

27 April 2023 at 1.00 pm

Council Conference Room, Argyle Road, Sevenoaks

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Licensing Hearing

Membership:

Chairman, TBC;

Cllrs. Dr. Canet, Layland and Waterton

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Appointment of Chairman		
2. Declarations of interest		
3. LICENSING ACT 2003 VARIATION APPLICATION - Ephesus, 57-59 High Street, Sevenoaks, Kent TN13 1JF	(Pages 1 - 68)	Sue Lindsey Tel: 01732227491

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

Licensing Act 2003

- 1.1 Hearings shall be conducted in accordance with this Procedure Note which the Sub-Committee may vary at their discretion if considered in the public interest subject to The Licensing Act 2003 (Hearings) Regulations 2005.
- 1.2 The quorum for a Sub-Committee shall be two members.
- 1.3 At the commencement of each hearing the Sub-Committee shall elect one of its members as Chairman.
- 1.4 The order of business at hearings shall be:
 - (a) Election of Chairman.
 - (b) Declarations of interests.
 - (c) Chairman explains the procedure to be followed at the hearing, including the setting of equal time limits for all parties and the granting of adjournments.
 - (d) Chairman ascertains who is assisting or representing the parties.
 - (e) Officer presentation of report
 - (f) Applicant (or his/her representative) addresses the Sub-Committee.
 - (g) Applicant questioned by members. At the discretion of the Sub-Committee, other parties may be permitted to question the applicant.
 - (h) Any representatives of Public or Statutory Bodies who have made representations in respect of the application (or their representative) address the Sub-Committee. No issues other than those relevant to their representations may be raised.
 - (i) Members question each party at the conclusion of their address. At the discretion of the Sub-Committee, the applicant may be permitted to question other parties.
 - (j) Other persons who have made representations in respect of the application (or their representative) address the Sub-Committee. No issues other than those relevant to their representations may be raised.
 - (k) Members question each party at the conclusion of their address. At the discretion of the Sub-Committee, the applicant may be permitted to question other parties.
 - (l) Sub-Committee may offer the parties a short adjournment to discuss in the absence of the Sub-Committee whether a solution acceptable to all the parties can be put to the Sub-Committee.
 - (m) Applicant (or his/her representative) makes closing address.

- (n) Sub-Committee may grant a short adjournment. The parties may not speak to members regarding the application during adjournments.
- (o) The Sub-Committee considers the application and motions put to accept or reject the application in the terms requested or to grant the application subject to specified conditions. Reasons are to be given for motions.
- (p) The parties will usually be informed of the decision at the Hearing with a decision notice issued thereafter in accordance with Regulation 26 of the 2005 Regulation, along with details of any applicable appeals process.

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LICENSING ACT 2003 VARIATION APPLICATION - Ephesus, 57-59 High Street, Sevenoaks, Kent TN13 1JF

Licensing Sub Committee - Thursday 27 April 2023

Report of: Chief Officer Planning & Regulatory Services

Status: For Decision

Key Decision: No

Portfolio Holder: Cllr. McArthur

Contact Officer: Susan Lindsey, Ext. 7491

Recommendation to Licensing Sub-Committee:

The Sub Committee is asked to determine the variation application in accordance with the Licensing Act 2003 (as amended), Sevenoaks District Council Statement of Licensing Policy, and the Home Office Guidance issued per Section 182 of the Licensing Act 2003, whilst having due regard to the applicant's submissions and relevant representations.

Reason for recommendation:

A variation application has been received for a Premises Licence pursuant to Section 34 Licensing Act 2003. 2 representations have been made in relation to the application by responsible authorities (Planning & Environmental Protection), and 12 representations against the application have been made by local residents.

Introduction and Background

- 1 An application has been made to Sevenoaks District Council to vary a Premises Licence for Ephesus, 57-59 High Street, Sevenoaks, Kent TN13 1JF. The applicant is Mr Cihangir Surucu - **Appendix 1**
- 2 The nature of the proposed variation which is the subject of the variation application is to:
 - Extend the hours for the sale of alcohol (for consumption on the premises): Friday and Saturday from 11pm to 1.30am (the following morning)
 - Add the provision of recorded music and anything of a similar description (to cover amplified DJ music: indoors) : Friday and Saturday from 11pm to 01.30am (the following morning)

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Add the provision of late night refreshment (indoors):
Friday and Saturday from 11pm to 2am (the following morning)

- 3 The applicant agreed to the addition of 'recorded music' on this application (in addition to the provision of 'anything of a similar description to live music, recorded music, or performances of dance') in order to clarify the provision of amplified DJ music.
- 4 No additional steps have been proposed by the applicant to promote the licensing objectives, but they have stated within their application that they are open to suggestions from relevant authorities. No communication with regard to additional steps have been received from relevant authorities.
- 5 The applicant was required to advertise the variation application by placing an A4 pale blue sign at the premises, and also to advertise in a local newspaper to inform the public of the application.
- 6 A public consultation period took place between 10th March and 5th April 2023. Responsible Authorities (listed below at 2.2) were consulted as part of the process. The applicant conformed with all requirements in accordance with The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005
- 7 A copy of the current Premises Licence (ref 22/03351/LAPMV) with associated plans are at **Appendix 2**, and **Appendix 3**
- 8 A copy of the agreed Dispersal Policy (which forms part of the conditions of the Licence) is at **Appendix 4**
- 9 A further, more detailed site plan of the area surrounding the licensed premises is at **Appendix 5**.
- 10 Members attention is drawn to the fact that there is a condition on the premises licence inherited from the original Justices Licence with regard to regulated entertainment as follows:
- 11 *Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.*
- 12 This variation application has not requested the removal of this condition. This condition is 'suspended' between the hours of 8am and 11pm (due to de-regulation legislation), but it will be an enforceable condition after 11pm if the entertainment provided is done so under the authorisation of the Premises Licence.
- 13 Members attention is also drawn to the fact that in August 2019 planning was approved for a rear/side extension to the premises to facilitate further

customer space. This extension does not form part of the current Premises Licence Plans and this variation application does not seek to amend the current plans to include this area. Licensable activities cannot take place within this extension, although alcohol can be ‘consumed’ in this area. Any regulated entertainment applied for does not apply for this area, but this area does benefit from the live music de-regulation in relation to a workplace up to 11pm.

