

Licensing Sub-Committee

3 October 2023



Time and venue:

2.00 pm in the Room 209/210 Marine Workshops - Marine Workshops, Railway Quay, Newhaven, BN9 0ER

Membership:

Councillors: Ian Alexander, Paul Mellor and Joa Saunders and Wendy Maples (Reserve)

Quorum: 3

Published: Monday, 25 September 2023

Agenda

- 1 Election of chair of the sub-committee for this meeting**
- 2 Apologies for absence/declaration of substitute members**
- 3 Declarations of interest**

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.
- 4 Application for a new Premises Licence 34-36 High Street, Lewes (Pages 3 - 52)**

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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Report to: Licensing Sub-Committee

Date: 3 October 2023

Title: Application for a new Premises Licence for Number 34, 34 High Street, Lewes BN7 2LU

Report of: Director of Service Delivery

Ward(s): Lewes Bridge Ward

Purpose of report: To consider representations made against the new Premises Licence application under the Licensing Act 2003 and make a decision on the application.

Officer recommendation(s): To consider representations made against the new Premises Licence application under the Licensing Act 2003 and make a decision on the application.

Reasons for recommendations: Relevant representations made within consultation period

Contact Officer(s): Name: Jade Marshall
Post title: Specialist Advisor - Licensing
E-mail: jade.marshall@lewes-eastbourne.gov.uk
Telephone number: 07984 552275

1 Introduction

- 1.1 Lewes District Council received an application for a new Premises Licence under the Licensing Act 2003 for Number 34, 34 High Street, Lewes, BN7 2LU by Mr Hugo Arnold. 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 Premises is a commercial premises on Lewes High Street, with a commercial premises on one side, Walwers Lane on the other and residential properties above.

2 The Application

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

2.2 **Sale by Retail of Alcohol (On and Off the premises)**

Monday to Sunday 09:00 - 23:00

2.3 **Provision of Recorded Music (indoors Only)**

Monday to Sunday 09:00- 23:00

2.4 **Opening Hours**

Monday to Sunday 09:00 - 23:00

2.5 **General Description**

Restaurant and Bar

3 **Licensing Objectives**

- 3.1 When applying for a new premises licence under the Licensing Act 2003, the applicant is required to describe any 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 found 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 originally a consultation period of 28 days, from the 8th August 2023 until midnight on the 4th September 2023, for representations to be made.
- 4.2 On the 10th August 2023 it was noted there was an issue with the Public Notices and the consultation period was extended until the 6th September 2023. These were then rectified, and 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 During the consultation period no representations were made by the Responsible Authorities however, Sussex Police agreed conditions with the applicant. These can be found at **Appendix 3**, Outside Area Conditions 3 & 4 have been removed.
- 4.4 On the 22nd August 2023 the Public Notices were checked again due to a complaint from one of the representors. The Public Notices were in situ and correct.
- 4.5 During the consultation period two representations was made by members of the public, one representation was supported by 10 people. These can be found at **Appendix 4 & 5**.

- 4.6 The Agent for Mr Hugo Arnold chose not to mediate.
- 4.7 Members are asked to note that not all the information provided within the representation is valid against the four Licensing Objectives within the Licensing Act 2003.

5 The Decision Making Process - The Licensing Objectives

5.1 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:

- Public Safety
- The Prevention of Public Nuisance
- The Prevention of Crime and Disorder
- The Protection of Children from Harm

5.2 A representation is a 'relevant representation' if it is about the likely effect of the grant 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).

6 Lewes District Council's Statement of Licensing Policy & Section 182 Guidance

6.1 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:

- [Lewes District Council's Statement of Licensing Policy](#)
- [Section 182 Guidance issued by the Home Office.](#)

6.2 Members are asked to consider Section 4 General Statement of Guiding Principles and the Statement of Licensing Policy when making a decision on this application.

7 Representations

7.1 A copy of the representations are included at **Appendix 4 & 5.**

'Interested Parties'

Two representations have been received, the representators have made comments under Prevention of Public Nuisance, Public Safety and Prevention of Crime and Disorder.

