



Licensing Act Sub-Committee - Record of Hearing held on Monday 2 April 2007 at 6.00pm

MEMBERS: Councillor HERBERT (Chairman); Councillors Mrs GOODALL and WALLIS.

1 Declarations of Interest.

None were received.

2 Application for Variation of Premises Licence – The Pubb, Mountfield Road.

The Chairman introduced members and officers present and detailed the procedure to be followed at the meeting. The Licensing Officer outlined the report detailing the application for a variation of a premises licence in respect of The Pubb, Mountfield Road. The variation sought the extension of the current operating hours for sale of alcohol and regulated entertainment on Fridays and Saturdays.

Representations in support of the application were made by Mr A Cowling and Mr J Game. Letters had been sent to the objectors with an invitation to meet Mr Game and discuss residents' concerns. No representations had been made by responsible authorities and the premises had soundproofing, a ventilation system and noise limiter and employed SIA registered door supervisors on Friday and Saturday nights.

The owner of The Pubb, Mr Game, had undertaken a noise assessment over a weekend period, the findings of which had been submitted to the Sub-Committee and local residents. Three local residents living in close proximity to the premises had provided written statements which stated that they had not experienced noise or associated problems from The Pubb.

Written representations had been received from two local residents as detailed in the Licensing Manager's report.

Mr A Clark addressed the Sub-Committee and referred to on-going problems suffered by residents in the area from late night disturbances and anti social behaviour, although it was acknowledged that the problems could not be directly attributable to The Pubb. He had met with Mr Game and appreciated the opportunity to discuss residents' concerns. If the application were granted he requested that sufficient safeguards be put in place to control disturbances.

Mr Game reported that the police provided patrols during weekends as a result of problems caused by young people congregating and drinking in the area and when called their response time was excellent.

The Sub-Committee acknowledged and took into account the letter of representation submitted from the interested party who was not present at the hearing. The Sub-Committee then retired to consider and determine the application having regard to the representation submitted and the further

evidence presented at the meeting, the four licensing objectives and the Council's Statement of Licensing Policy. Having taken into account all the relevant considerations the Sub-Committee reconvened and announced the decision as follows.

RESOLVED: That the variation application in respect of The Pabb, Mountfield Road be granted as set out in the attached appendix.

The meeting closed at 7.20 p.m.

**S Herbert
Chairman**

Eastbourne Borough Council

Decision Notice

Licensing Act Sub-Committee held on Monday 2 April 2007

- Applicant: Punch Taverns Plc
- Premises: The Pubb
Mountfield Road
Eastbourne
BN22 9BS
- Reasons for Hearing: Relevant representations received from interested parties under the crime and disorder and public nuisance objectives.
- Parties in attendance: For the applicant - Mr A Cowling (Business Relationship Manager) and Mr J Game (Designated Premises Supervisor).
Interested Parties – Mr A Clark
- Decision made: To grant the variation of the Premises Licence as follows:

Standard hours:

Sale of Alcohol: (on & off the premises)

Friday & Saturday 09.00 – 03.00 hours

Regulated Entertainment:

Live & recorded music/provision of facilities for dancing and for entertainment of a similar description:

Friday & Saturday 09.00 – 03.00 hours

Open to the Public:

Friday & Saturday 09.00 – 03.30 hours

Subject to the following conditions (in addition to applicable mandatory conditions prescribed by section 19 of the Licensing Act 2003):

- i) All windows and doors shall be kept shut, except for the purposes of access and egress during operating hours whenever live or recorded music is played.
- ii) The Security Industry Authority registered Door Supervisor(s) shall assist in minimising noise from customers and managing customers entering and leaving the premises and those remaining in the vicinity of the premises on Fridays and Saturdays from 9.00pm until the premises is closed.

- Reasons for Decision: The Sub-Committee has granted the application for a variation of the Premises Licence subject to the conditions and hours specified having given due weight to the evidence placed

before it, as well as the regulations and guidance under the Licensing Act 2003 and the licensing objectives.

The Sub-Committee acknowledged the concerns of local residents but were reassured by the steps taken by the applicant to resolve the issues raised.

Date of Decision: 2 April 2007

Date decision notice issued: 13 April 2007

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 S.181 and Schedule 5 of the Licensing Act 2003, there is a right of appeal against the decision of the Licensing Sub-Committee, should you be aggrieved at the outcome.

This right of appeal extends to the applicant in the case of refusal or restrictions on the licence, or the imposition of conditions to the licence. The right of appeal also extends to persons who have made representations where the licence has been granted, or that relevant conditions have not been imposed on the licence.

Full details of all the rights of appeal can be found within Schedule 5 of the Act. If parties wish to appeal against the Sub-Committee's decision, this must be made to the Magistrates Court, Old Orchard Road, Eastbourne, BN21 1DB within 21 days of receipt of this decision notice.