Background

- 14 Local Authority records go back as far as 2004 for this premises showing it was operating under a Justices Licence (under the Licensing Act 1964) in the name of ‘Spice Club’. This licence was converted under the transitional provisions of the Licensing Act 2003 which came into effect in November 2005. The hours of operation for the sale of alcohol under the authority of the Premises Licence have not changed since 2004 to date.
- 15 In September 2018 the Premises Licence was transferred to Mr Cihangir Surucu.
- 16 A variation application was approved in July 2019 to include the delivery off sales of alcohol for online sales orders (to accompany food).
- 17 Variation applications to extend licensing hours were submitted in June and December 2021 both of which were withdrawn prior to Sub Committee Hearings being held.
- 18 In July 2022 a review application was submitted by Licensing following an officer witnessing unauthorised licensable activities and the undermining of the prevention of crime and disorder objective. A Hearing was held in October 2022 which resulted in a period of suspension and additional conditions being added to the Premises Licence.
- 19 During the consultation period for the review application, a Minor Variation was submitted (in September 2022) to add a number of conditions to the Premises Licence in relation to CCTV, staff training, incident and refusals logs, a noise limiter and other noise related conditions. This minor variation was approved and the agreed conditions added to the premises licence.

Planning

- 20 The premises is currently the subject of the following Planning condition:

‘The hours of opening of the restaurant shall be restricted to 8.30am to 11pm from Monday to Saturday, and 12 noon to 10pm on Sundays and Public Holidays’

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- 21 The reason for this planning condition is ‘in the interests of the residential amenities of the area’
- 22 In February 2022 an application was submitted to extend planning hours Monday to Saturday until 1am, Sundays and Bank Holidays until midnight. This application was refused in April 2022 and this decision was subsequently appealed to the Planning Inspectorate. In March 2023 this appeal was dismissed by the Planning Inspectorate on the grounds of the effect the proposed extended opening hours will have on the living conditions of occupiers of nearby residential properties.

Temporary Event Notices

- 23 Since the outcome of the review hearing in October 2022, the premises have operated under 3 x Temporary Event Notices to cover the extended sale of alcohol, regulated entertainment and late night refreshment:
- From 17th December 2022 to operate until 1.30am on 18th December 2022
From 24th December 2022 to operate until 1.30am on 25th December 2022
From 31st December 2022 to operate until 1.30am on 2nd January 2023.
- 24 No objections to these temporary applications were received from either Environmental Protection or Kent Police, and Environmental Protection have notified licensing that no noise complaints were lodged during these Temporary Events.

Representations received from Responsible Authorities:

- 25 The following Statutory Bodies (described as Responsible Authorities by the Licensing Act 2003) were consulted about this application
- | | |
|-------------------------|--|
| Kent Police | Response received : no representation |
| Environmental Health | Representation received at Appendix 6 |
| Kent Fire | No comment made |
| Child Protection | No comment made |
| Trading Standards | No comment made |
| Health & Safety | No comment made |
| Planning | Representation received at Appendix 7 |
| Public Health | No comment made |
| Home Office Immigration | No comment made |

Representations received from others

- 26 Representations objecting to this application are considered valid and have been received from 12 local residents. A copy of these representations are at **Appendix 8 to Appendix 19.**

- 27 On the basis of the representations received, it is considered unlikely that this application will be successfully mediated before the Sub Committee Hearing.

Licensing Sub Committee Considerations

- 28 In determining the application with a view to promoting the licensing objectives, the Sub Committee must give appropriate weight to:

The steps that are appropriate to promote the licensing objectives
The representations presented by all parties
The Home Office Guidance issued under section 182 Licensing Act 2003
The Sevenoaks District Council Statement of Licensing Policy
Any other relevant legislation

- 29 The Licensing Act 2003 requires representations to address the four Licensing Objectives:

Prevention of crime and disorder
Public safety
Prevention of public nuisance
Protection of children from harm

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 the grant (ie. more probable than not).

- 30 Sevenoaks District Council has produced a Statement of Licensing Policy in order to comply with its duties and powers under the Licensing Act 2003. A link to this Policy is in the Background Papers section at the end of this report.

- 31 The aims of the Policy are:

To minimise nuisance and disturbance to the public through the licensing process
To help build a fair and prosperous society that properly balances the rights of people and their communities
To integrate its aims and objectives with other initiatives, policies plus strategies that will reduce crime and disorder, encourage tourism, encourage an early evening and night time economy which is viable, sustainable and socially responsible, reduce alcohol misuse, encourage employment, encourage the self-sufficiency of local communities, reduce the burden of unnecessary regulation on business, and encourage and promote, live music, dancing and theatre for the wider cultural benefit of communities generally.

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- 32 The Licensing Sub Committee should be mindful of requirements and responsibilities placed on 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 Equality Act 2010 and the Human rights Act 1998.
- 33 The Sub Committee is asked to note the procedures relating to this hearing which are contained within The Licensing Act 2003 (Hearing Regulations) 2005 (as amended). A link to these Regulations are in the Background Papers section at the end of this report.

