

**Minutes of a meeting of Mid Sussex District Council Liquor Licensing Panel
held on Friday, 15th September, 2023
from 10.00 am**

Present: Councillors: L Farren
J Mockford
C Wood

Officers in attendance: Nathan Mountney, Solicitor to the Council
Jon Bryant, Senior Licensing Officer
Lucy Corrie, Assistant Director Communities,
Alison Hammond, Democratic Services Officer

Also in attendance: Trevor Stenning, Licence Holder,
Ian Rispin, Chairman of the Social Club
Marianne Butler – Interested Party
Mandy Cuss – Interested Party
Nicolas Bennett – Senior Environmental Health Officer
Lucinda Joyce, Senior Democratic Services Officer
Ellen Fisher, Democratic Services Officer
Terry Stanley, Head of Democratic Services

The panel and officers were introduced to the applicants and Responsible Authority.

LS.1 TO RECEIVE APOLOGIES FOR ABSENCE.

None.

LS.2 TO RECEIVE DECLARATIONS OF INTERESTS FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

None.

LS.3 TO BE AGREED BY GENERAL AFFIRMATION THE MINUTES OF THE PREVIOUS MEETING HELD ON 8 AUGUST 2023.

The Solicitor confirmed that the minutes of the meeting held on 8 August 2023 were a correct record. The Panel agreed and the minutes were signed by the Chairman.

LS.4 APPLICATION TO VARY A PREMISES LICENCE - LICENSING ACT 2003.

Introduction and outline of the report

Jon Bryant, Senior Licensing Officer introduced the report to determine an application to vary a Premises Licence.

He noted that an application, pursuant to Section 34 of the Licensing Act 2003, has been made by Mr Trevor Stenning on behalf Handcross Social Club to vary a Premises Licence at Handcross Social Club, High Street, Handcross, West Sussex RH17 6BJ. Representations against the application have been made by a Responsible Authority, the Environmental Protection Team at Mid Sussex District Council (MSDC), and five Interested Parties on the grounds of Prevention of Crime

and Disorder, Prevention of Public Nuisance, Promotion of Public Safety and the Protection of Children from harm.

The substance of the variation application is to amend the name of the site, remove two current licence conditions and extend the times for the Performance of Live Music, the times for the Performance of Recorded Music, the times for the sale by retail of alcohol and the opening hours.

The Panel was asked to determine the application in accordance with the Licensing Act 2003, MSDC Licensing Policy and the Home Office Guidance issued under Section 182 of the Licensing Act 2003, whilst having due regard to the applicant's submissions and relevant representations.

Handcross Social Club operate from premises off the High Street, Handcross and are the holders of a Premises Licence issued under Licence number PWA0361. The Licence has been issued since 5th August 2009. Prior to this time the Club was licensed under a Club Premises Certificate which was previously revoked.

The report sets out the activities which the Social Club are licenced for including the licensable activity and timings, with further non standards timings related to Christmas and New Year. The report also sets out the alcohol sale times and a number of mandatory conditions.

He noted that the application before the Panel is to change the name of the site from Handcross Social Club to Handcross Club, to remove two existing conditions and to amend the times for the existing licensable activities and the current opening hours.

The applied for variations to the current licence are detailed below:

- a) Amend name of site as follows:
Delete 'Handcross Social Club '
Replace with 'Handcross Club'
- b) Amend timings for Live Music
Tuesday – Thursday 11:00 – 00:30
Friday – Saturday 19:00 – 00:30
- c) Amend timings for Recorded Music
Everyday 11:00 – 00:30
- d) Amend timings for Performance of Dance
Everyday 11:00 – 00:30
- e) Amend timings Sale by retail of alcohol
Monday to Saturday 11:00 – 00:30
Sunday 12:00 – 00:00
- f) Amend Opening Hours
Monday to Saturday 11:00 – 01:00
Sunday 12:00 – 00:00

The application wishes to remove the following conditions:

Existing Club Rules to remain in force. The Officer highlighted that the Club used to be licenced under a club licence and this condition rolled over from that time.

