

20 September 2021 at 10.30 am

Council Chamber, Argyle Road, Sevenoaks

Published: 03.09.21

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Members of the public who wish to attend in person, are requested to wear face masks and observe social distancing. For health and safety reasons, access may be limited and will be on a first come first served basis.



## Licensing Hearing

### Membership:

CLLrs. Hunter, Layland and Pett

### 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. Application for a variation of a Premises Licence in respect of Ephesus, 57-59 High Street, Sevenoaks, Kent, TN13 1JF (Sevenoaks Town & St Johns)	(Pages 1 - 108)	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](mailto:democratic.services@sevenoaks.gov.uk).

## Procedures at Sub-Committees of the Licensing Committee

1. 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.

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 - Monday 20 September 2021**

**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 29), 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. Twenty five representations against the application have been made by local residents, one representation by Kent Police, one representation by Environmental Protection, and one representation made in favour of the application by a local resident.

**1. Introduction and Background**

- 1.1 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**
- 1.2 The nature of the proposed variation which is the subject of the variation application is to:

Add live music (indoors):

Friday and Saturday	11pm to 1am (the following morning)
Sunday	11pm to 12 midnight

Add recorded music (indoors):

Thursday	11pm to 11.30pm
Friday and Saturday	11pm to 2.30am (the following morning)
Sunday	11pm to 1am (the following morning)

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Add the performance of dance (indoors):

Friday and Saturday 11pm to 2.30am (the following morning)  
Sunday 11pm to 1am (the following morning)

Add late night refreshment (indoors):

Sunday to Thursday 11pm to 12 midnight  
Friday and Saturday 11pm to 2am (the following morning)  
Sunday 11pm to 12 midnight

Increase the sale of alcohol:

Monday to Thursday 9am to 10am, and  
12 midnight to 1am (the following morning)  
Friday and Saturday 9am to 10am, and  
12 midnight to 2.30am (the following morning)

- 1.3 The applicant has proposed the following steps (to be placed on the licence as conditions) in order to promote the licensing objectives:
- 1.4 General  
The premises will operate as a Restaurant/Cocktail lounge
- 1.5 The prevention of crime and disorder  
Door supervisors are SIA certified and will log any incidents that happen in the premises or in the immediate outside area to the front of the premises. An incident and accident book will be available at the premises for inspection by either the Police or an authorised officer of the Council. The property has a CCTV operating 24/7 inside and outside the premises. Ephesus partnered with Guardian Security Solutions to provide door supervisors on busy days (such as Friday and Saturday evenings) - these evenings to be determined on a risk assessed basis by the Licence Holder. CCTV will be made available to either the Police or an authorised officer of the Council when requested.
- 1.6 Public safety  
The premises will display clear signage notifying customers that free drinking water is available upon request.
- 1.7 The prevention of public nuisance  
Signage will be displayed around the exit of the premises requesting customers to be quiet and not to disturb neighbours.  
Contact details of local taxi companies will be displayed and taxis called for customers requesting one.  
Staff will have a contact number for the Designated Premises Supervisor at all times and will be able to make contact at any time of the day regarding the premises.

1.8 The protection of children from harm

A Challenge 25 policy will be implemented at all times and only photographic ID accepted (such as passport, driving licence).

1.9 The variation application also seeks to remove the following conditions currently imposed on the licence:

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

*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 the 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 this accommodation*

*(c) to a canteen or mess*

1.10 A copy of the current Premises Licence (ref 20/01376/LAPRE) with associated plans are at **Appendix 2**, and **Appendix 3**

1.11 Members attention is 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 the premises do benefit from deregulation 'exemptions' which are explained at item 5 of this report. Photographs and plans of this extension can be found in **Appendix 4** and **Appendix 5**

1.12 For the attention of Members, a further, more detailed, site plan of the area surrounding the licensed premises is at **Appendix 6**.

1.13 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 have not changed since 2004 to date.