Options

- 34 When considering this variation for a premises licence, the following options are available to the Sub Committee:
- Grant the variation in the same terms as it was applied for
 - Grant the variation, but modify the conditions as appropriate for the promotion of the licensing objectives.
 - Grant the variation, but modify the hours of licensable activity as appropriate for the promotion of the licensing objectives.
 - Reject the variation application.

Right of Appeal

- 35 Under Section 181 and Schedule 5 of the Licensing Act 2003, there is a right of appeal to the Magistrates Court in respect of variation applications to Premises Licences. This right of appeal is open to both the applicant and to any person who has made relevant representation. The appeal application must be made within 21 days of the written notification of the Sub Committee's decision.

Key Implications

Financial

A decision made by the Sub Committee may be appealed by any party to the proceedings of a Magistrates Court. Costs associated with this matter and incurred by any party, may in certain circumstances be awarded against the Council

Legal Implications and Risk Assessment Statement.

This Hearing is regulated by the Licensing Act 2003 (Hearings) Regulations 2005.

The decision is to be made with regard to the Licensing Act 2003, Secretary of State's Guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy. Where decision departs from the Policy or Guidance, the

departure must be directed solely at the attainment of the licensing objectives, and such departure must be supported by clear and cogent reasons.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment

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Appendices

- Appendix 1 - Application to vary a premises licence
- Appendix 2 - Current Premises Licence (22/03351/LAPMV)
- Appendix 3 - Current Plans associated with Premises Licence
- Appendix 4 - Dispersal Policy
- Appendix 5 - Plan of surrounding area
- Appendix 6 - Representation : Environmental Protection
- Appendix 7 - Representation : Planning
- Appendix 8 - Representation : C.Bumstead
- Appendix 9 - Representation : Murphy
- Appendix 10 - Representation : A.Bumstead
- Appendix 11 - Representation : Armitage
- Appendix 12 - Representation : Kostelnyk
- Appendix 13 - Representation : Li
- Appendix 14 - Representation : Wood & Gold
- Appendix 15 - Representation : Monk & Truong
- Appendix 16 - Representation : Man
- Appendix 17 - Representation : Hacker
- Appendix 18 - Representation : Ambrose
- Appendix 19 - Representation : Latter

Background Papers

[Licensing Act 2003](#)

[Revised Guidance issued under Section 182 Licensing Act 2003](#)

[Sevenoaks District Council Statement of Licensing Policy](#)

[The Licensing Act 2003 \(Hearings\) Regulation 2005](#)

Richard Morris
Chief Officer Planning & Regulatory Services



* required information

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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.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

Is the applicant's business registered outside the UK? Yes No

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

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

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Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

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

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

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Non-domestic rateable
value of premises (£)

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VARIATION

Do you want the proposed
variation to have effect as
soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

Yes No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. 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.

This application is to extend the hours on Friday and Saturday with additional licensable activity to play music with DJ. No other changes proposed.

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

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

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

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Continued from previous page...

MONDAY

Start

End

Start

End

Provide 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

Provide a description of the type of entertainment that will be provided.

DJ music

Will this entertainment take place indoors or outdoors or both?

- Indoors
 Outdoors
 Both

Where taking place in a building or other structure select 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.

Music will be amplified.

Continued from previous page...

State any seasonal variations for entertainment.

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

n/a

Non-standard timings. Where the premises will be used for entertainment at different times from those listed above, list below.

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

n/a

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Agenda Item 3

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select 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.

n/a

State any seasonal variations.

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

n/a

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

n/a

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Provide 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.

Start

End

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 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.

n/a

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Continued from previous page...

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

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

n/a

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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.

Provide 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.

N/a

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

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.

n/a

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

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

n/a

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

none

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Minor variation of the premises licence was granted on 3rd October 2022 but the Premise Licence is not received.

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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.

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Continued from previous page...

No further conditions offered as Premises Licence was added with number of conditions in last October 2022.

However the applicant is open to any suggestions from relevant authorities in relation to extension of hours on Friday and Saturday

b) The prevention of crime and disorder

none

c) Public safety

none

d) The prevention of public nuisance

none

e) The protection of children from harm

none

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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.

Agenda Item 3

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 18 of 18

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.

Variation 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 £8700	£315.00
Band D - £87001 to £12500	£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 your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise 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 (£)

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the

Continued from previous page...

* licensing act 2003, to make a false statement in or in connection with this application.

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/sevenoaks/change-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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="Ephesus"/>
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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PREMISES LICENCE



The Licensing Act 2003
Schedule 12, Part A

Premises Licence Number	22/03351/LAPMV
--------------------------------	----------------

Part 1 – Premises Details

Postal address of premises , or if none, ordnance survey map reference or description, including Post Town & Post Code	
Ephesus 57-59 High Street Sevenoaks Kent. TN13 1JF	
Telephone number	None supplied

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Sale or Supply of Alcohol

Times the licence authorises the carrying out of licensable activities	
Sale or Supply of Alcohol	
Monday to Saturday	10:00 - 00:00
Sunday	12:00 - 23:30

The opening hours of the premises	
Monday to Saturday	10:00 - 00:30
Sunday	12:00 - 00:00

The non-standard opening hours of the premises
Not applicable


Where the licence authorises supplies of alcohol whether these are on and / or off supplies
Alcohol is supplied for consumption both on and off the premises.