Representations from Responsible Authorities

The following summarises whether representations have been received from responsible authorities:

- **Sussex Police** – No representation but agreed conditions, **Appendix 3**
- **Eastbourne Borough Council (Specialist Advisor) Environmental Health** – No representation
- **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

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:

- Grant the Licence in the same terms as it was applied for.
- Grant the Licence but modify the conditions as appropriate for the promotion of the licencing objectives.
- Grant the Licence but modify the hours of licensable activity as appropriate for the promotion of the licensing objectives.
- Reject 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 The Sub-Committee may also consider any other matters that may negatively impact upon the Licensing Objectives and exercise their powers to impose conditions, or take the appropriate action as they see fit, in order to promote the Licensing Objectives.

8.4 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. The applicant, any person or any Responsible Authorities may also suggest conditions to address concerns as a means to promote the Licensing Objectives. 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 18 Licensing Act 2003 (as amended), following receipt of an application for a premises licence, if a relevant representation is received, unless all parties agree that a hearing is unnecessary, the Licensing Authority must hold a hearing. At the hearing the Sub Committee shall, having regard to the representations, take such steps as it considers appropriate for the promotion of the licensing objectives. The relevant options are outlined in para. 8.1 of this Report.
- 10.2 The Licensing Sub Committee should be mindful of the requirements and responsibilities placed upon them by other legislation, in addition to those contained within the Licensing Act 2003. These include, but are not limited to, having due regard to the relevant parts of the Equality Act 2010, the Human Rights Act 1998, and the Crime and Disorder Act 1998.
- 10.3 Under section 181 and Schedule 5 Licensing Act 2003 there is a right of appeal to the Magistrates' Court in respect of applications for new premises licences. This right of appeal is open both to the Applicant and to any person who has made a relevant representation. The appeal application must be made within 21 days of the written notification of the decision to the appellant.
- 10.4 The Legal Section considered this Report on 21 September 2023 (Iken 12387-LDC-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 for a new premises licence
 - Appendix 2 – Plan of premises
 - Appendix 3 – Police Agreed Conditions
 - Appendix 4 – Representation from Ms Beer
 - Appendix 5 – Representation from Dr Elliott

15 Background papers

15.1 The background papers used in compiling this report were as follows:

- Section 182 Statutory Guidance to the Licensing Act 2003 available [here](#)
- Lewes District Council Licensing Statement 2022-2027 available [here](#)
- Human Rights Act 1998
- Equality Act 2010
- Crime and Disorder Act 1998

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

Your position in the business

Home country

If your business is registered, use its registered name.
Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="Number 34"/>
Street	<input type="text" value="34 High Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Lewes"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="BN7 2LU"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="47,750"/>

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy
* Nationality	<input type="text"/>
Right to work share code	<input type="text"/>

[Documents that demonstrate entitlement to work in the UK](#)
[Right to work share code if not submitting scanned documents](#)

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OPERATING SCHEDULE

When do you want the premises licence to start? 05 / 09 / 2023
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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 for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Restaurant and Bar

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

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.

Recorded Music by way of background music for patrons

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

None

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

In addition to any other training, the Premises Licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals

b) The prevention of crime and disorder

- Training given to staff to prevent the sale of alcohol to those who are under age or appearing to be drunk.
- The premises shall install and maintain a comprehensive digital CCTV system. A staff member who is conversant with the operation of the CCTV system shall be available at all times when they are open to the public and must be able to produce images upon request by the Police or an Authorised Officer of the Local Authority
- An Incident Log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available upon request by the Police, or an Authorised Officer of the Local Authority
- Adoption of the challenge 25 policy.
- Measures to prevent the use or supply of illegal drugs

The management of the premises will liaise with police on issues of local concern or disorder

- Alcoholic and other drinks may not be removed from the premises in open containers save for consumption
- There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking

c) Public safety

To comply with the reasonable requirements of the fire officer from time to time.