1.14 In September 2018 the Premises Licence was transferred to Mr Cihangir Surucu.

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- 1.15 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.
- 1.16 A consultation period took place (initially) between 2<sup>nd</sup> July and 30<sup>th</sup> July 2021, but due to the removal of the public notice at the premises prior to the end of the consultation period, this consultation was extended to expire on 26<sup>th</sup> August 2021 - and the public notice re-instated for this period. 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.
2. **Representation received from Responsible Authorities:**
  - 2.1 The following Statutory Bodies (described as Responsible Authorities by the Licensing Act 2003) were consulted about this application
  - 2.2

Kent Police	Representation received at <b>Appendix 7</b>
Environmental Health	Representation received at <b>Appendix 8</b>
Kent Fire	No comment made
Child Protection	No comment made
Trading Standards	No comment made
Health & Safety	No comment made
Planning	No comment made
Public Health	No comment made
Home Office Immigration	No comment made
3. **Representations received from others**
  - 3.1 Representations objecting to this application have been received from twenty five local residents. The relevant grounds of objection in the representations relate to noise, traffic, and antisocial behaviour which are relevant to the licensing objectives of the prevention of public nuisance, public safety, the prevention of crime and disorder, and the protection of children from harm. Copies of the representations are at **Appendix 9 to Appendix 33**
  - 3.2 One representation in support of this application has been received from a local resident which is at **Appendix 34**
4. **Mediation**
  - 4.1 On the basis of the representations received, it is considered unlikely that this application will be successfully mediated before the Sub Committee Hearing.
5. **Entertainment De-regulation**



5.1 Members attention is drawn to section 16.6 of the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003

5.2 No licence permission is required for:

5.3 Live Music

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- 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.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that does not have a licence, provided that the audience does not exceed 500. A “workplace” is as defined in regulation 2(1) of the Workplace (Health, Safety and Welfare) Regulations 1992 and is anywhere that is made available to any person as a place of work. It is a very wide term which can include outdoor spaces, as well as the means of entry and exit.

Recorded Music

- 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.

5.4 Licence Conditions

(Section 16.36 of the Home Office Revised Guidance)

Any existing licence conditions (or conditions added on a determination of an application for a premises licence) which relate to live music or recorded music remain in place, but are **suspended** between the hours of 08:00 and 23:00 on the same day where the following conditions are met:

- At the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises,
- If the music is amplified, it takes place before an audience of no more than 500 people, and
- The music takes place between 08:00 and 23:00 on the same day.

5.5 Licence Reviews: Live and recorded music

(Section 16.55 of the Home Office Revised Guidance)

On a **review** of a premises licence or club premises certificate, section 177A(3) of the 2003 Act permits a licensing authority to lift the suspension and give renewed effect to an existing condition relating to music. Similarly, under section 177A(4), a licensing authority may add a condition relating to music as if music were regulated entertainment, and as if that premises licence or club premises certificate licensed the music. In both instances the condition should include a statement that Section 177A does not apply to the condition.

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### 6. Licensing Sub Committee Considerations

- 6.1 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

- 6.2 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).

- 6.3 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.

- 6.4 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.

- 6.5 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.

- 6.6 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.

## **7. Options**

- 7.1 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.

## **8. Right of Appeal**

- 8.1 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.

## **9. Key Implications**

### **9.1 Financial**

- 9.2 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

### **9.3 Legal Implications and Risk Assessment Statement.**

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

- 9.5 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

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licensing objectives, and such departure must be supported by clear and cogent reasons.

### 9.6 Equality Assessment

- 9.7 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

## **Appendices**

- Appendix 1 - Variation Application
- Appendix 2 - Current Premises Licence (19/01981/LAPRE)
- Appendix 3 - Plans association with current Premises Licence
- Appendix 4 - Photographs of premises extension
- Appendix 5 - Plans of premises extension
- Appendix 6 - Site plan showing surrounding area
- Appendix 7 - Representation : Kent Police
- Appendix 8 - Representation : Environmental Health
- Appendix 9 - Representation : Hacker
- Appendix 10 - Representation : A.Bumstead
- Appendix 11 - Representation : Barton
- Appendix 12 - Representation : C.Bumstead
- Appendix 13 - Representation : Gold
- Appendix 14 - Representation : Hersee
- Appendix 15 - Representation : Kostelnyk
- Appendix 16 - Representation : Lessner
- Appendix 17 - Representation : Marling
- Appendix 18 - Representation : Marshall
- Appendix 19 - Representation : Rockdale
- Appendix 20 - Representation : Potter & Latter
- Appendix 21 - Representation : Watsham
- Appendix 22 - Representation : Campbell
- Appendix 23a & 23b - Representation : Sard
- Appendix 24 - Representation : Bayliss
- Appendix 25 - Representation : Allen
- Appendix 26 - Representation : Rummey
- Appendix 27 - Representation : Murphy
- Appendix 28 - Representation : Monk & Truong
- Appendix 29 - Representation : Scott & Puplett
- Appendix 30 - Representation : Voss
- Appendix 31 - Representation : Craig
- Appendix 32 - Representation : Billington
- Appendix 33 - Representation : Shuter
- Appendix 34 - Representation in favour : Ayling

