-02:00  
Fri 10:00-02:00  
Sat 10:00-02:00  
Sun 10:00-02:00

St George's Day 10:00hrs to 02:30hrs  
St Patrick's Day 10:00hrs to 02:30hrs  
Maundy Thursday 10:00hrs to 02:30hrs  
Good Friday 10:00hrs to 02:30hrs  
Christmas Eve 10:00hrs to 02:30hrs  
New Year's Eve 10:00hrs to 02:30hrs  
Twelve other occasions as specified in special notice 10:00hrs to 02.30 hrs

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

Live Music

Mon 10:00-01:30  
Tue 10:00-01:30  
Wed 10:00-01:30  
Thu 10:00-01:30  
Fri 10:00-01:30  
Sat 10:00-01:30  
Sun 10:00-01:30  
Indoors and Outdoors

St George's Day 10:00hrs to 02:00hrs

	<p>St Patrick's Day 10:00hrs to 02:00hrs  Maundy Thursday 10:00hrs to 02:00hrs  Good Friday 10:00hrs to 02:00hrs  Christmas Eve 10:00hrs to 02:00hrs  New Year's Eve 10:00hrs to 02:00hrs  Twelve other occasions as specified in special notice 10:00hrs to 02:00hrs</p>
Recorded Music	<p>Mon 10:00-01:30  Tue 10:00-01:30  Wed 10:00-01:30  Thu 10:00-01:30  Fri 10:00-01:30  Sat 10:00-01:30  Sun 10:00-01:30  Indoors and Outdoors</p> <p>St George's Day 10:00hrs to 02:00hrs  St Patrick's Day 10:00hrs to 02:00hrs  Maundy Thursday 10:00hrs to 02:00hrs  Good Friday 10:00hrs to 02:00hrs  Christmas Eve 10:00hrs to 02:00hrs  New Year's 10:00hrs to 02:00hrs  Twelve other occasions as specified in special notice 10:00hrs to 02:00hrs</p>
Late Night Refreshment	<p>Mon 23:00-00:30  Tue 23:00-00:30  Wed 23:00-00:30  Thu 23:00-00:30  Fri 23:00-00:30  Sat 23:00-00:30  Sun 23:00-00:30  Indoors and Outdoors</p> <p>St George's Day 23:00hrs to 02:00hrs  St Patrick's Day 23:00hrs to 02:00hrs  Maundy Thursday 23:00hrs to 02:00hrs  Good Friday 23:00hrs to 02:00hrs  Christmas Eve 23:00hrs to 02:00hrs  New Year's Eve 23:00hrs to 02:00hrs  Twelve other occasions as specified in special notice 23:00hrs to 02:00hrs</p>
Supply of Alcohol	<p>Mon 10:00-01:30  Tue 10:00-01:30  Wed 10:00-01:30  Thu 10:00-01:30  Fri 10:00-01:30  Sat 10:00-01:30  Sun 10:00-01:30</p> <p>St George's Day 10:00hrs to 02:00hrs  St Patrick's Day 10:00hrs to 02:00hrs</p>

	Maundy Thursday 10:00hrs to 02:00hrs Good Friday 10:00hrs to 02:00hrs Christmas Eve 10:00hrs to 02:00hrs New Year's Eve 10:00hrs to 02:00hrs Twelve other occasions as specified in special notice 10:00hrs to 02:00hrs
--	---

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

## Part 2

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

OMI Leisure Ltd  
4 Bolton Road  
Eastbourne  
East Sussex  
BN21 3JX  
[REDACTED]

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

10939374

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

**REDACTED**

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

**REDACTED**

### ANNEXES

#### **Annex 1 – Mandatory Conditions under the Licensing Act 2003**

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

Licensees should note that the under enclosed Mandatory conditions should be read in conjunction with the granted licence and these conditions shall be enforceable where relevant to the operation of the premise and its activities.