- The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
- Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
- Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
- All sales of alcohol to be consumed off premise shall be in sealed containers only.
- Suggested occupancy figures (including staff),
- Measures to prevent the supply and use of illegal drugs,

d) The prevention of public nuisance

Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance e. g. to ensure customers leave quietly, the premises and immediate surrounding area shall be kept clean and free from litter at all times when the premises are open to the public

- Control of operating hours for all or parts of the premises, including such matters as deliveries,
- Management of people, including staff and traffic (and resulting queues) arriving and leaving premises,
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly, and to dispose of their waste responsibly
- Sighting of external lighting, including security lighting,
- Management arrangements for collection and disposal of litter
- Effective ventilation systems to prevent nuisance from odour
- Provision of CCTV

e) The protection of children from harm

Continued from previous page...

Children will be allowed on the premise.

Requirements for accompanying adults (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult)

-A proof of age policy agreed in writing will be enforced

-There will be an Age Verification Policy and staff will ask individuals who appear under the age of 25 to produce identification bearing their photograph, date of birth and holographic mark or ultraviolet feature.

-Provision of CCTV

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £1250001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

DECLARATION

Continued from previous page...

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read Guidance Note 15)

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her Proof of Entitlement to Work, if appropriate (please see Note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/lewes/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

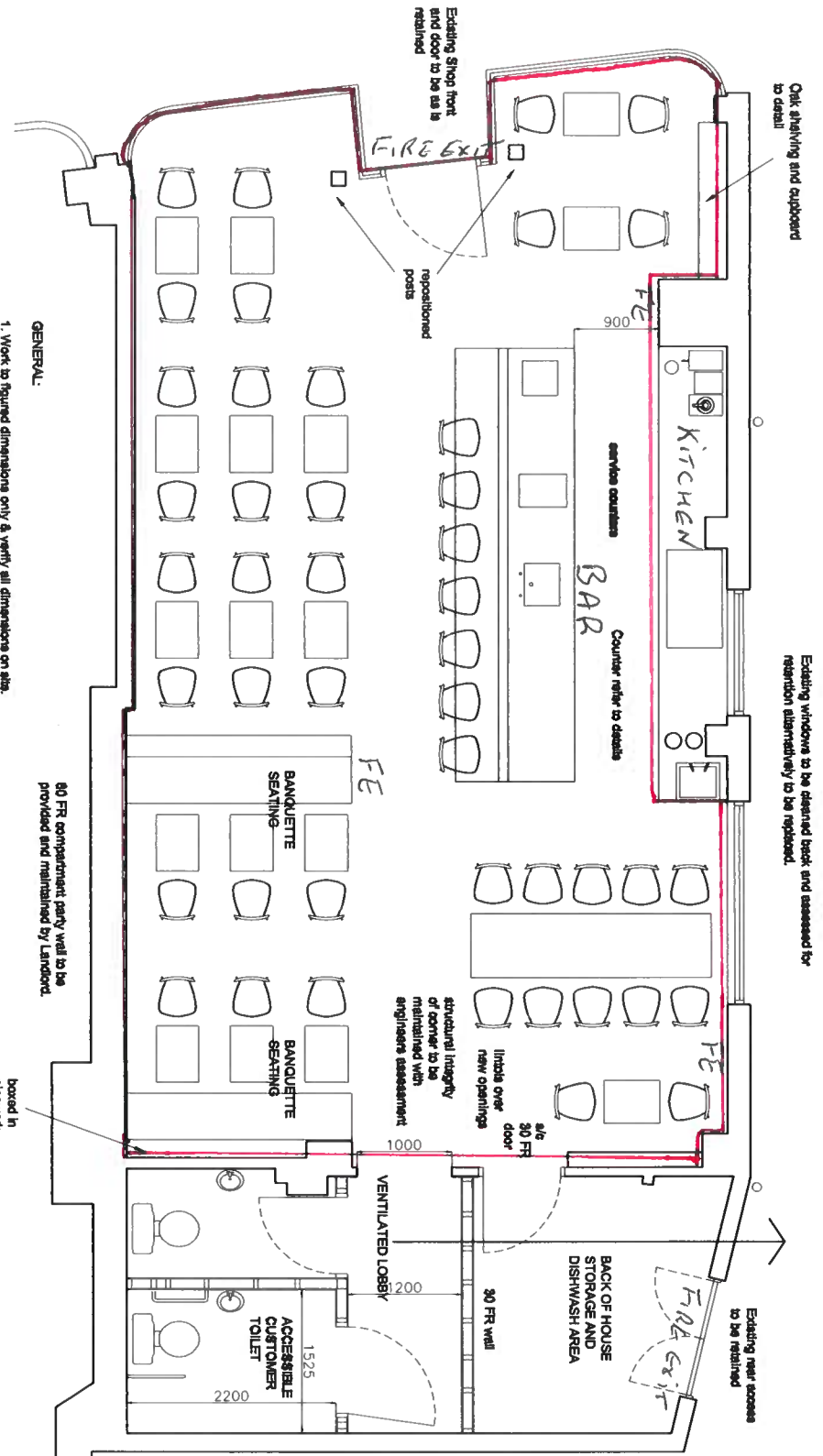
OFFICE USE ONLY

Applicant reference number	<input type="text" value="2512128.1"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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NOTATION IS DRAFT AND FOR GENERAL GUIDANCE.
 ALL WORKS SHALL BE UNDERTAKEN AS