## **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**

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**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

**I/We** Cihangir Surucu

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

<b>Premises licence number</b> 19/1981/LAPRE
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**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description  57-59 High Street			
Post town	Sevenoaks	Postcode	TN13 1JF

Telephone number at premises (if any)	01732 456688
Non-domestic rateable value of premises	£24,750

**Part 2 – Applicant details**

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town		Postcode	

**Part 3 - Variation**

Please tick as appropriate

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

If not, from what date do you want the variation to take effect? DD MM YYYY  

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

We would like to extend the hours of operation and add live entertainment on Friday and Saturday evenings.

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



**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b>   |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>            |

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Tue					
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Fri	23:00	01:00			
Sat	23:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun	23:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed					
Thur	23:00	23:30	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	23:00	02:30			
Sat	23:00	02:30			
Sun	23:00	01:00			

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur					
Fri	23:00	02:30	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	23:00	02:30			
Sun	23:00	01:00			



H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 5)</p>		
Wed					
Thur			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)</p>		
Fri					
Sat			<p><b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)</p>		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue	23:00	00:00			
Wed	23:00	00:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur	23:00	00:00			
Fri	23:00	02:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	23:00	02:00			
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for <b>consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
Day	Start	Finish		Both	<input checked="" type="checkbox"/>			
Mon	09:00	10:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)					
	00:00	01:00						
Tue	09:00	10:00						
	00:00	01:00						
Wed	09:00	10:00						
	00:00	01:00						
Thur	09:00	10:00				<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
	00:00	01:00						
Fri	09:00	10:00						
	00:00	02:30						
Sat	09:00	10:00						
	00:00	02.30						
Sun	09:00	12:00						
	23:30	12:30						

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).**

No adult entertainment

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	09:00	01:00	
Tue	09:00	01:00	
Wed	09:00	01:00	
Thur	09:00	01:00	
Fri	09:00	02:30	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)
Sat	09:00	02:30	
Sun	09:00	01:00	

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

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

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 the 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 this accommodation
- (c) To a canteen or mess

Please tick as appropriate

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

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

## Agenda Item 3

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

The premises will operate as a Restaurant/Cocktail lounge

**b) The prevention of crime and disorder**

Door supervisor are SIA certified and will log any incidents that happen in the premises or in the immediate outside area to the front of the premises.

An incident and accident book will be available at the premises for inspection by either the Police or an authorised officer of the Council.

The property has a CCTV operating 24/7 inside and outside the premises.

Ephesus partnered with Guardian Security Solutions to provide door supervisors on busy days (such as Friday and Saturday evenings) – these evenings to be determined on a risk assessed basis by the Licence Holder.

CCTV will be made available to either the Police or an authorised officer of the Council when requested.

**c) Public safety**

The premises will display clear signage notifying customers that free drinking water is available upon request.

**d) The prevention of public nuisance**

Signage will be displayed around the exit of the premises requesting customers to be quiet and not to disturb neighbours.

Contact details of local taxi companies will be displayed and taxis called for customers requesting one.

Staff will have a contact number for the Designated Premises Supervisor at all times and will be able to make contact at any time of the day regarding the premises.

**e) The protection of children from harm**

A challenge 25 policy will be implemented at all times and only photographic ID accepted (such as passport, driving licence).

Checklist:

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature		
Date		
Capacity		

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

## Agenda Item 3

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b>			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			

### Notes for Guidance

**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.**

1. 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 for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - 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.
    - 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.



- 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.
  - 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:
    - 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.
    - 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.
    - 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.
  - 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:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - 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;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example 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.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

## Agenda Item 3

8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

## APPENDIX 2



# PREMISES LICENCE

## The Licensing Act 2003 Schedule 12, Part A

Premises Licence Number : 19/01981/LAPRE

### 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	10:00-00:00
Tuesday	10:00-00:00
Wednesday	10:00-00:00
Thursday	10:00-00:00
Friday	10:00-00:00
Saturday	10:00-00:00
Sunday	12:00-23:30

The opening hours of the premises

Sunday	12:00-00:00
Monday to Saturday	10:00-00:30

The non-standard opening hours of the premises

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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.