Agenda Item 3

Part 2

Name, (registered) address, telephone number and email address (where relevant) of holder of premises licence

Mr Cihangir Surucu


Email address 

Registered number of holder, for example company number, charity number (where applicable)

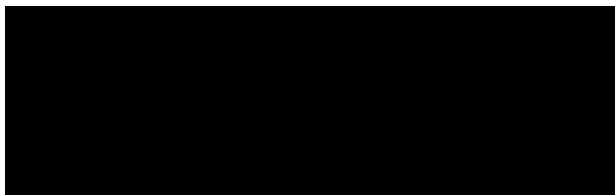
Registered Business Number Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Cihangir Surucu


Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number: LEW 5098
Licence Authority: London Borough Of Lewisham



Richard Morris
Chief Officer - Planning & Regulatory Services
Sevenoaks District Council

Licence Number: 22/03351/LAPMV
Issue Date: 11/11/2022

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Annex 1 – Mandatory conditions

The supply of alcohol

- Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:-

No supply of alcohol may be made under the premises licence -

- (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory conditions in force from 28 May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1-

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) "permitted price" is the price found by applying the formula— $P= D + (D \times V)$

where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

Agenda Item 3

4. - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Mandatory Conditions in force from 01 October 2014

1 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that—

Agenda Item 3

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

Annex 2 – Embedded conditions

Regulated Entertainment - (from original Justices Licence)

Unless otherwise specified on this licence no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.

Credit Sales (from original Justices Licence)

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- (a) with and for consumption at a meal supplied at the same time, is consumed with the meal and paid for together with the meal;
- (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- (c) to a canteen or mess

Annex 3 – Conditions consistent with the Operating Schedule

ID will be requested at the time of delivery, by the delivery driver or associated employee or third party, to confirm the age of the person accepting the alcohol and/or making the order.

1. The premises will have a working CCTV system installed. All public areas of the licensed premises, including all public entry and exit points and the area immediately in front of the premises will be covered.

The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with accurate date and time stamping.

A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the Police or a Licensing Authority Officer recordings immediately when requested.

CCTV data will be downloaded and provided upon request by either the Police and/or a Local Authority Officer and this will be provided within 3 working days of receipt of the request. Should the CCTV system break, Local Authority Licensing will be notified within 48 hours.

2. A staff member who is conversant with the operation of daily bar sales will be available at all times the premises is open to provide either Kent Police or a Local Authority Officer with a print-out of bar sales for the hours requested at the time of request.

Agenda Item 3

3. All staff will be trained in their roles and responsibilities under the Licensing Act 2003.

This will include

- a) Knowledge of the premises licensable hours
- b) Knowledge of the Designated Premises Supervisor (in particular who they are, how they can be contacted at any time, and what his/her responsibilities are)
- c) Knowledge of any conditions attached to the premises licence
- d) The four licensing objectives
- e) Underage Sales
- f) Proxy Sales
- g) The keeping and maintenance of a refusals log
- h) Recognising signs of drunkenness and vulnerability
- i) Actions to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services.
- j) Documented records of training completed shall be kept for each member of staff.
- k) Training shall be regularly refreshed at regular 6 monthly intervals. Training records shall be made available for inspection upon request by Kent Police or an authorised Local Authority Officer.

4. An incident report book will be kept on site and will be available for inspection by either Kent Police or a Local Authority Officer when requested. This book will contain information on all incidents at the premises and will include the date and time, staff names, a breakdown of each incident, and what remedial action was taken : if any.

5. A refusals register will be kept on site and will be available for inspection by either Kent Police or a Local Authority Officer when requested. This register will contain information on all refusals at the premises and will include the date and time, the product and reason for refusal, the name and signature of the staff member involved and any associated comments.

Conditions agreed with Environmental Health

1. Details of the noise limiter that will be used at the premises must be submitted to the Environmental Health Team for prior approval. The noise limiter must be set at a level in consultation with the Environmental Health Team and agreed by 30 November 2022 that ensures neighbours are not caused nuisance or significant loss of amenity at any time and is to be used to control noise from amplified music and sound at all times during regulated entertainment. In the event that noise complaints are received and substantiated by the District Council, the premises licence holder must reduce the level set on the noise limiter to the satisfaction of the District Council.

Section 177A of the Licensing Act 2003 does not apply to this condition.

2. All doors and windows must be kept closed, other than for access and egress, during the playing of regulated entertainment.

Section 177A of the Licensing Act 2003 does not apply to this condition.

3. The door that connects the main restaurant the (currently unlicensed) glazed seating area at the side must be closed and locked after 22:00 hours.

Section 177A of the Licensing Act 2003 does not apply to this condition.

Annex 4 – Conditions attached after a hearing by the licensing authority

SIA conditions

There shall be two SIA registered security staff employed at the premises after 19:00 on Fridays and Saturdays and up to 30 minutes after the latest terminal hour for licensable activities.

Licence Number: 22/03351/LAPMV
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Agenda Item 3

The SIA staff shall wear high visibility jackets in order to be easily identifiable.

The SIA staff will manage the outside operation of the premises to ensure that patrons congregating keep noise to a minimum and move on if they are not re-entering the premises after closure.

Dispersal Policy

The Licence Holder shall have a dispersal policy in place which has been agreed with Licensing Officers. This policy shall be put forward for consideration by 21.10.2022.

The dispersal policy shall form part of the conditions of the licence.

The dispersal policy may thereafter be altered in future with the agreement of the licensing officer or other appropriate officer (without a variation application being required.)

Last entry

There shall be no new entry to patrons after 23:00 hours.

Outside Operation

After 22:00 hours there shall be no more than 5 patrons permitted to congregate outside (for the purposes of smoking or socialising and with a view to re-entry).