 A CONTRACTORS DESIGN / CERTIFICATION AND INSTALLATION
 INCLUDING LOCAL AUTHORITY APPLICATIONS, INSPECTIONS AND
 APPROVALS.



- GENERAL:**
1. Work to figured dimensions only & verify all dimensions on site.
 2. Any discrepancies to be clarified prior to mft. or site application.
 3. All construction to be in accordance with relevant Building Regulations & to the satisfaction of the local Chief Building Control Officer.
 4. All works to be in accordance with all relevant and current British Standards. With all work methods and practices in line with accepted Codes of Practice and Safety Legislation.
 5. All works to be undertaken by correctly qualified and an applicable registered personnel.
 6. Ventilation requirements to be confirmed.
 7. All works to comply with Fire Certification requirements and means of emergency egress associated with the main building works.
 8. All materials and finished surfaces to comply with regulation fire spread of flame standards.

licensed Area
FE Fire Equipment

CONCRETE LINTOL REINF. SCHEDULE				
Max. span	Lintol depth (mm)	No. of bars	Dia. of bars	End bearing
1200	150	2	Y12	150mm
1500	150	2	Y12	150mm
2000	225	2	Y12	225mm
2400	250	2	Y16	225mm
3000	300	2	Y20	225mm

For spans of 1500mm and over, lintols to have 2no. Y10 mm bars at top, with 8 mm stirrups @ 150 mm c/c.

number 34
 Concept for Restaurant Fit Out
 for Easy Entertainment Ltd.
 34 High Street LEWES BN7 2LU

GENERAL ARRANGEMENT PLAN
 dwg. D 01 r1
 dimensions to be site confirmed
 1:50 @ A3

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Morning Clare,

That is correct.. Sussex Police conditions will supersede the applicants.

Kind regards

Ben

Ben Deacon

Sussex Police Licensing Officer for Wealden, Hastings & Rother District

Neighbourhood Policing Team

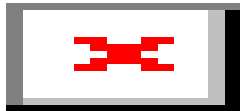
Battle Police Station | East Sussex

Telephone: 01273 404535 **Followed by ext:**565202

Mobile:07776117094

Email: EastSussex.Licensing@sussex.police.uk

Please note I only work Mon, Tues, Thurs & Fri



From: Clare Burch <Clare.Burch@lewes-eastbourne.gov.uk>

Sent: 21 August 2023 12:19

To: Deacon, Ben 31195 <Benjamin.Deacon@sussex.police.uk>

Subject: RE: New Premises Licence -Number 34, 34 High Street, Lewes, BN7 2LU

Warning: This email was sent from outside the organisation. If you are suspicious of it, please report it using the **'Report Message'** button in Outlook. Further guidance can be found on the [Information Security Guidance Hub](#).