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

Mr Cihangir Surucu  
57-59 High Street  
Sevenoaks  
Kent TN13 1JF

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

Not Applicable

### **Name 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

### **State whether access to the premises by children is restricted or prohibited As permitted under The Licensing Act 2003**

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

**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.

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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.
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—

(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**

### **EC0603 - 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.

### **EC0601 - 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**

1. 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.

## **Annex 4 - Conditions attached after a hearing by the licensing authority**

## Agenda Item 3

Not applicable

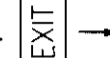
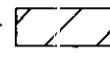



**Annex 5 - Plans**

Please see attached

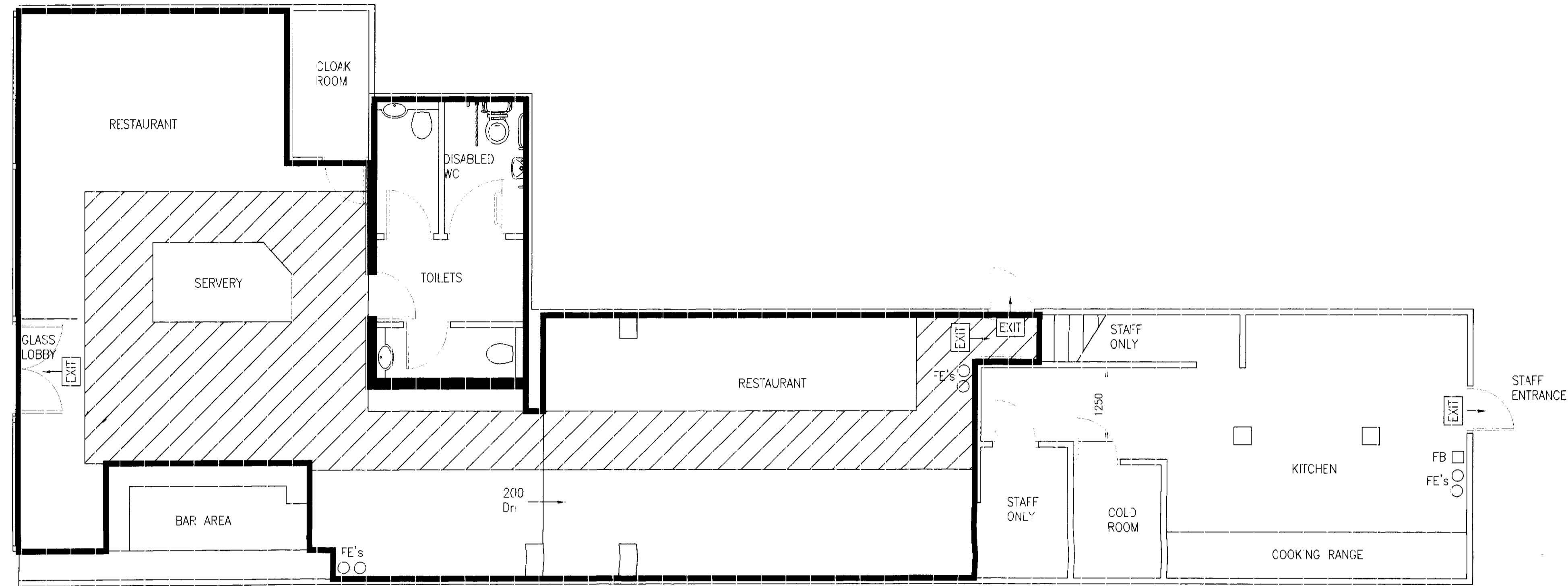


# Appendix 3

## 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

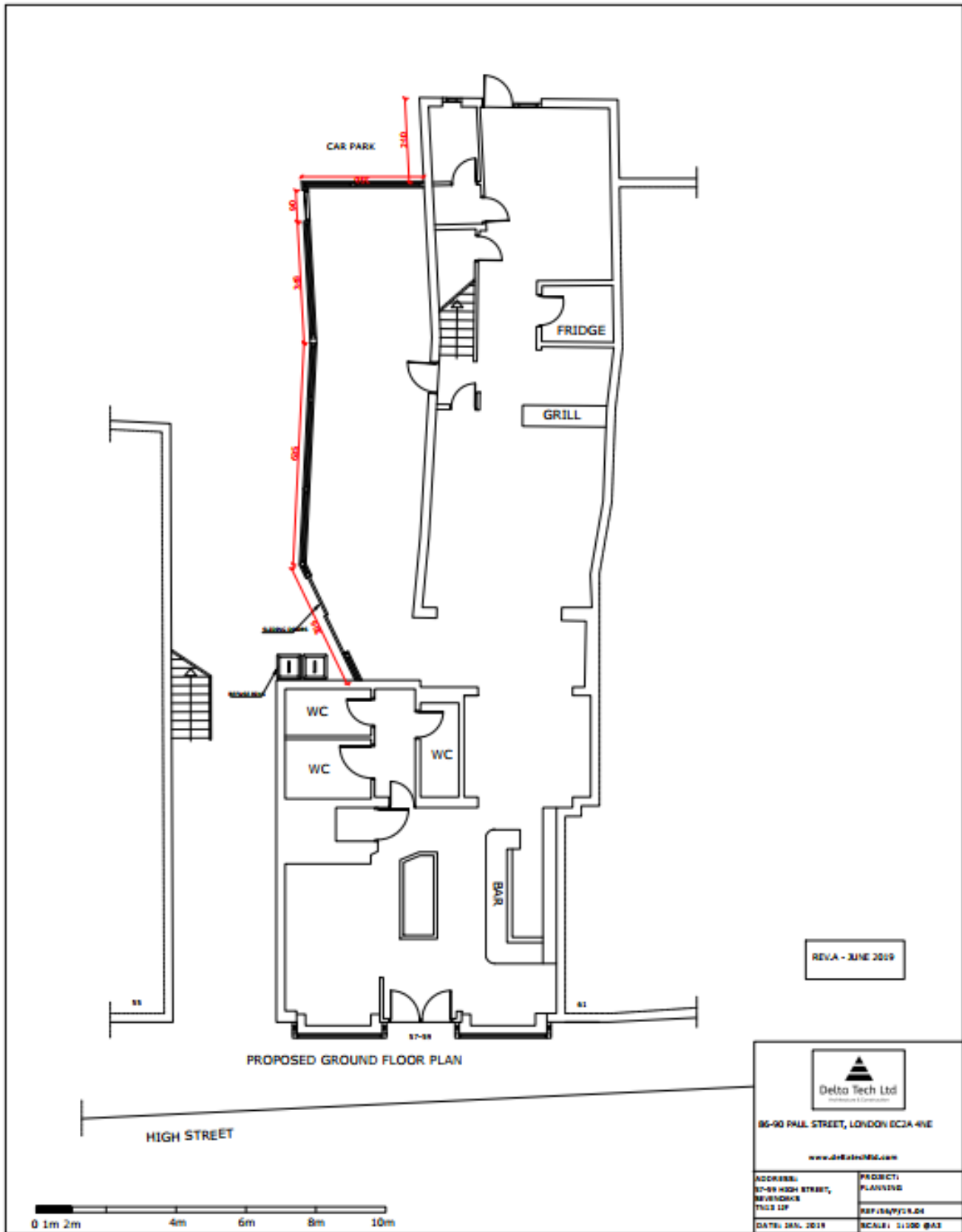


Rev	Description	Date
A	DISTRICT COUNCIL NOTES ADDED	17.11.05
Client SUN CATERING		
Project SPICE CLUB SEVEN OAKS KENT		
Drawing Title LICENSE PLAN LAYOUT		
 <b>Conditioning Environmental Services Limited</b>		
Unit 6B Possingworth Farm Blackboys, Uckfield East Sussex, TN22 5HE Tel No: 01435 868588 Fax No: 01435 860813 Email: info@acenvironmentalservices.com		
Scale	A1@1:50 A3@1:100	Drawn  Checked TW
Date	Drawing Number	Rev
26.05.05	C1203-P01	A

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**Kent  
Police**

**Chief Officer of Police Representation** in relation to an application for **variation** of premises licence made under Part 3 **Section 34** Licensing Act 2003 (S35 Licensing Act 2003)

<b>Details of person or body making representation</b>	
Name of Chief Officer of Police	Chief Inspector Stubberfield
Postal Address: (Area Headquarters)	Sevenoaks Police Station
E-mail address	[REDACTED]
Telephone Number:	[REDACTED]