- 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**

Agreed conditions below following a meeting on 31 July 2019

### **Prevention of Crime and Disorder**

1) 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 (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.

(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 28 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 as soon as practicable.

2) 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 at least fortnightly.

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 for a minimum of twenty four (24) months.

3) a) On Friday and Saturday nights a minimum of two SIA registered door staff shall be employed at the premises from 21:00hrs and one further SIA registered door staff from 22:30hrs until 30 minutes after the premises has closed.

b) This will also apply to all Bank Holiday weekends, public holidays, on any occasion when a temporary event notice is in place at the premises, on any occasion when there is a special event in Eastbourne such as Airborne or any other event when, having been risk assessed by the designated premises supervisor, door staff are considered necessary.

4) a) SIA Door staff shall be fully briefed prior to work, with clear written instructions regarding their specific duties. Door staff will be made aware of individuals banned by Pubwatch. These records will be made available to the Licensing Authority and/or the Police upon request.

b) Door staff will be instructed to have particular regard to the care of vulnerable persons particularly anyone who appears to be drunk, incapacitated and potentially vulnerable due to excessive alcohol consumption and/or drug misuse. If it is necessary to eject them, they will be peaceably ejected from the premises so long as an on the spot risk assessment is clear that the person will not be vulnerable and at risk when placed outside. If necessary a taxi will be called and the person escorted to and put into the taxi to be taken home. Door staff will be aware of the need to call the emergency services if necessary.

5) SIA door staff shall complete incident logs prior to the end of their shift.

6) Those performing the role of SIA door staff will not perform any other duties when engaged for the purpose of door staff activities.

7) There will be a written search policy in place for when door staff are on duty with the number of searches to be carried out set on a risk assessment basis. Drugs taken from customers will be stored securely and delivered to the police in a manner agreed with the police.

8) The management and premises will have an absolute zero tolerance policy towards drugs and drug misuse. Any illegal drugs seized will be stored in a secure 'drugs box' and periodically the management will request the police to come and remove all drugs in the 'drugs box' for destruction.

9) The management will permit the police to use drugs detection process e.g. and 'ION Track' machine or similar device inside the premises to detect the illegal use of drugs and will sign a Police consent form.

10) There shall be regular (at least once during every hour) patrols of the customer trading areas, smoking area and WCs to ensure that customer behaviour is not in breach of the law or venue policies or harming the licensing objectives. These patrols will be recorded in writing in the incident book.

11) The premises will become an active member of the BCRP or similar scheme approved by the Licensing Authority.

### **Public Safety**

12) Management shall adopt a vulnerable person's policy which will be implemented by all staff engaging with members of the public. This shall form part of staff training (including refresher training) which shall be fully documented, dated and signed by both the DPS & staff member.

### **Prevention of Public Nuisance**

13) Customers will not be permitted to take alcohol outside to the front of the premises to consume whilst smoking, congregating or eating on the pavement outside of the premises after 21:00hrs.

14) At the end of the night a written crowd management procedure/dispersal policy shall be designed and implemented to ensure that there is a wind down period prior to the premises closure and customers are advised accordingly. This will be agreed with Sussex Police to prevent groups gathering, engaging in altercations and persons remaining in the vicinity of the premises.

15) Background music only to be played in the rear garden until 23:00hrs

16) Noise from customers and music should be barely audible before 23:00hrs and inaudible after 23:00hrs at any sensitive premises in the vicinity such as residential properties; Responsible trained staff should monitor this.

17) Doors leading into the garden should be kept closed apart from allowing ingress and egress after 23:00 hrs to avoid the escape of music/noise.

18) Alternative acoustic protection should be provided such as heavy curtains or sound proofing.

19) Toughened glass will be used for all drinking glasses except cocktail glasses.

### **Protection of Children from Harm**

20) Challenge 25 - The premises will operate an age verification policy set at a minimum of 25 Year's (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.

21) Signage advertising the age verification or "Challenge 25" policy will be displayed in prominent locations in the premises.