The premises shall be closed and cleared of customers by 23:30 hours, Monday - Saturday and 23:00 hours on Sundays.

It should be noted by the Panel that the application also requested the removal of the condition stating Customers who go outside to smoke shall not be permitted to take drinks outside. This amendment has been withdrawn by the applicant during the consultation period and is not under consideration.

The application is appended to this report at Appendix 1 with the current premises licence at Appendix 2. The site plan, pictures of the premises, and the Premises Licence plan are at Appendix 3.

Representations have been received from a Responsible Authority, the Environmental Protection Team at MSDC, and five members of public, referred to as an Interested Parties within the Act. These representations have been made regarding all of the Licensing Objectives.

Representations made by the Police to some of the amendments to the current licence conditions have been resolved during the consultation period. If the Panel decides to grant the licence variation, either in full or part, the Officer requested that in addition to any other conditions felt necessary and proportionate by the Panel the amended and additional conditions agreed between the Police and applicant be attached to the varied licence.

Full details of these conditions are attached in Appendix 4.

The application was advertised at the site between 18th July 2023 to 28th August 2023 and published in the local newspaper on 3rd August 2023.

The Officer noted that the Environmental Protection Team make representations in respect of the Licensing Objective of the Prevention of a Public Nuisance. Mr Bennett is in attendance to provide further detail and answer any questions.

The Environmental Protection Team state that they have no objection to the principle of varying the hours but have serious concerns regarding the actual hours applied for and make the following comments:

“Representations from residents have been received, raising issues including loud talking, laughing and socialising as concerns, particularly if late at night, as well as possible ASB. We know, from having dealt with numerous complaints of this type of noise, that it can be very intrusive, causing annoyance and anxiety and is likely to disturb sleep if at night. It is established that alcohol consumption reduces inhibition, and often leads to louder voices and more boisterous social interaction. Nonetheless, we want to support local businesses where possible and it should be noted that I can find no record of previous noise complaints on the EP database. I understand that there has been one complaint to our Licensing team regarding noise, in April 2023. The club denied that it was their customers that were responsible.

Balancing the rights of neighbours to a reasonable level of peace and quiet, as well as the right to a good night's sleep, against the social and economic benefits of licensed premises is often a complex task, one where both sides are rarely satisfied and often neither are.”

With regard to the specific changes, they set out a number of proposals which were sent out to the applicants and he will allow Mr Bennett to comment on these in due course.

The Environmental Protection Team did propose that if the Handcross Club amended the application so that the times for licensable activities between Sunday and Thursday remained as on the existing licence, and the times for licensable activities on Friday, Saturday and any Sunday followed by a bank holiday Monday were amended to recorded music until 00.30 hrs, sale of alcohol until 00.00 hrs and opening until 00.30 hrs, they would be able to resolve and withdraw their representation. This proposal was not accepted.

With regards to Interested Party Representations the Officer noted that three are not present and therefore their representations will be read out in full. There is however no opportunity to ask questions on these representations.

Gail Boustead has made representations on the grounds of the Prevention of a Public Nuisance. These are attached at Appendix 6. The representation states:

“My property backs on to Handcross Club and I have concerns about the noise that may be generated by the extended hours being requested Monday to Friday and on Sunday. I feel they should keep to "normal" licencing hours of 11am to 11pm certainly on Mondays through to Thursdays and on Sundays. I would be accepting of extended hours on a Friday and Saturday but not during the week. My bedroom is to the rear of the property and I am aware of any noise coming from the Club late at night. I do not feel there is a call for such hours in the village at the moment. I do not understand how they feel the need to make such an application when the hours they are currently open for are limited to normally on a Friday evening, a couple of hours mid-day on Saturday and Sundays and Saturday night; they might be open on other nights during the week but I don't think it is every night. Basically, my objection is on the grounds of possible excessive noise on leaving late at night.”

The Officer confirmed that the Police Conditions were forwarded to Ms Boustead. She replied that she had no objections to the Police conditions but still objected to the extended hours between Monday and Thursday.

Elizabeth Scott has made representations on the grounds of the Prevention of a Public Nuisance. These are attached at Appendix 7.