<b>Details of premises representation is about</b>	
Name of Premises:	EPHESUS
Address of premises:	57-59 High Street Sevenoaks Kent TN13 1JF
Date application received by police	02/07/2021
Date representation sent to Licensing Authority	27/07/2021 <i>Must be within 28 days of receipt – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 Part 4 Reg 22</i>

**The Chief Officer of Police has received an application for the variation of a premises licence made under the provisions of Section 34 Licensing Act 2003, and under Section 35 of that Act asks the Licensing Authority to consider these representations in respect of: -**

*Please tick one or more of the licensing objectives that the representation relates to:*

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

The relevant representations within the meaning of S.35(5) of the Licensing Act satisfy the requirements of S.35 (6) of that Act and are as follows:

**Please give the reason for the representation and detail the evidence supporting it:**

Agenda Item 3

Ephesus is advertised as a Turkish and Greek restaurant situated within the Sevenoaks Town/High Street.

Appendix 7

A licence variation has been received to increase the operating hours, which includes the sale of alcohol and the performance of live music.

**Current operating hours (licensable activities) as follows:**

Monday to Saturday - 10:00 - 00:00  
Sunday - 12:00 - 00:00

The proposed variation is requesting the following extension of hours shown below:

**Live (indoor) music:**

Thurs - 20:00 - 22:00  
Fri and Sat - 21:00 - 01:00  
Sun 21:00 - 00:00

**Recorded music:**

Thurs - 09:00 - 23:30  
Fri and Sat - 23:00 - 02:30  
Sun - 23:00 - 01:00

**Performance of dance:**

Friday and Sat - 23:00 - 02:30  
Sun - 23:00 - 01:00

**Late night refreshments:**

Mon to Thurs - 23:00 - 00:00  
Fri and Sat - 23:00 - 02:00  
Sun - 23:00 - 00:00

**Supply on alcohol (on premises)**

Mon to Thurs - 09:00 - 01:00  
Fri and Sat - 09:00 - 02:30  
Sun - 09:00 - 12:30

**Opening Hours to Public:**

Mon to Weds - 09:00 - 00:00  
Thurs - 09:00 - 01:30  
Fri and Sat - 09:00 - 02:30  
Sun - 09:00 - 01:30

Continued below.....

Kent Police have concerns with the extent of the hours requested within this variation.

Kent Police believes that the extended hours prolong the exposure to alcohol and would suggest that a terminal hour of midnight would be more appropriate for all licensable activity. This is to limit the potential for disorder due to excessive intoxication and increased tension from such activities.

The extended hours (between 00:30 and 02:30) will result in the premises being the only venue, within the Sevenoaks Town/High Street, which is open and supplying alcohol – this may lead to the venue becoming a focal point for already intoxicated customers leaving other venues within the town. This alone causes significant concern that an increased level of custom will be unmanageable, and this coupled with the consumption of alcohol will have a detrimental effect on the wider community. Naturally the noise of customers leaving the venue during the late hours is likely to have an adverse effect on the local area from a public nuisance perspective.

Kent Police does not believe there is sufficient detail provided to establish that the management controls in place will be strong enough to promote the licensing objectives, and for this reason make representation against the granting of the premises licence as applied for at this time.

Clarity is needed surrounding the aspects of on and off-site sales of alcohol, the variation reflects on site sales only however the current licence in place allows for off site sales also.

**Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:**

*Please use separate sheets where necessary*

In addition to the restriction of hours Kent Police would see the attachment of the following conditions to any premises licence granted under this variation to promote the licensing objectives and in particular safeguard the staff, customers and the wider community:

1. CCTV will be in operation and recording at the premises at all times that the premises are open to the public. All images will be retained for a period of not less than 30 days.
2. CCTV will cover all main trading areas and entrances/exits as a minimum.
3. A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public.
4. Signage will be displayed advising customers that CCTV is in operation.
5. A log will be maintained of all incidents occurring at the premises, whether police were called or not.
6. Signage will be displayed at the exit and in any outside area used by patrons requesting customers to respect the neighbours/patrons and not cause unnecessary noise.
7. All persons that sell or supply alcohol to customers must have licensing training.
  - a. Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place.
  - b. Refresher training should be repeated a minimum of every six months or earlier if required due to changes of legislation.
  - c. Training records must be kept on the premises and shall contain the nature, content and frequency of all training.
  - d. Records must be made available for inspection by Police, Police Licensing Officer and authorised officers from the Local Authority upon request either electronically or hard copy.
8. A refusal recording system will be in operation at the premises. All staff involved in the sale of alcohol will be fully trained in the system and it will record the following:
  - a. Time of refusal
  - b. Item refused
  - c. Name of description of the person refused
  - d. Reason for Refusal
  - e. Name of staff member making the refusal.

