

**PREMISES:** Ebenezer's, 20 Norman Road, St. Leonards on Sea

**DATE OF HEARING:** 23 April 2018

**LICENSING SUB-COMMITTEE:** Councillors Patmore (Chair), Edwards, and Roberts with Councillor Sinden in reserve.

**REFUSE**

**We have listened carefully to all the submissions and we are bound to be directed by the promotion of the Licensing Objectives and Material Considerations of:**

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

On balance, the Sub-Committee DOES NOT ACCEPT the evidence provided in support of the application and therefore the application fails to satisfy the principal material considerations.

We **REFUSE** the application for the following reasons:

**The applicant has not met the legal test required. He needed to show within his operating schedule that the granting of his application would not undermine the Licensing objectives. He has failed to do so. Furthermore, he did not mention within his oral submission anything about Cumulative Impact. He did say that he understood the Council's Licensing Policy.**

**The Committee have no confidence that the applicant will uphold the Licensing Objectives.**

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

Signed Cllr.....**Patmore**.....Chair      Dated.... **23<sup>rd</sup> April 2018**.....

### **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 Committee if you are aggrieved at the outcome. This right of appeal extends to the applicant in the case of a 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 upon the licence. Full details of all the rights of appeal can be found within Schedule 5 of the Act.**

**Any appeal should be made to the Magistrates Court, Bohemia Road, Hastings within 21 days from the notification of the decision. You must contact the Magistrates Court to establish the formal procedure for the appeal.**

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