The representation states that her rental property is next door to the club. She has lived at the property since April and during that time has twice had cause to complain to the club regarding noise of people outside the club making a noise smoking, talking and drinking until 1 or 2am. She states that she has also been sworn at when she has asked for the people outside to be quiet.

She states that with the extended hours she feels that she would not be able to get a decent night sleep due to the noise of people smoking and drinking outside late at night.

The Officer confirmed that the Police Conditions were forwarded to Ms Scott. She acknowledged receipt but stated that she was still confused on how noise levels will be addressed when the licensing hours may or may not be extended. She stated that she is affected more than most “...I as I am right next door to the club. People who smoke stare straight into my garden area. If the wind is in the right direction then I am breathing in their smoke which wafts into my space. Why they can't smoke further

way from the building I have no idea. I have never been able to have an early night Friday or Saturday night as the licensing hours as they stand mean my dogs will bark hearing people leaving. What it will be on extended hours, I dread to think. I suppose if I want an early night I will have to stay somewhere else at my own expense.”

In response to attendance at the panel she replied “Thank you for your email. Whatever the outcome may be I have decided to move as constant sleep disruption is not how I like to live. I hope whoever rents after myself will benefit from the complaints and a satisfactory result will be decided for all concerned.”

Marianne Butler has made representations under all four of the licensing objectives. These are attached at Appendix 8. The representation states in general:

“This licensed premises has residential houses very close to its perimeter walls on three sides. It has been a noisy site in the past, customers making a noise inside and outside and I have complained to the Council about this several times in the last few years. More recently since 21st April there have been two incidents of excessive noise at 1am and one at 2am which also involved foul language directed at a resident when they were asked to keep the noise down. It is concerning that they are seeking to vary their licence to sell alcohol and have live and recorded music until half past midnight every night apart from midnight on a Sunday. This will create noise in a quiet neighbourhood.”

The representation then addresses the application in relation to the application of the four licensing objectives. It states in detail that the measures outlined to promote the objectives within the application are confusing and do not address how they will be promoted.

It draws the Panel’s attention to the Mid Sussex District Council Licensing Policy in respect of granting permission for the use of outside areas beyond 23:00 hours and makes comment that there are no exceptional circumstances outlined within the application.

The Officer noted that he didn’t believe that the applicant intended to use the outside areas outside 23:00 but that the applicant could clarify this.

Continuing the representation, the Officer noted that in respect of the Prevention of a Public Nuisance the representation states:

“An increase in the times for Live and Recorded Music until half past midnight when the ambient noise levels in the neighbourhood are very low has the very real potential to cause a public nuisance. This is especially highlighted here as the applicants have not addressed how they intend to prevent a Public Nuisance from taking place let alone preventing noise escape from the site.”

The representation concludes with the following:

“This application seeks to allow the premises, subject of a number of complaints about it and it’s customers behaviour, an extra 90 minutes (60 on Sundays) for the sale of Alcohol and provision of entertainment by Live and Recorded Music. The application is poorly drafted, confusing and does not offer any detail to indicate how the owners will promote the Licensing Objectives should the variation be granted.”

The representation asks that the Panel do not allow the applicant to extend their opening hours and that the Panel ensures they comply with their current licensing

conditions as they have clearly not been doing so to date. The Officer noted that the representation in full is set out in the report at Appendix 8.

Michael and Sara Atkinson have made representations on the grounds of Prevention of a Public Nuisance and the Prevention of Crime and Disorder. These representations are attached at Appendix 9.

They state that the club is at the bottom of their garden and that over the past few years the club has been well run and hasn't caused them any nuisance or cause to complain.

They are concerned about the extension of the licence to allow activities into the early morning. In particular they state:

"As mentioned above, the club has been run well over the last few years and is a good village community amenity, whereas a few years ago when, presumably, it had a late licence, there were numerous problems with noise at late hours and, often, the police had to attend because of public disorder when people were exiting the premises.

It would be a great shame to see the club transformed from a valuable village/local asset to a late night drinking venue/late night music venue probably attracting customers from a greater catchment area.