Morning Ben,

Are these to replace all offered conditions by the applicant?

Thank you

Clare Burch *MIO*

Caseworker Case Management

Lewes District and Eastbourne Borough Councils

Tel: 01323 415262

clare.burch@lewes-eastbourne.gov.uk | www.lewes-eastbourne.gov.uk

From: licensing <licensing@lewes-eastbourne.gov.uk>

Sent: Monday, August 21, 2023 12:18 PM

To: Clare Burch <Clare.Burch@lewes-eastbourne.gov.uk>

Subject: RE: New Premises Licence -Number 34, 34 High Street, Lewes, BN7 2LU

From: Deacon, Ben 31195 <Benjamin.Deacon@sussex.police.uk> **On Behalf Of** East Sussex Licensing

Sent: Monday, August 21, 2023 9:40 AM

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

Subject: RE: New Premises Licence -Number 34, 34 High Street, Lewes, BN7 2LU

Dear Team

RE: APPLICATION OF NEW PREMISES LICENCE FOR 'NUMBER 34 RESTURANT & BAR ,34 HIGH STREET,LEWES,BN7 2LU'

On behalf of the Chief Officer of Police for Sussex, the East Sussex Licensing team raise no objections for the above application for a premises licence provided the attached and agreed conditions are placed on the licence, if granted. Please also find attached the email of agreement

CCTV

Subject to GDPR guidance and legislation:

- (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 (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrances/exits to the premises as well as any outside space. 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 31 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) 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 Police e.g. USB) or provide footage via an online link as initiated by Police, without difficulty or delay and without charge.

(g) Any breakdown or system failure will be notified to the police immediately & 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 Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

Training/Authorisation:

(a) The Premises Licence Holder shall ensure that all staff members engaged, or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

*The lawful selling of age restricted products

*Refusing the sale of alcohol to a person who is drunk

* An awareness and understanding of Safety Initiatives such as 'Ask For Angela' & 'Safe Space'

(b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.

(c) All such training undertaken by staff members shall be fully documented and recorded and signed by both the employee and the DPS. All training records shall be kept on the premise or in electronic format and made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

(d) A list of staff members who are authorised to sell alcohol on the premises shall be kept. This shall be endorsed by the DPS with the date such authorisation commences.

Challenge 25:

(a) The premises will operate an age verification policy set at a minimum of 25 years (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.

(b) Signage advertising the age verification or 'Challenge 25' policy will be displayed in prominent locations in the premises.

Incident/Refusal Log:

(a) An incident/refusal log whether electronic or written 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 (or a person with delegated authority) at least no more than four (4) weeks.

(b) The log book or electronic format 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 at the premises for a minimum of twenty four (24) months.

Restaurant Bar:

(a) Alcohol shall only be supplied by waiter/waitress service to people seated at tables.

(b) Food shall be available at all times when the premises is open and trading. The primary use of the premises shall be as a Restaurant, not be that of a bar and any promotions and advertising will refer to it as such.

(c) Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the premises.

Outside Areas

1. Management will have a clear written dispersal policy for all events and trading times that upon exiting the premises patrons will be reminded to leave the premises quietly and relevant signage & message to enforce this is to be put in place.
2. Customers will not be permitted to take alcohol outside the premises to consume whilst smoking/vaping, congregating or eating on the pavement outside the premises.
3. The Outside area must be kept clean and tidy and any broken glasses or polycarbonates will be disposed/removed and dealt with by staff of the licensed premises
4. Outside areas are to be well lighted and promote good visibility to those entering and exiting the premises.

OFF Sales;

(a) All sales of alcohol, for consumption off the premises, to be made in a sealed container.

Deliveries & Online:

(b) All alcohol orders (whether online, completed by the customer on paper, via the phone or verbally face to face) will contain age verification, whereby the customer will be asked to confirm that they are over 18 and a tick box must be marked to confirm this.