9. The refusal system will be available for inspection to any Police Officer, Local Authority Licensing Officer or Trading Standards Officer at any reasonable time.

10. A Challenge 25 scheme will be adopted at the premises. All staff involved in the sale or supply of alcohol will be trained in the scheme and such training will be recorded. Such records will be available to the Police or other responsible authority upon request.

11. The premises license holders will adopt a 'Challenge 25' policy and all staff that are involved in the sale or supply of alcohol will be trained fully trained in this policy and recorded.

12. 'Challenge 25' signs will be prominently displayed.

13. The only proof of age that will be accepted by staff will be a photographic driving licence, a passport or a 'PASS' marked proof of age card.

14. SIA door staff will be employed at a ratio of 1:25 persons. Door staff will be on duty until at least 30 minutes after closure.

**Should the committee be mindful to grant the hours as requested within variation then Kent Police believe the following condition should be attached to the licence:**

15. There will be no admittance or re-admittance to the premises after 23:00 hours, customers leaving to smoke must remain within a designated smoking area at all times or re-admittance will be refused.

**Signed: P.Comben**

**Date: 27/07/2021**

**Print name: Phil Comben**

**Force Number: PC 12876**

*Pp Chief Officer of Police of Police for the Police Area in which the licensed premises are situated.*

Representation may be made at any time during the 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant.

Please return this form along with any additional sheets to the Licensing Authority.

This form must be returned within the Statutory Period.

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I refer to the above application to vary a premises licence that has been passed to this team for comment.

Currently the premises is only permitted to play live and recorded music under the de-regulation provisions that enable licenced premises to play live / recorded music until 23:00. The variation applied for proposes to significantly extend opening hours and times for Supply of alcohol. However, the EH Team is particularly concerned at the proposal to vary the premises licence so as to allow regulated entertainment at the venue to be played well into the early hours of the morning on Fri - Sun nights.

A visit was made to the premises on 12<sup>th</sup> August 2021 where I met the applicant, Mr Surucu: the garden area has been enclosed with thick plastic sheet and it is proposed to be glazed with electrically operated windows. The area is for eating-in only and I was informed that music is not played here. At 22:30 the area is made out of bounds and locked. It is understood that the enclosed garden area is outside the scope of this application. However, there is a risk of noise break-out through the door that separates the restaurant building from the enclosed garden, particularly if left open.

By way of mitigation, Mr Surucu showed me his speakers and mixing desk which apparently has an integrated noise limiter. However, this would need to be confirmed by the manufacturer / supplier. The applicant stated that any music played at the premises would be from this system. Mr Surucu played music at what he said was a presentative level - which was not audible outside at the rear. There is air conditioning at the premises and there are no windows to the side or rear of the restaurant building, meaning that (other than the door referred to above) noise break-out is not expected to occur as a result of doors / windows being opened for the purposes of ventilation.

Nevertheless, in recent weeks we have received complaints of excessive noise emanating from the premises and Noise App recordings have begun to be received by this team as evidence. Some of these recordings appear to indicate excessive noise levels impacting residents.

The operating schedule (Part 4) of the application requires the applicant to state how they will promote the four licensing objectives (a - e). In the opinion of the EH Team, insufficient consideration or detail has been given to section "d" - The Prevention of Public Nuisance.

The extent of the hours applied for make it more likely that noise from regulated entertainment or customers leaving, for example, will cause disturbance to local residents. An active investigation into noise nuisance from this premises is currently under way by the EH Team, so that we are unable to support the application in its current form at this time.

If the Licensing Committee are minded to grant this application it is recommended that conditions are imposed that constrain hours of opening and licensable activities to those that are less likely to give rise to serious disturbance.

It is further suggested that a condition is applied requiring that all doors and windows should be closed during the playing of live and recorded music (other than for access and egress) and that during this time the enclosed garden area should not be used (at any time) and that the door connecting it to the restaurant should be locked (to prevent noise break-out as customers / table staff move between areas). It is further recommended that all amplification of live and recorded music must be controlled via a noise limiting system of the dynamic-compressor type (which we are informed is integrated with the applicant's mixing desk) and which must be set to a level to be agreed by this team as not being intrusive to the amenity of local residents.