We consider that we are close enough to the club to be severely disturbed if the licence is changed and therefore wish to lodge an objection, but we do wish to be able to continue to support the club in its current format, which we consider to be appropriate for its present setting in the middle of a number of private houses."

Mandy Cuss has made representations under all four of the licensing objectives. These are attached at Appendix 10. She has asked Marianne Butler to speak on her behalf. The representation states:

"With regard to the application for variation of licensing of the Handcross social club, please know that I object on all fronts. I have a family of five with three teenagers; we have lived right next door to the premises for nine years. There have been many occasions over the years in which we've been disturbed throughout the evenings and well into the wee hours of the morning with loud people, fighting, drunken behaviour and cars revving.

Handcross is a small village. My husband was born here. We moved here with our Children to provide a safe and wholesome environment in which to grow up. Our neighbourhood houses 16 children under the age of 18. Listening to drunk people fight and carry on whilst smoking and partying outside their bedroom windows late at night all week goes against this and is incredibly disruptive to the resting and sleeping patterns of children and adults alike.

Why does a small village need a social club seven days a week into late hours for drinking, essentially a bar-type environment? It's essentially an application for a nightclub in a small, quiet village. We value the contributions a club can add to a community, but this variation goes against the well-being of the community with the addition of increased alcohol consumption and loud music, general disorder and increased likelihood of disruption to residents."

In respect of the Determination of Application for the Variation of a Premises Licence the Panel must determine the application in accordance with the Licensing Act 2003

(LA03), MSDC Licensing Policy and the Home Office Guidance issued under Section 182 Licensing Act 2003, whilst having due regard to the applicant's submissions, relevant representations, and the Hearing Procedure under which the panel operates.

The Officer noted that the report sets out sections 34 and 35 of the Licensing act which relate to variation of licences and the Solicitor can answer any questions on this area.

Relevant Representations

The Officer confirmed that the Licensing Act 2003 requires representations to address the four Licensing Objectives which are:

1. Prevention of Crime and Disorder
2. Promotion of Public Safety
3. Prevention of Public Nuisance
4. Prevention of Harm to children and young persons

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).

In report is detailed some of the Guidance Issued Under Section 182 of the Licensing Act 2003: pertinent to this application.

Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant, the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious. Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. The report provides an example of one that is relevant and one that is not. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives.

For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

He noted that the current premises licence is not under review. The Panel should be concerned with the application and not the licence as it stands at the moment.

It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival

businesses or businesses and neighbours. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

Guidance goes on to state that It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. In this case the Environmental Protection Team are the Panel's main source of advice in respect of the prevention of a public nuisance.

Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

As a matter of practice, the panel should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- Guidance issued under Section 182 Licensing Act 2003;
- its own statement of licensing policy.

The Officer noted that the report sets out the relevant parts of the policy, and he detailed the appendices which are included.

Questions to the Senior Licensing Officer

There were no questions to the Senior Licencing Officer.

Licence Holder

Mr Stenning confirmed that the application is for an extended licence. The reason being that at 23:00 quite a few regulars are still in the Club so he believes it is only right to extend the hours. He stated that they aren't intending to stay open after 00:00hrs but the reason they are asking to stay longer is that if people object to them being open longer then they have the situation in hand (i.e. they are closing at 00:00, not staying open until 01:00, which is just for their own protection.)

Mr Rispin detailed the clubs which run on specific evenings and confirmed that the club is open every evening. He felt that the Interested Party couldn't tell when they were open as they are so quiet. He noted that on several occasions the darts tournament has overrun and at the most recent one the club had to scrap the game and forfeit the match because they couldn't go on later than 23:30. He noted that they don't require the later licence for use every night, but that it is better to have it and not need it, than need it and not have it. He referenced other examples of charity events that had overrun, noting one example where it was the cleaner who was still there, not that they were selling drinks. He confirmed that the intention is not to break any laws and that they want to avoid people complaining if events overrun. He also noted that none of the Interested parties had approached them prior to this meeting.