Annex 5 – Plans

Please see attached

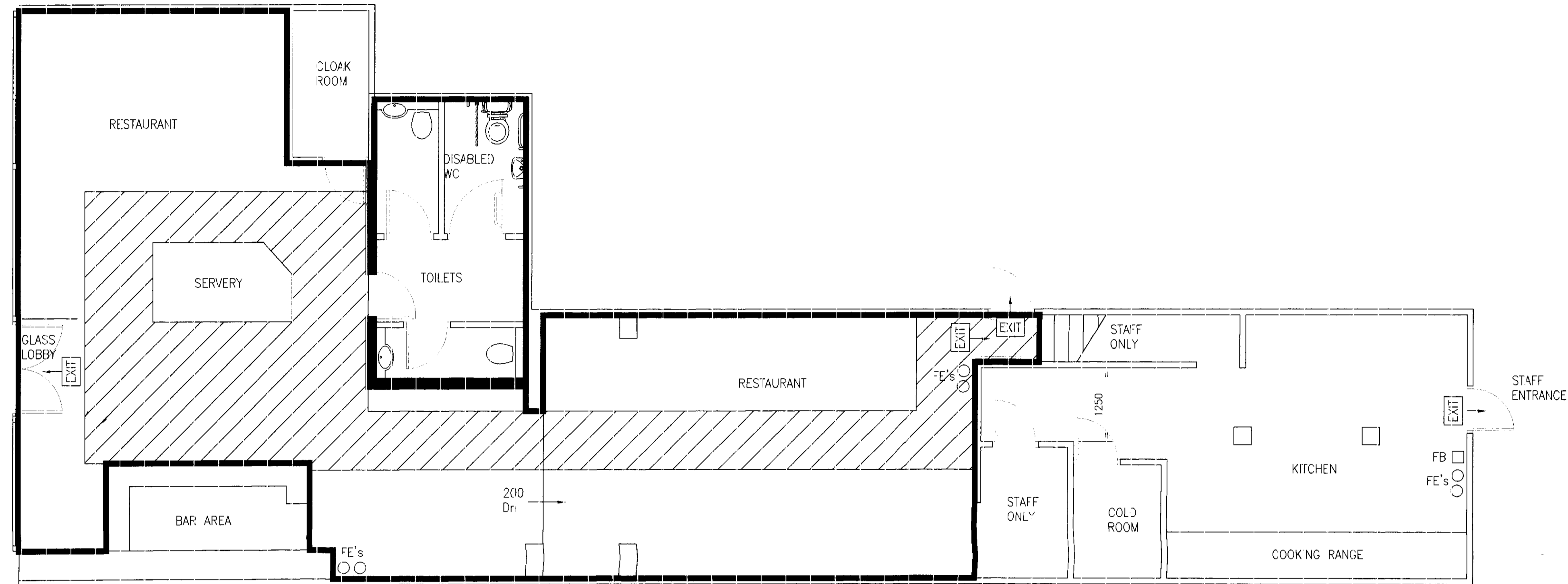
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Appendix 3

NOTES

1. THE ORIGINAL SIZE OF THIS DRAWING IS A1.
2. ALL DIMENSIONS ARE IN MILLIMETRES.
3. ALL LEVELS ARE IN METRES.
4. ALL DIMENSIONS ARE TO BE CONFIRMED AND CHECKED ON SITE PRIOR TO COMMENCEMENT OF FABRICATION DRAWINGS AND/OR SITE WORKS.
5. ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH ALL RELEVANT BRITISH STANDARDS, CODES OF PRACTICE, BUILDING REGULATIONS, HEALTH AND SAFETY REQUIREMENTS AND MANUFACTURERS' RECOMMENDATIONS.
6.  EMERGENCY EXIT ROUTES
7.  DENOTES ESCAPE ROUTES NOT IMPEDED BY ANY STRUCTURES
8. FE's  FIRE EXTINGUISHERS
8. FB  FIRE BLANKET
8.  AREA OF PUBLIC ACCESS

1 0 1 2 3 4 5 CM




Rev	Description	Date
A	DISTRICT COUNCIL NOTES ADDED	17.11.05

Client
SUN CATERING

Project
SPICE CLUB
SEVEN OAKS
KENT

Drawing Title
LICENSE PLAN LAYOUT

 **Conditioning Environmental Services Limited**
Unit 6B
Possingworth Farm
Blackboys, Uckfield
East Sussex, TN22 5HE
Tel No: 01435 868588
Fax No: 01435 860813
Email: info@acenvironmentalservices.com

Scale	A1@1:50 A3@1:100	Drawn		Checked	TW
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Date	Drawing Number	Rev
26.05.05	C1203-P01	A

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Dispersal Policy

- 1) It is recognised by the Premises Licence Holder that during permitted licensed hours it is vital that the Licence hours and conditions are strictly observed and that the staff work in close liaison with the Door Supervisor(s) when on duty.
 - 2) During the last 15 minutes of each trading session and throughout the consumption period at the end of each trading session, the manager or person in charge will ask customers to respect nearby residents and leave Ephesus Restaurant and the area quietly.
 - 3) During the last 15 minutes of each trading session and throughout the consumption period at the end of each trading session, the lights and music level will be turned down so that customers hearing returns to a more normal level and they do not talk so loudly when outside.
 - 4) A notice shall be clearly displayed by the exit door reminding guests to leave the premises and area quietly, not to take drinks or glasses outside and not to loiter outside.
 - 5) At closing time a member of the staff tasked for the purpose or a Door Supervisor(s) when on duty, will take a proactive role and stand on the door asking guests to leave the premises and area quietly and ensure they do not loiter outside. Particular attention will be paid at this time to ensure the licence condition 'after 22:00 there shall be no more than 5 patrons permitted to congregate outside' will be adhered to. The member of the staff or Door Supervisor(s) when on duty will direct customers towards the nearby bus stops or cab office along High Street, Sevenoaks.
- Any customers driving a vehicle should be asked to leave the area as quickly as possible, not to bang car doors, rev engines or blow their horns.
- 6) Any web site for the venue and any flyers / adverts used by the management to advertise Ephesus shall include a request for customers to park legally.
 - 7) The Premises Licence Holder shall make an arrangement with a local cab firm to ensure a cab can be obtained within a reasonable timespan for any customer wanting one.
 - 8) A notice will be displayed in the premises bar area and by the exit door advising customers that staff will call a cab for anyone wanting one and if it is within permitted hours the customers should be asked to remain inside the premises pending the arrival of the cab.

