

Eastbourne Borough Council

Decision Notice

Licensing Act Sub-Committee held on Tuesday 19 September 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 four 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>Democratic Services: Simon Russell (Cabinet Officer)</p> <p>Applicant: Lucia Singh</p> <p>Interested Parties: Helen Hughes Adrian Ley</p>						
Decision made:	That the application, as amended by Sussex Police following mediation, be granted in full.						
	<p>Hours premises is open to the public</p> <table> <tr> <td>Monday – Thursday</td><td>10:00 hours – midnight</td></tr> <tr> <td>Friday – Saturday</td><td>10:00 hours – 02:30 hours</td></tr> <tr> <td>Sunday</td><td>10:00 hours – 01:00 hours</td></tr> </table>	Monday – Thursday	10:00 hours – midnight	Friday – Saturday	10:00 hours – 02:30 hours	Sunday	10:00 hours – 01:00 hours
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	<p>Due regard was given to the written and oral representations received from Mrs Helen Hughes and Mr Adrian Ley. The Sub-Committee noted that Mrs Hughes' representation was supported by a petition, signed by 37 other local residents, including two other people making representation. Due regard was also given to the written representations of Mr Neale, Mr Patel, Ms Hall and Mrs Mafe.</p> <p>The representations were that increasing the licensable hours for the provision of late night refreshments would lead to problems with all four licensing objectives.</p> <p>The Sub-Committee noted that the premises are within the Cumulative Impact Zone and the comments made by Mr Ley in that regard.</p> <p>The Sub-Committee noted that no responsible authorities had made any representations although Sussex Police had mediated a number of conditions with the applicant, outlined in appendix 4 and a reduction in the licensable hours applied for.</p> <p>In its deliberations the Sub-Committee considered what decision was appropriate and proportionate from the option outlined in paragraph 9.2 of the report.</p> <p>The Sub-Committee resolved to grant the application as amended by the Police following mediation.</p> <p>The Sub-Committee were content that the applicant had provided sufficient evidence to demonstrate that the application to extend the licensable hours would not add to the cumulative impact in the area and undermine the licensing objectives. The Sub-Committee took into account the conditions mediated by Sussex Police, especially the provision of two Security Industry Authority (SIA) door staff and believed that the applicant had done enough to rebut the presumption of refusal arising from the premises being within the cumulative impact zone.</p>
Date of Decision:	19 September 2017
Date decision notice issued:	27 September 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

The Licensing Act 2003 under section 181 and schedule 5 provided a right of appeal to the Magistrates Court in respect of an application for a variation of 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 Act Sub-Committee.