Questions to the Licence Holder

Ms Butler asked how many events they were anticipating holding annually. Mr Rispin confirmed 5-6 Karaoke sessions, 2 race nights and potentially other events as people hire the club for weddings and birthdays, for which he currently applies for a late licence. He would be guessing as to the numbers this may represent.

Ms Butler sought clarification if this would be more than 21 events per year and asked if Mr Rispin had read the Mid Sussex District Council Alcohol Licencing Policy. Mr Rispin confirmed that he had many years ago but "cannot remember a single word of it."

The Panel asked how easy it is to get a temporary events license for a special event, to which Mr Rispin replied 'a week to 2 weeks, £22 per application if you know the event is coming up.' Mr Stenning also responded that the last time they applied for a late licence was 3 years ago. He felt that the reference to 21 events per year was irrelevant as they have one or two and they don't propose to have a late licence every day or month.

The Panel sought confirmation on where smokers congregate. Mr Rispin confirmed that for the past 40 years it has been just outside the front door, but that he was amenable to moving it around the side of the building. He also confirmed that he has given consideration to a covered area and could put a cover up if required. Mr Stenning reiterated that people could smoke on the patio area.

The Panel asked what guarantees could be given by the applicant that they wouldn't have late night drinking on a regular basis. Mr Rispin responded by giving examples of other licenced premises and confirmed that the Club just require the extension of hours as a failsafe as things sometimes overrun. He confirmed that he is keen to keep the Club open to help the community, citing fundraising events and potentially a new children's club to provide things in the village as everything is closing down. Mr Stenning reiterated that the later hours is to cover them should anything overrun and the intention is not to have late night drinking, noting that 'we want to have a nice club where regulars come for a drink and go home. Midnight will be everyone's last drinks, out by half past 12.'

The Panel asked if the Parish Council had received any complaints, noting it was referenced in the Interested Party representations. Mr Stenning stated that as far as he was aware they had not.

Nicholas Bennett, Senior Environmental Health Officer

The Environmental Health Officer wished to expand on the representation in the report as it is the team's opinion that the application doesn't adequately address prevention of public nuisance by way of noise and if granted, a public nuisance would be caused. He noted that guidance from the Government and the Council's policy suggest operational schedules should be precise and clear. The Council's Licensing policy also provides guidance on measures to avoid a public nuisance and it would appear from application that applicant hasn't followed it. He noted that the team have don't have objection to varying hours, but they do object to the hours applied for and he detailed the location of the nearby residents in relation to varying ambient and traffic noise experienced during daytime and night-time hours.

He confirmed that he was not aware of the club having additional noise mitigation measures installed and none were proposed, so there is potential for noise to escape after 23:00 which could contribute to disturbance and increased stress. As a council he clarified that the wish to support local businesses but also the need to support licencing objectives.

With regards to live music until 00:30, he confirmed a strong objection as live music is louder than recorded and the volume harder to control. Given the proximity to houses, it is not acceptable on any day. With regards to the sale of alcohol he raised an objection to the hours as people will use outside areas and will leave in a state of refreshment, causing noise. With regards to the change for recorded music to 00:30 he raised no objection in principle but it would need to match the opening hours.

He acknowledged that those who choose to live near licenced premises must accept some noise, but nonetheless there is a responsibility to have due regard to residential areas. On balance the current application isn't appropriate and acceptable and doesn't meet licencing objectives.

Questions to the Senior Environmental Health Officer

Mr Rispin asked what other noise reduction measures were possible, stating that they shut all doors and windows after 11pm. The Officer confirmed that for typical live music premises the Council expects to see a double door system, additional insulation and additional ventilation so that windows can be shut.

Mr Rispin confirmed the measures they have in place and that the music is predominantly the radio, asking if that would be intrusive for an extra hour per night. The Officer confirmed that live music was the main issue and reiterated no objection to the recorded music providing it matches the opening hours. He noted that the application was for more than they need and that the response had to be based on what was applied for.

The Senior Licensing Officer invited the applicant to be specific on what they are applying for so that the Panel can consider the representations and see if the applicants would like to amend the hours to reflect what they set out in their presentation.