(c) All deliveries of alcohol must be made by a person over the age of 18 years

(d) Alcohol shall not be delivered to anywhere other than a recognisable permanent business or residential address.

(e) In the event that there is no one to accept delivery, alcohol shall not be left on the doorstep or any other place. It can however be left securely with a neighbour as long as they are over 18.

(f) Each and every delivery must be signed for and the person delivering the alcohol must request appropriate photographic ID from the recipient if that person is believed to be under 25 years of age. If no such ID is produced the alcohol will not be delivered.

(g) Delivery staff must be trained in delivery of alcohol and challenge 25 prior to commencing deliveries.

Kind regards

Ben

Ben Deacon

Sussex Police Licensing Officer for Wealden, Hastings & Rother District

Neighbourhood Policing Team

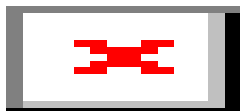
Battle Police Station | East Sussex

Telephone: 01273 404535 **Followed by ext:**565202

Mobile:07776117094

Email: EastSussex.Licensing@sussex.police.uk

Please note I only work Mon, Tues, Thurs & Fri



You can report crime and incidents online at

<https://www.sussex.police.uk/report-online>

We want to know your views - see what's new and give us your feedback and suggestions at www.sussex.police.uk

If you have received this message in error, please contact the sender as soon as possible - you may not copy it, or make use of any information contained in it for any purpose, or disclose its contents to any other person. Messages sent and received by Sussex Police are not private and may be the subject of monitoring.

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Although Eastbourne Borough and Lewes District Councils have taken steps to ensure that this e-mail and any attachments are virus free, we can take no responsibility if a virus is actually present and you are advised to ensure that the appropriate checks are made.

All written communications sent by and to Eastbourne Borough and Lewes District Councils are subject to the Freedom of Information Act 2000. You should therefore be aware that this email or the information contained in it may be disclosed without notice to a third party making a request for information about the subject matter of this email.

Please do not print this email unless you really need to.

Hi Jade please see rep below

-----Original Message-----

From: [REDACTED]
Sent: Friday, August 25, 2023 11:43 AM
To: licensing <licensing@lewes-eastbourne.gov.uk>
Subject: 34 35 LewesHigh Street BN7 2LU

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Application team,

I am writing to raise concerns about the proposal for live music and an alcohol license (for on and off premises sales) at 34/35 High Street Lewes.

This has been a stationary shop for many years so it is a huge change of use with obvious advantages to offering eating choices for those visiting Lewes for leisure but has significant implications for noise and nuisance for existing High Street residents.

I would like to register an objection to the late hours for music and for the service of alcohol, particularly on weekdays.

It is not obvious if you do not live here, that the noise transmission in this part of the high street is rather peculiar, amplified by the vertical space in a really unusual way. I have a house with 3 bedrooms that are street side and know that these changes will affect the quiet currently enjoyed in the working week. There would be inevitable disturbance during the hours set out in then application and also in the collection of bottles in the early hours, something that gets completely overlooked in all sorts of changes and recent development; from the rubbish collections for the houses set off the high street behind Lewes House and the move to large communal bins that service the houses in Broomans Lane.

The council waste collections tend to be at a more civilised time, albeit early, but commercial collections seem to be unregulated and can be very early indeed. Whatever time of day, large collection bins are tipped from a height, and bottles make a lot of noise.

I see from your guidance that;

'Deliveries of goods necessary for the operation of the business shall be carried at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents. The same applies to waste collections.'

I hope that the application will be amended or refused to give High Street residents some right to peace and quiet - especially on weekdays. We all pay council tax too.

I would welcome your thoughts.