The appointed cab firm should be asked to instruct their drivers to ring Ephesus or the customer on arrival or to go to the premises to notify their customer of their arrival and not to sit outside blowing their horns.

- 9) Throughout close and for at least 15 minutes afterwards the member of staff tasked for the purpose or the Door Supervisor(s) when on duty will monitor the street outside and proactively ask customers loitering or delaying departure to leave the area as quietly and quickly as possible to minimise disturbance to residents.

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APPENDIX 6

I have some concerns regarding noise disturbance from the venue as whilst a limiter has been set for the sound system and therefore if not altered noise nuisance from music is very unlikely, the noise of patrons leaving the venue late at night or early in the morning is a concern.

It is unclear how this will be managed by the venue when persons are away from the main doors.

There is also the concern of noise from potential patrons queuing for entry after 23:00 hrs. There should be no entry into the venue after 23:00 hrs except those seeking re-entry following using the smoking area.

These observations are made in respect of preventing nuisance to adjacent and nearby residents.

Colin Alden
Environmental Protection Team Leader
Sevenoaks District Council

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Appendix 7

Good afternoon,

Your reference: 23/00893/LAPRE

- Our previous comments on other licensing applications for this site which similarly related to the opening hours are still relevant to this new license review as the proposed licensable activities appear to not comply with a planning condition (No.5) under *97/02051/HIST*.
- A recent application to vary the condition of opening hours was submitted however, this was refused (22/00315/CONVAR). This decision was also upheld at appeal.
- Planning object to this proposed license variation on the basis that the proposed licensable activities do not have consent to operate outside of the originally conditioned hours and the proposed licensable activities would cause harm to residential amenity of neighbouring residents.

Kind Regards,

Stephanie Payne
Graduate Planning Officer
Sevenoaks District Council | Council Offices | Argyle Road | Sevenoaks | TN13 1HG

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APPENDIX 8

For the attention of Sue Lindsey

I am appalled that Ephesus continues to try and turn their premises into a late-night night club. They are already able to flout the Planning Consent closing time of 23.00.

I spent a while wondering how to word my objection to their proposed extended opening hours and then realised the council has already given them to me:

I have no doubt that extended opening hours will lead to more Crime and Disorder thereby Causing a Public Nuisance and Threaten Public Safety as seen by previously dancing literally on the High Street and although children in the vicinity would hopefully be safely tucked up in bed asleep they have previously been harmed by the noise keeping them awake/waking them up.

This is a totally inappropriate area for such a venue and it is unfair on the other licensed premises in the town which close at 11.00.

Christine Bumstead,


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APPENDIX 9

Dear Sirs yet again I would like to lodge our objections to the planning application made by Ephesus to extend their opening hours and to the playing of music and Sale of Alcohol.

Question is it their intention to become a Night Club or continue to be a restaurant?

We object to the application based on the following concerns.

The close proximity to quiet Residential Properties.

An increase in hours providing live and recorded music increases the possibility of causing public nuisance.

Longer opening hours which allows customers to consume alcohol most definitely increases the risk of disorderly and criminal behaviour.

We would be grateful if the team would give every consideration to our concerns as we feel strongly that, should the application by Ephesus to extend their opening hours be granted, the noise nuisance would not be tolerable and will have a detrimental affect on the mental health and wellbeing of local residents.

Kind regards

James and June Murphy


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APPENDIX 10

Dear Ms Lindsey,

I live in [REDACTED] [REDACTED] which is approximately 100mtrs from Ephesus Restaurant and strongly object to their opening hours being extended to 01.30am and 02.00am to sell alcohol together with music and refreshments.

This is a Conservation Area and the neighbouring restaurants the Sun Do and Branded have closing times of 10.30pm and 11.00pm respectively and both are very successful and respectful.

Even in the past with the current licence opening hours we have been disturbed many times particularly at night with noisy and drunken behaviour and some families nearby have young children who were being kept awake at night.

I fear these premises in the Upper High Street could end up as a night club operation which will cause major problems for the local residents and then the council and police authorities.

Yours most sincerely,
Alan Bumstead.

[REDACTED]

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APPENDIX 11

I am writing with reference to the application by the restaurant Ephesus to vary their licensing hours, reference number 23/00893/LAPRE.

Ephesus's planning permitted hours of operation are until 11.00pm from Monday to Saturday and until 10.00pm Sundays and Public Holidays. Despite this, their application to vary their licensing hours states that on Friday and Saturday nights they intend to be open to the public and to provide late night refreshments until 2.00am and to serve alcohol and provide 'entertainment' until 1.30am.

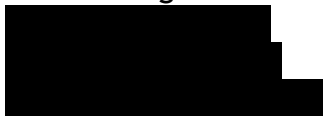
As the restaurant is sited in a largely residential area, this will create a very considerable public nuisance and will prevent near-by residents from sleeping, which will be of particular concern to those near-by families with small children.

Because smoking inside the premises is not permitted, customers will go outside to smoke, creating both noise and litter on the pavement outside.

When customers finally leave the property to go home, they are likely to have been consuming alcohol over an extended period of time and are likely to be noisy and potentially intimidating as they leave.

The applicant has recently lost a planning appeal to extend their hours. I therefore do not understand how they can now be applying to do this by varying their licensing hours and I wish to object to this current application in the strongest possible terms.

J R Armitage



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APPENDIX 12

I write to lodge objections to the application made by Ephesus Restaurant at 57-59 High St, Sevenoaks for the extension of licensing hours on the following grounds.