The Panel agreed an adjournment at 10:55 for the Applicants to discuss their proposal. The Panel reconvened at 11:04 and the Senior Licensing Officer confirmed the Applicants proposed amendments. In respect of live music between Monday to Thursday the hours are to stay as per the current licence. For Friday and Saturday the live music hours remain as per the application. The recorded music hours are as

per the application. The hours for performance of dance on Friday and Saturday are as per application, otherwise as per current licence for other days.

The Environmental Health Officer responded to confirm that the initial objection has not changed. He acknowledged that the applicant has asked what noise reduction measures can be put in place and referenced guidance that provided more detail. He suggested that without knowing the acoustic properties of the building, the protection to the residents wouldn't be adequate. A proposed way forward would be for the applicant to keep to 2300 or submit a new application with an acoustic report so that a fair assessment can be made to see if the hours are reasonable.

Interested Parties

Ms Butler confirmed that nothing said at the meeting has changed the views expressed in her representation. In expanding on the representation, she noted that the applicant only wanted the extended hours to cover a few events, however they have applied for 365 days to extend the sale of alcohol and late closing. They have also confirmed they are aware of a temporary events notice. She commented that the applicant appears to have not applied section 9 of the licensing policy. She references when the premises had the club certificate withdrawn in 2009 and in 2020 when the club was served with a prohibition notice and the applicant claimed they were giving beer away. She noted that other premises had their licences revoked for such a prohibition notice. It was her opinion that these incidents show that the applicant plays scant regard to the rules. She noted the Police conditions but was disappointed that they didn't refer to the opening hours. She was pleased with the submission from the Environmental Protection Team including the amendment for no live music after 23:00.

Should the Panel decide to grant the variation she requested that it includes the following additional conditions:

- A Noise Management Plan submitted every year for agreement by the Environmental Protection Team before anything can take place after 23:00. This should include noise levels at specified residences.
- A contact number for the premises and the name of the person responsible.
- A maximum of 2 events per month, Friday and Saturday (not consecutive) only. (Referring to loud parties not regular darts events.)
- Close at midnight.
- Sale of alcohol and recorded music only
- All events pre booked or prearranged and documented in a record available to the responsible authority on demand.

Questions to the Interested Parties

The Applicant had no questions but did respond to the comment on the prohibition notice acknowledging that it related to providing drinks to two people in the club and was a misunderstanding where they unintentionally broke the law.

The solicitor reiterated the conditions expressed by Ms Butler.

Licence Holder – Summary

Mr Stenning confirmed that the application is in order for them to stay open a little longer where they need to. They are not asking to have music every night and

haven't had a late licence application for the last 3 or 4 years. He reiterated that the Club will not be open late every night, it is just a place for people to come and have a drink and then go home.

The Solicitor outlined the next steps. If the Panel is unable to come to a decision today, it will be communicated to various parties within 5 working days. They may come back with a decision but not reasons, however these will be made clear. Any appeal of the decision is to be within 21 days at Brighton Magistrates Court and reference should be made to the paperwork if necessary.

The Panel retired to consider the application and representations at 11:19 and returned to the Chamber at 11:51.

The Chairman noted that after much deliberation the Panel is happy with the change of name. Given location is in a residential area the Panel feels that no exceptional circumstances have been provided to change the time for live music, recorded music, the performance of dance or sale of alcohol by retail.

However the Panel is happy to agree extension of opening hours to be longer. Monday to Saturday 11:00 to 23.30 and Sunday 12:00 to 23:00pm.

The conditions from the Police at Appendix 4 should be added. Detailed reasons will follow in writing and those changes will begin after 21 days once the appeal window has expired.

RESOLVED

The Panel agreed to:

- The change of name.
- No change to the time for live music, recorded music, the performance of dance or sale of alcohol by retail.
- An extension of opening hours to be Monday to Saturday 11:00 to 23.30 and Sunday 12:00 to 23:00.
- The addition of the conditions from Sussex Police.
- Detailed reasons to follow in writing with changes beginning after 21 days once the appeal window has expired.

The meeting finished at 11.53 am

Chairman