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Re:

Licence request for LIR [REDACTED] for 34 High Street, Lewes on 31/8/23 (ref: Not listed on Premises License Register, Personal License Register nor on publicly displayed notices as of 21/8/23)

Licence request made by [REDACTED] for 34 High Street, Lewes on 7/8/23 (ref: WK/202304660)

Licence request made by Hugo Arnold for 34 High Street, Lewes on 9/8/23 (ref: Not listed on Premises License Register, Personal License Register nor on publicly displayed notices as of 21/8/23)

We, the undersigned residents and leaseholders of 34-35 High Street, Lewes object in the strongest terms to the licence applications pertaining to the commercial premises at 34 High Street, Lewes. Moreover, it is our contention that the reasons outlined below, and the historic status of the building, provide sufficient grounds for the granting of a 'special status' for the building to protect it against future planning/ licensing applications that incur the same objections outlined below. Namely, a commercial use involving the sale of alcohol and/ or food or the playing of live/ recorded music.

The building is a Grade II listed building that dates to the 16th century and has a significant historical and architectural value. In the last 300 years, 34 High Street has been a public library, a printers and a stationers. To grant a licence to this iconic building would represent a radical change of use that is inconsistent with the nature and character of the building. It should be preserved and respected as part of Lewes' heritage and character. It is our sincere hope that the licensing committee takes into consideration that the objections to licensing consent are being raised by residents/ leaseholders already living in, and directly affected by, the request and afford our objections additional weight as a result.

Representations are made on the following grounds: the prevention of crime and disorder; public safety; the prevention of public nuisance.

Prevention of Public Nuisance:

- The proposed hours of business of 9am-11pm Monday-Sunday will create an almost permanent state of noise pollution.
- In addition to the noise generated during the proposed business hours there will be additional noise created by staff preparing for the day's business and after opening hours. An 11pm cessation of sale will mean that customers will be dispersing and staff will be conducting the noisy removal of glass waste between 11pm- midnight seven days a week.
- That the increased risk of anti-social behaviour constitutes a public nuisance.
- That the increased refuse and waste from licensed premises on the high street with no rear access constitutes a public nuisance.

The Prevention of Crime and Disorder:

- The sale of alcohol, especially over the extended time period proposed, will generate anti-social behaviour and/ or violent crime particularly in Walwers Lane.
- That the sale of alcohol, its incumbent effects and the increased night-time human traffic will generate an increased risk of burglary and damage to the buildings in the surrounding areas.
- That existing leaseholders within the property who fall under the protected characteristics of the Equality Act 2010 are fearful of potential harassment from intoxicated customers as they leave and re-enter the property, particularly in the dimly lit area of Walwers Lane.

Public Safety

- That the proposed licence will create an almost perpetual noise pollution 16 hours a day, 7 days a week and that this constitutes a public health and safety risk to the physical and mental well-being of residents in the surrounding area..
- That the increased commercial waste will attract pests and generate a threat to public health and safety.
- That the proposed use of the commercial property presents an increased fire risk, especially given the age of the building. Additionally, granting this licence represents a significant change of use for the commercial premises and offers the potential for its use as a food establishment with a further increase in the fire risk.
- The sale of alcohol, especially over the extended time period proposed, will generate anti-social behaviour particularly in Walwers Lane.

We ask that our representations are considered in light of the following aspects of the 'Statement of Licencing Policy 2022-2027, Licensing Act 2003':

That the Council will have regard to the provisions of the Human Rights Act 1998 and, in particular, Article 6 (right to a fair and public hearing); Article 8 (right to respect for home, private and family life) and Article 1 of the First Protocol (right to peaceful enjoyment of property and possessions). (p4) and 5.2.5 In each case that arises following objections/representations the Council will: • consider the potential for public nuisance, crime and disorder and/or danger to public safety associated with the style, characteristics and activities of the business involved and the rights of residents to peace and quiet (p9)

- Each of the points raised above will adversely affect the residents of Flats 1-10, 34-35 High Street and should also be considered a statutory nuisance.
- That the impact of the noise and anti-social behaviour risk is prejudicial to the health of residents in Flats 1-10, 34-35 High Street.
- A number of the residents of Flats 1-10, 34-35 High Street, Lewes work from home and there are legitimate concerns about the impact of noise from the commercial premises impacting their ability to conduct their business.
- When the original conversion of the flats was undertaken the internal walls were created using studwork and plasterboard of 6mm thickness. The external walls were created with a timber framed construction with thicknesses of 120mm. This means that the flats are

more susceptible to noise pollution than would be the case for properties that meet modern building standards.