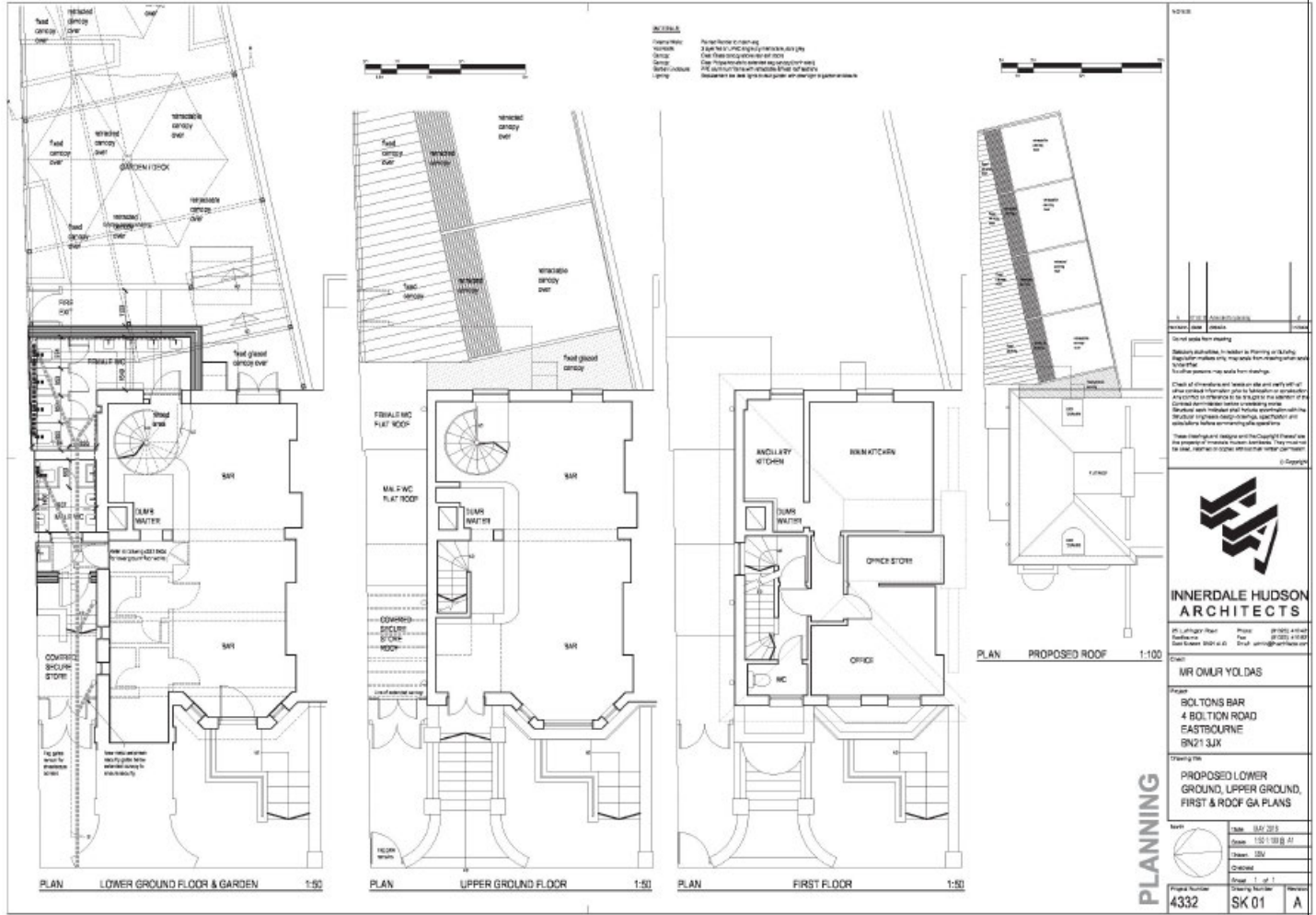
### **Annex 3 – Conditions attached after a hearing by the licensing authority**

