

Lewes District Council Licencing Sub Committee Hearing 26 November 2019 Decision

Application for a premises licence from SK Restaurants (Sussex) Limited for Unit 2, Old Court House, Friars Walk, Lewes, BN7 2FS

The application concerned the grant of a new premises licence under the Licensing Act 2003 for the supply of alcohol on Monday to Sunday between 9.00am and 10.30pm. Apart from on New Year's Eve when the application is for licensable hours of 9.00 am to 12.30am. Further, the application was for a licence on New Year's Eve for live music from 11.00pm to 11.55pm and recorded music from 11.00pm to 12.30am.

In discharging its functions the Sub Committee considered the promotion of the relevant licensing objectives, the Council's own Licensing Policy, the Home Office Guidance and the rules of natural justice. Further, the Sub Committee were mindful of the requirements under the relevant legislation.

As a result of the consultation process five representations were received but before the hearing two representations were withdrawn. The Sub Committee gave due regard to the written representations received from Fiona Dennis, Deb Jones, and Sharon Lloyd contained within the Report at pages 41, 45, 47.

The representations involved the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder.

The Sub Committee considered the application and the oral representations made by the applicant that the premises would be a restaurant in which alcohol would be ancillary to the food and there would be table service. That it was not a pub with late night drinking and last orders would be at 10.30pm with food being served to approximately 9.30pm. That the premises were expected to be used by local people and that it was not expected that it would attract extra people to the area.

The Sub Committee noted that no Responsible Authorities had made any representations.

In its deliberations the Sub Committee considered what decision would be appropriate and proportionate from the options outlined in paragraph 10.1 of the Report.

Decision

The Sub Committee decided to grant the licence in the same terms as it was applied for.

Reasons for decision

The Sub Committee took into account all the relevant representations. However, the Sub Committee noted that the premises would be primarily used as a restaurant with alcohol ancillary to food and provided by table service. Also that this would not be a late night venue attracting people from outside of the area. The Sub Committee considered that the conditions offered in the application would adequately meet the four licensing objectives.

The Licensing Act provides a right of appeal to the Magistrates Court in respect of an application for a premises licence. An appeal must be commenced by notice of appeal being given by the appellant to the Magistrates Court within a period of 21 days beginning

on the date the appellant was notified in writing of the decision of the Licensing Sub Committee.

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