- That the operation of a licenced premises at 34 High Street will negatively affect the leaseholders and create a situation which is prejudicial to their mental health by increasing the precarity of their financial situation. Specifically that:
 1. Mortgage lenders are reluctant to offer mortgages above commercial properties. They factor in the use of the commercial premises and consider establishments selling food and/ or alcohol, venues with late opening hours, venues playing live and/ or recorded music and gambling establishments to be particularly high risk.
 2. In light of the 'current cost of living crisis' and Increased mortgage rates there is deep concern among the first time buyers who recently purchased their leaseholds that they will struggle to find, and afford, a new mortgage when their current rate comes to an end. The granting of a licence on the commercial premises will have a direct negative impact on this because it will limit the choice of available lenders and rates offered.

That the Council will have due regard to its Equality Duty under the Equality Act 2010 to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations between people who share a protected characteristic and people who do not share it. (p4)

- That existing leaseholders within the property who fall under the protected characteristics of the Equality Act 2010 are fearful of potential harassment from intoxicated customers as they leave and re-enter the property, particularly in the dimly lit area of Walwers Lane.

5.1.2 The question of need for an additional licensed facility whether pub, club etc. is not covered by this policy but will be a matter for planning policies and strategies and for the area/district as a whole and 6.3.7 The grant of a premises licence shall not be regarded as an indication that planning permission or building regulations approval has been (or will in the future be) granted. A separate application for planning consent, change of use and/or building regulations approval must always be made. Ideally, planning consent should be obtained before a licensing application is submitted.

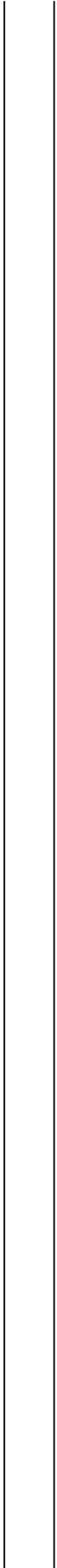
- Development of 34 High Street was carried out prior to request for planning permission and local residents have not been afforded their right to comment object to plans for development.
- The request for a licence represents a significant change of use.

6.7.2 The Lewes District Council area has full newspaper coverage by the Sussex Express. The Licensing Authority considers that as a newspaper covers the entirety of the district, such adverts will be placed with this publication. It will not accept adverts placed in any other publication. (p16)

- Notice was posted for the application made on 9/8/23 (notice published 18/8/23) and 31/7/23 (notice published 4/8/23) but no notice was published for the licence application dated 7/8/23.
- All three notices for licence applications were posted without reference numbers.
- A number of successive licence notifications were posted in the window of 34 High Street with each being removed within a week and replaced by amended notices. It is our contention that the applications of 31/7/23 and 7/8/23 were inappropriately advertised and should be dismissed as a result.

We urge the licensing committee to consider our objections and reject this application. We also ask that the visits to the property are conducted by both the planning and environmental health departments to assess the impact of the proposal on our living conditions and the historic character of the building.

Thank you for your consideration.



Name	Flat	Leaseholder/ Tenant?	Contact Email/ Number	Signed	Date
			_____		21/08/23
			_____	_____	21/08/23
					21/08/23
			_____		21/08/23
			_____		21/08/23
			_____		22/08/23
					23/08/23
					23/08/23

https://www.industrydocuments.ucsf.edu/docs/0732

FLAT LEASEHOLDER/ TRACT CONTRACT E-MAIL/NUMBER DOTS

Clipboard is more applicable to 24-31 High Street, Lower - Orange Box

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Licence request made by Hugo Arnold for 34 High Street, Lewes on 7/8/23 (ref: WK/202304660)

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