#### **All Licensing Objectives**

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 003959**

**Premises Details**

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**  
**Boltons**  
4 Bolton Road, Eastbourne, East Sussex, BN21 3JX

**WHERE THE LICENCE IS TIME LIMITED THE DATES**  
Start Date: 25 November 2005 (Variation made 25 January 2019)

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**  
Live Music  
Recorded Music  
Late Night Refreshment  
Supply of Alcohol

**THE OPENING HOURS OF THE PREMISES:**

	<p>Mon 10:00-02:00 Tue 10:00-02:00 Wed 10:00-02:00 Thu 10:00-02:00 Fri 10:00-02:00 Sat 10:00-02:00 Sun 10:00-02:00</p> <p>St George's Day 10:00hrs to 02:30hrs St Patrick's Day 10:00hrs to 02:30hrs Maundy Thursday 10:00hrs to 02:30hrs Good Friday 10:00hrs to 02:30hrs Christmas Eve 10:00hrs to 02:30hrs New Year's Eve 10:00hrs to 02:30hrs Twelve other occasions as specified in special notice 10:00hrs to 02.30 hrs</p>
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**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:**

Live Music	<p>Mon 10:00-01:30 Tue 10:00-01:30 Wed 10:00-01:30 Thu 10:00-01:30 Fri 10:00-01:30 Sat 10:00-01:30 Sun 10:00-01:30 Indoors and Outdoors</p>
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	<p>St George's Day 10:00hrs to 02:00hrs  St Patrick's Day 10:00hrs to 02:00hrs  Maundy Thursday 10:00hrs to 02:00hrs  Good Friday 10:00hrs to 02:00hrs  Christmas Eve 10:00hrs to 02:00hrs  New Year's Eve 10:00hrs to 02:00hrs  Twelve other occasions as specified in special notice 10:00hrs to 02:00hrs</p>
Recorded Music	<p>Mon 10:00-01:30  Tue 10:00-01:30  Wed 10:00-01:30  Thu 10:00-01:30  Fri 10:00-01:30  Sat 10:00-01:30  Sun 10:00-01:30  Indoors and Outdoors</p> <p>St George's Day 10:00hrs to 02:00hrs  St Patrick's Day 10:00hrs to 02:00hrs  Maundy Thursday 10:00hrs to 02:00hrs  Good Friday 10:00hrs to 02:00hrs  Christmas Eve 10:00hrs to 02:00hrs  New Year's 10:00hrs to 02:00hrs  Twelve other occasions as specified in special notice 10:00hrs to 02:00hrs</p>
Late Night Refreshment	<p>Mon 23:00-00:30  Tue 23:00-00:30  Wed 23:00-00:30  Thu 23:00-00:30  Fri 23:00-00:30  Sat 23:00-00:30  Sun 23:00-00:30  Indoors and Outdoors</p> <p>St George's Day 23:00hrs to 02:00hrs  St Patrick's Day 23:00hrs to 02:00hrs  Maundy Thursday 23:00hrs to 02:00hrs  Good Friday 23:00hrs to 02:00hrs  Christmas Eve 23:00hrs to 02:00hrs  New Year's Eve 23:00hrs to 02:00hrs  Twelve other occasions as specified in special notice 23:00hrs to 02:00hrs</p>
Supply of Alcohol	<p>Mon 10:00-01:30  Tue 10:00-01:30  Wed 10:00-01:30  Thu 10:00-01:30  Fri 10:00-01:30  Sat 10:00-01:30  Sun 10:00-01:30</p> <p>St George's Day 10:00hrs to 02:00hrs</p>