1. Even under the current licensing prohibitions, people living in the vicinity of Ephesus are subject to noise nuisance in the evenings - particularly in the summer when Ephesus opens its doors/windows. If the hours are extended as per the application, it will be almost impossible for local residents to be able to enjoy any degree of peace in the evening, and there will be no chance of getting any sleep until Ephesus has closed in the early hours of the morning. This is unacceptable and unreasonable for local residents. Ephesus is meant to be a restaurant, not a night club; why does it need to extend its opening hours?
2. There is a care home at the end of Rockdale Road which regularly requires emergency ambulance call outs. Rockdale Road is already difficult to drive along because people eating at Ephesus (and other restaurants) park there. If Ephesus' hours are extended, more cars will inevitably be parked along Rockdale Road, which will cause access problems for both Rockdale care home and anyone else needing to access Rockdale Road.
3. The proposed extension of Ephesus' opening hours is likely to result in anti-social behaviour. Already I see numerous cigarette butts and broken glass on the pavement when I walk past Ephesus in the mornings, so this is bound to get worse the longer it is allowed to remain open.

Regards
Jane Kostelnyk



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APPENDIX 13

Dear Sir/Madam

RE :23/00398/LAPRE

Please to inform that I the undersigned is the Director of Sun Do Restaurant. [REDACTED]

I wish to object to the extensions time of the Ephesus's license for the sale of alcohol

The reason I object is due to flat accommodation above the restaurant.

We previously experienced noise nuisance and anti social behaviour when there was late night drinking at the restaurant. Revellers we're extremely noisy and this extended onto the pavement and road outside. Loud music was also an issue. We would anticipate the same occurrences should the licence times be extended.

Your kind attention will be greatly appreciated.

Thank you

Yours sincerely

Jiang Li
3rd April 2023

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APPENDIX 14

I am writing on behalf of myself and my partner, Susan Wood who reside at



This letter is regarding an application for extension of operating hours for Ephesus Restaurant.

Over the years that this restaurant has been in business they have proven over and over to be terrible neighbours who simply do not care about the residents of the neighbourhood they do business in.

They are a restaurant yet they want to be a nightclub. No restaurant needs to be open until 2am on weekends. They attract a very rowdy clientele and on nights when they are open late the music is extremely loud and there is regular disruptive behaviour on the streets around the venue.

There is no parking in the area, however patrons regularly park on Rockdale Road which is double yellow. Their customers often come out of the business drunk, singing, yelling, sometimes fighting. Their anti social behaviour has in the past included urinating on residents porches and running up and down the road screaming.

This is a quiet friendly neighbourhood adjacent to Rockdale Housing Association. There is simply no reason why any family friendly restaurant needs to be open such late hours. The other two restaurants in the area, Branded and Sun Do are excellent neighbours, never causing any sort of a problem and they close at acceptable times. This is what we expect from Ephesus.

The rear of this restaurant (where the loud music is played) is not well built and when the windows are open the music is so unbearable that several residents in the area, including myself have had to call the police. Plus, this establishment does not have a good history of closing at the time indicated on their licensing agreement. They regularly close at least 90 minutes late. I believe that they recently had their alcohol license suspended because of their chronic ignoring their closing times.

This establishment has been a nuisance from the beginning and there are no signs of it improving. As long time Sevenoaks residents we strongly would like this current application to be denied.

Sincerely,
Thomas Gold
Susan Wood

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Sevenoaks District Council

4th April 2023

Dear Sue Lindsey,

Re: Ephesus licensing application number 23/00398/LAPRE

We are writing as a local resident to formally object to the application by the Ephesus restaurant and bar to extend its licensing hours on Friday and Saturday evenings.

We have objected in writing to previous licensing and planning applications made in the past two years. The situation and context of the Ephesus and its surroundings has not changed in that time. Our reasons for objecting to this application are consistent with our previous objections.

We are objecting to this application as we do not feel that the site of the Ephesus bar/restaurant is appropriate for a late opening bar/club. Our concerns are:

Significant noise disturbance to the local residents - which falls under Public Nuisance.

The area is of quiet residential character, within a conservation area. Residents live in close proximity to the Ephesus (including the Rockdale supported living home for the elderly). Our property is within ear shot of the sound of patrons of the Ephesus and potentially music (which has disturbed us in the past). A later license is likely to increase the noise disturbance to residents and harm the quiet residential character of the area.

Also, the rear terrace of the Ephesus is enclosed by lightweight materials; plastic sheeting and a retractable fabric roof. This construction offers very little sound reduction, enabling the voices of patrons to be audible by local residents', disturbing the peace.

Agenda Item 3

This may be more of a planning matter than licensing, but, normally an acoustic assessment of the building fabric would have been carried out, to assess the acoustic performance of the construction, to ensure that it is 'fit for purpose'. Has an assessment been submitted with the application.

A Traffic Impact Assessment would also be a necessary part of a review of planning application material.

Public safety

The applicant is seeking longer opening hours including alcohol sales (1:30 am Friday and 2:00 am Saturday). The longer hours of drinking leaves us greatly concerned about the potential for anti-social behaviour in the area.

Have the police been consulted to assess against their Crime Prevention Plan?

We are concerned that the patrons queuing to enter or smoking outside of the Ephesus block the narrow footway in front of the bar/restaurant. Currently, it is not uncommon to need to step into the road to pass by the bar. The people blocking the footway usually unaware of people needing to pass by.

Prevention of crime and disorder

There does seem to be a pattern of people gathering late at night in the small park close to the Ephesus when the bar/restaurant is busy. The park is located on the corner of Six Bells Lane and the High Street. This causes additional noise disturbance, and we are concerned this will increase with later licensing. It is also an issue that is probably difficult for the Ephesus to manage, and for the police to prevent. The park is locked/gated at night, so people must be climbing over the wall to enter it.

