

# Eastbourne Borough Council

## Decision Notice

Licensing Act Sub-Committee held on Monday 19 June 2017

Premises Licence Holder/Designated Premises Supervisor:	Lucia Singh
Premises:	Dominos Pizza, 1 Langney Road
Reasons for Hearing:	Relevant representation received from interested parties under the prevention of public nuisance (noise) and the prevention of crime and disorder licensing objectives.
Parties in attendance:	<p>Councillors: Stephen Holt (Chairman) Colin Belsey Colin Swansborough</p> <p>Licensing Authority: Murrae Hume (Specialist Advisor - Licensing)</p> <p>Legal Advisor: Michele Wilkinson (Lawyer)</p> <p>Applicant: Lucia Singh</p> <p>Interested Parties: Helen Hughes</p>
Decision made:	That the application be granted in full as requested.
	<p><b>Hours premises is open to the public and Late night refreshment</b></p> <p>Monday – Thursday and Sunday      11:00 – 24:00 hours Friday – Saturday                      11:00 – 01:00 hours</p>
Reasons for Decision:	<p>The hearing concerned a variation of the premises licence at Dominos Pizza, 1 Langney Road, Eastbourne, BN21 3QA. The applicant applied for a variation to extend the licensing hours in relation to late night refreshments from 23:30 pm 7 days a week, to midnight on Sunday to Thursday (inclusive) and to 1:00 am on Friday and Saturday.</p> <p>In discharging its functions the Sub-Committee considered the</p>

	<p>promotion of the relevant licensing objectives, the Council's own Licensing Policy, the Home Office guidance and the rules of natural justice.</p> <p>The Sub-Committee considered the variation application and the oral representations made by the applicant at the hearing. The Sub-Committee noted that it was clarified that the variation application did not relate to the supply of alcohol and that licensable activity would be removed from the licence.</p> <p>Due regard was also given to the written and oral representations received from Mrs Helen Hughes. The Sub-Committee noted that her representation was supported by a petition, signed by 31 other local residents in addition to the two people making representations. Due regard was also given to the written representation of Mr Rod Neale.</p> <p>The representations were that increasing the licensable hours for the provision of late night refreshments would lead to problems with public nuisance.</p> <p>The Sub-Committee noted that the premises were within the Cumulative Impact Zone but considered that any presumption to reject the application had been rebutted by the applicant.</p> <p>The Sub-Committee noted that no Responsible Authorities had made any representations although Sussex Police had mediated a number of conditions, which were outlined at Appendix 4 to the report.</p> <p>In its deliberations, the Sub-Committee considered what decision would be appropriate and proportionate from the options outlined in section 9.0 of the report.</p> <p>The Sub-Committee resolved to grant the application in full as requested.</p> <p>The Sub-Committee were confident from the representation made by the applicant that the steps proposed would meet the licensing objectives, for example by the commitment made to engage with residents to address any public nuisance concerns.</p> <p>The Sub-Committee would recommend to the licence holder that serious consideration is given to the provision of door staff on Friday and Saturday nights when the premises are open to 1:00 am.</p>
Date of Decision:	19 June 2017
Date decision notice issued:	21 June 2017

A written or electronic copy of this Notice will be publicly available to all Parties and published on the Council's website.

## **RIGHT OF APPEAL**

Under the provisions of section 181 and Schedule 5 Licensing Act 2003 there is a right of appeal against the decision of the Licensing Sub Committee from those who have made relevant representations. If those people wish to appeal against the Sub Committee's decision their application must be made to the Magistrates Court within 21 days of the receipt in writing of this decision notice.

The variation to the licence will take effect immediately.