	St Patrick's Day 10:00hrs to 02:00hrs Maundy Thursday 10:00hrs to 02:00hrs Good Friday 10:00hrs to 02:00hrs Christmas Eve 10:00hrs to 02:00hrs New Year's Eve 10:00hrs to 02:00hrs Twelve other occasions as specified in special notice 10:00hrs to 02:00hrs
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WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF PREMISES  
On and Off Premises

NAME AND (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE  
OMI Leisure Ltd  
4 Bolton Road  
Eastbourne  
East Sussex  
BN21 3JX  
[REDACTED]

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)  
10939374

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL  
Mr Omur Yoldas

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

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## APPENDIX 4

**From: REDACTED**

**Sent:** Monday, May 13, 2024 12:56 PM

**To:** licensing <licensing@lewes-eastbourne.gov.uk>

**Cc:** Temitayo Olatunji <Temitayo.Olatunji@lewes-eastbourne.gov.uk>

**Subject:** Joy Bar 4 Bolton Road Eastbourne. Omi Leisure Ltd

### **VALID PPN 16/05/24 (A)**

With reference to the above license variation request dated 4<sup>th</sup> May 2024 by Omi Leisure Ltd.

Once again, we as local residence we are subjected to jet another variation request, on this occasion, to extend the hours to 03.00 for playing of loud music.

Hopefully you are aware that we have numerous complaints lodged with Mr Temitayo Olatunji (Environmental Protection & Private Sector Housing) regarding loud music being played daily into the early hours by the bars in Bolton road.

The problem is that the Noise team only patrol up until 23.00 hrs and the owners are well aware of this fact and hence tend to crank up the volume after this time.

Of late one of the bars seem to be playing loud music from the back of the premises rather than onto Bolton road (Front). This goes on until 02.00 hrs. As the back area architecture of the surrounding buildings tends to drastically amplify the music thus affecting residencies on this side of Lismore road.

As residence we have a right to a peaceful and undisturbed night, as the current situation is still unsatisfactory and unresolved we clearly strongly object to this variation request.

**REDACTED**

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By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## APPENDIX 5

**From: REDACTED**

**Sent:** Monday, May 13, 2024 8:07 PM

**To:** licensing <[licensing@lewes-eastbourne.gov.uk](mailto:licensing@lewes-eastbourne.gov.uk)>; Temitayo Olatunji <[Temitayo.Olatunji@lewes-eastbourne.gov.uk](mailto:Temitayo.Olatunji@lewes-eastbourne.gov.uk)>

**Subject:** Joy Bar, Bolton Road

### **VALID PPN 16/05/24 (B)**

Temitayo i have copied you in so that i am not seding multiple emails. Please note my remarks fir Saturday 11th May.

I am contacting you to express my concerns and dismay that the Premises known as Joy Bar are making application for even later closing times/music.

In recent months, this bar has undertaken works to take steps to lessen the noise of loud music and noisy customers. Unfortunately these works have not made the slightest difference, if anything the music coming from the premises is even louder.

My opinion is they Joy Bar is just that, a bar not a night club where you would expect later opening times.

Residents impacted by the issues have suffered long enough and Saturday 11th May, I was returning home at approx 00.30, as I turned into the War Memorial end of Bolton Road, no music could be heard from the front. However when I turned into Lismore Road and outside my property, the music was so loud which clearly shows what residents have been saying all along, the disturbance is at the rear. Noise Inspectors when on patrol are clearly judging volumes based on what they hear from the Bolton Road side. They really need to measure volume levels from the rear and then perhaps we may have more of an impact. So to reiterate, I whole heartedly object to the application made by Joy Bar.