Sevenoaks Neighbourhood Plan (March 2021 Final Draft)

Please be aware of Section 2.3 'Issues for the Neighbourhood Plan' 'Movement and public realm', which sets-out the need to promote pedestrian movement in the town centre at this 'significant junction'.

The congestion on the footway that is likely to be caused goes against the sentiment of this strategy.

Conservation Area

Relevant extracts from: Sevenoaks High Street Conservation Area Appraisal and Management Plan (Planning Guidance 2008):

1.3 Conservation areas can also play a key part in promoting economic prosperity by ensuring that an area offers attractive living and working conditions which encourage further investment.

We do not feel that the application fits with the sentiment of this statement.

Managing a conservation area is as much about preserving character as it is historic building fabric.

Lastly we feel there should also be consideration to the rich diversity of birdlife in this area, including many nesting birds, at a time when so many bird species are in decline. Research has shown that loud music can impact bird behaviour and reproduction.

To conclude, we **strongly object** to this application and hope that Sevenoaks Council see sense in not granting this application for a late license to protect the character of the area, the health and safety of its residents, and not to set a precedent for out of character development in Sevenoaks town.

Yours sincerely,

Andrew Monk and Ly Truong

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APPENDIX 16

To Whom It May Concern,

Ref: Licensing Application 23/00893/LAPRE - Ephesus Restaurant, Upper High Street, Sevenoaks, Kent


We are writing regarding the recent application submitted by Ephesus Restaurant to extend its activities (DJ/music) from 23.00 until 01.30 on Friday and Saturday nights. If the application is successful, the intent is to then request a license to extend the alcohol license until 01.30 and the refreshment license until 02.00 (for the same nights/mornings), essentially transforming the restaurant into a bar/nightclub. Whilst we understand that the application limits activities to indoors, should the requested licenses be approved, people will continue drinking until approximately 02.00hrs and naturally go outside for a cigarette, under the influence of alcohol.

Despite the presence of bouncers and security, once outside the premises, and under the influence of alcohol, people will inevitably be noisy and there are plenty of other circumstances in which an intoxicated person could cause harm to a third party as a result of continuing to drink alcohol past a safe point, including incidences of fights or attacks an innocent bystander potentially leading to violence and public disorder. This will in turn become a public nuisance.

In addition, Section 16 of the application provides that the activities are to start at 10.00 on Saturdays. Should this not be a mistake, this would imply that the DJ/music would operate during the day, potentially creating additional protection concerns regarding the exposure of children and the public in the midst of a very busy town centre.

Whilst Ephesus is located in the town centre, the Upper High Street is also a residential area and Rockdale Homes for the elderly is located just around the corner. We are fully supportive of Ephesus maintaining a flourishing business but do oppose this application which could potentially result in unnecessary noise and public disorder, inevitably impacting the good quality of life and peace experienced by residents in the local community.

Thank you for your consideration.

Kind regards,
Mr. and Mrs. Man 

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APPENDIX 17

Ephesus Restaurant
57 - 59 High Street, Sevenoaks
Premises Licence Variation Application Ref: 23/00893/ LAPRE

Once again residents in this conservation area in Sevenoaks are threatened with late night opening way beyond those in force under the existing planning consents. With each application the licensing hours vary but the variation now sought still includes staying open until 2.00am on Fridays and Saturdays with dance, live and recorded music permitted until 1.30am.

The grounds for objection relate comprehensively to the four listed licensing objectives and remain:

- Ephesus will represent the sole late night entertainment venue in this quiet area of the Upper High Street. As such it will attract all the adverse effects associated with this. Previous experience has highlighted incidents of anti-social behaviour, and traffic noise will inevitably continue well past the stated closing time of 2.00am when customers wait for transport to arrive.
- Ephesus will still attract customers as closing time approaches at nearby venues. Closing the doors to new customers at 11pm will have little or no effect.
- None of our local restaurants need bouncers on the door. Their presence at Ephesus indicates that either the restaurant or the authorities expect there to be trouble at this venue.
- Since their appeal to the Planning Inspectorate was refused Ephesus appear to have been complying with the permitted opening hours (to 11pm Monday to Saturday). It is understood that there have been few complaints/incidents. This cannot be a co-incidence. Most of the complaints about noise and rowdiness, referred to in the objections to previous Licensing and Planning applications, related to incidents later at night. Any return to the earlier situation would be unacceptable.
- There is little easily available parking in the area. The nearest side street is Rockdale Road which leads to Rockdale House which describes itself as *“An independent supported living community and residential care home for the elderly, set in a peaceful corner of Sevenoaks town.”* Apart from the inevitable increase in late night noise pollution, it is most important that access for emergency vehicles is not impeded at any time.

Please refuse this application on the above grounds.

J R Hacker, [REDACTED]

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APPENDIX 18

Dear Ms Lindsey

I would like to object to this licensing application. Epheseus's late night opening is a public nuisance and creates a risk to public safety, there is increased traffic and people on the road and also smoking on the pavement. It is sometimes rowdy on the street.

Kind regards

Clare Ambrose
(no address details provided)

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APPENDIX 19

We have lived in [REDACTED] for some 40 years. It is a a very popular spot to have restaurants in the centre of town.

However, while the daytime and evening life here is excellent up to 10pm from then the noise and mischiefness gradually increases.

As all restaurants in Sevenoaks close by 11 or 12 pm people wanting to continue drinking after these hours will come to Ephesus. This results in our garden being used as a toilet and to dump rubbish such as empty cans and glasses, laughing gas cylinders.,and food wrappers as people sit on our walls and shout and fight in the street nearby.

Residents including children will be kept awake by the noise from music and shouting.

We ask that the present hours are enforced before this area becomes a problem for the local residents including the Rockdale old folks home.

Thank you

Di Latter

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