Regards

**REDACTED**

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By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## APPENDIX 6

**From:** Temitayo Olatunji <[Temitayo.Olatunji@lewes-eastbourne.gov.uk](mailto:Temitayo.Olatunji@lewes-eastbourne.gov.uk)>

**Sent:** Wednesday, May 15, 2024 9:12 AM

**To:** licensing <[licensing@lewes-eastbourne.gov.uk](mailto:licensing@lewes-eastbourne.gov.uk)>

**Cc:** Rebecca Wynn <[Rebecca.Wynn@lewes-eastbourne.gov.uk](mailto:Rebecca.Wynn@lewes-eastbourne.gov.uk)>

**Subject:** RE: Full Variation Application - Joy Bar - 055700

### VALID PPN 16/105/24 (C)

Dear Licensing Team,

Please see the below as with some amendments to the context. Please acknowledge the document below as an updated representation from the EP team on the application for variation to the Premises Licence for Joy bar following the submission made 14/05/2024 :

Dear Licensing team,

We have received notification of an application for the variation to the Premises licence for Joy bar, Bolton road, Eastbourne.

#### Proposals

The Premises Licence holders for Joy bar are requesting for a variation on their current licence to grant an extension to their current hours of operation with specifics to the following :

*Extend the hours of 'Regulated Entertainment' (Live Music and Recorded Music) to 03:00 in ground floor of premises only on Friday's, Saturday's, St George's Day, St.Patrick's Day, Maundy Thursday, Good Friday, Christmas Eve, and New Year's Eve and any other applicable day preceding a Bank Holiday*

*Extend the closing hours to 03:30 in ground floor of premises only on Friday's, Saturday's, St George's Day, St.Patrick's Day, Maundy Thursday, Good Friday, Christmas Eve, and NewYear's Eve and any other applicable day preceding a Bank Holiday.*

All licensed activities under this application are reviewed under the remit of the Environmental Protection (EP) team for noise mitigation and control during all activities at this premises.

#### Considerations.

This application has been reviewed under the licensing objective under prevention of public nuisance.

Plan and Outlay of the premises : From the plan attached with this application, the licensable area has nearest noise receptors (residents) towards the West, South and North bearing of the premises with the back garden holding a roof retraction covering. There is a holding area for attendees both in the garden area and the front of premises capable of having a rough maximum capacity of 20 people for each section at a time. While recent noise assessment is yet to be carried out for the upgraded outlay of the premises, it is

expected that the current set up is not guaranteed to reduce noise impact at late hours of the night.

Past and Current reports of loud noise : Over the course of the past few months of the premises reopening, the team has received a few complaints of excessively loud noise especially from residents living on the Eastside of the premises. We have had evidence of loud and excessive noise from the bar in the past which has resulted in the serving of Notices under the Anti – social, Crime and Policing act 2014 with steps taken in response to abate noise levels but there are still areas of concern as reported by the residents within the last one month.

Anticipated negative impacts of noise : From the above, there is anticipated excessive levels of noise affecting neighbours especially in the late parts of summer with increased levels of attendees to events expected. The front area and the garden hold a significant number of people with the likelihood of excessively loud noise from these gatherings. Both the points below are under consideration.

- (a) Loud levels of noise expected from music from the ground floor area of the premises during the hours proposed which is significantly later than the original hour of closure of business for the day.
- (b) Significant levels of noise from crowds leaving the premises at these hours.

#### Representations.

- (a) Anticipated negative impact from excessively loud levels of music noise through open doors on the front area and the open garden roof cover at the back of the premises at such early hours.
- (b) Expected negative impact from loud noise from people gathering in the front porch and back garden of the premises.

With consideration to the above representations, the Environmental Protection team's recommendation is that the application for the variation to the Premises Licence is refused.

Many thanks,  
Temitayo.

#### **Temitayo Olatunji (M.Sc) ACIEH**

Senior Specialist Advisor (Environmental Protection and Private Sector Housing)  
Regulatory Services  
Lewes District Council and Eastbourne Borough Council

#### **REDACTED**

[Temitayo.Olatunji@lewes-eastbourne.gov.uk](mailto:Temitayo.Olatunji@lewes-eastbourne.gov.uk)  
[www.lewes-eastbourne.gov.uk](http://www.lewes-eastbourne.gov.uk)

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of the Local Government Act 1972.

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