Charles Hook

On behalf of Sevenoaks District Council Environmental Protection



Good morning,

I am writing about this application for an extension to the existing licence for the above restaurant. This morning I have been told of this application by a neighbour who is very concerned about the effect of any extension. The time limit for consultation expires on 30 July. I can see no notice of this application anywhere on the property, so this period could well expire before local residents have any opportunity to comment/object.

In the short time that is available to me, I would like to register my objection to this application on the grounds that it is totally inappropriate for a conservation area in which there are many residential properties. Until Ephesus started to exploit its "Garden", the three restaurants in the area carried on their businesses quietly to the benefit of this part of the town.

I am attaching three images, two of which show the so-called Garden and one showing the sign referring to the Garden. Please would you confirm that the application would not permit any music or dancing in this area. The noise pollution from its existing use is more than enough.

Regards

John Hacker





Forgive me sending you this message but I have just become aware of the application to change the license of Ephesus and as I am totally unable to open the Council website I would be very grateful if you could forward this message to the planners.

My wife and I have lived in the Upper High Street for almost 50 years and are very keen that this Conservation Area should remain a quiet and unspoilt area. The thought of Ephesus being granted such an extensive license for drinks, music and dancing until the early hours of the morning is shocking. We live less than 100 yards from the so called garden/terrace of the restaurant and the current licensing arrangements are already resulting in music and voices echoing around well after midnight which is painful enough.

Other restaurants who have occupied these premises, along with the Sun Do Restaurant, have never caused any problems and are very conscious of the wellbeing of their neighbours.

I totally object to this planning request and suggest that if Ephesus wishes to run an establishment for food, alcohol, singing and dancing there will be other sites to move to but not in a Conservation Area.

Please confirm you have received this message as I gather we only have until tomorrow, Friday 30th , to send comments.

Yours most sincerely,  
Alan Bumstead

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Reasons for comment:  
Noise Disturbance  
Opening Hours

1:24 PM on 29 Jul 2021 Whilst we would like to support this restaurant business after a difficult year, we feel that very loud music with no sound-proofing until 2.30am is far too late in a residential area.

Mrs Maureen Barton

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Reasons for comment:

Crime Objections

Noise Disturbance

Opening Hours

Parking

Prevention of Public Nuisance

11:21 AM on 28 Jul 2021 This application is totally inappropriate for the premises which have been successfully used as an Indian restaurant until the current owner. We are regularly disturbed by the late hours of this restaurant. They obviously make use of their outside space. Living in the High Street for the last 48 years we don't expect countryside peace but this application is for what in effect will be a night club is more suited to premises in London or Brighton. This a Conservation Area in the centre of a country town. The last time I walked down the side of the premises there were gas canisters on the ground. The only problems we had with the former occupants was early morning removal of empty bottles which they altered to later in the day when asked. This application is not suitable for this location and I would suggest the licensing hours should be in line with the local pubs and the neighbouring Sun Do restaurant (a considerate neighbour).

Mrs Christine Bumstead

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My name is Tom Gold, my partner Susie Wood and I have lived at 2 Rockdale Mews for 3 years now and other properties within 50 metres of Rockdale Road for a total of 8 years. We are extremely concerned about the proposal Ephesus Restaurant has made for live and recorded music several nights a week.

This is a quiet residential neighbourhood which just happens to be adjacent to the towns high street. There are apartments, houses and of course Rockdale Housing Association is less than 100 metres from the patio area of the restaurant. As things are now this little road is extremely congested during the daytime as well as at night. People do not pay any attention to the fact that the road has double yellow lines and park absolutely anywhere without concern for receiving a ticket from the council. I will include a couple of photos taken over the last week showing how bad the parking situation is. Should this proposal take effect where are the patrons going to park? They certainly won't park in South Park Carpark because no one else is. They will park for free anywhere they can near the new nightclub. Currently people park in the driveway to Nat West and on several occasions I have had to run people off who are about to park in our driveway.

Several days a week I have to get up for work at 04.30 and twice a month that includes weekends. I can not imagine being able to function at work if there is an indoor/outdoor party happening just down the alley from my house until 02.30 and perhaps later if people are milling around the streets. My partner also gets up for work rather early and this disruption to our lifestyle would cause a massive disruption to our lives.

Sevenoaks is a wonderful community and a delightful place to live. Shops close early and most restaurants are not open past 10pm. The proposed changes to Ephesus are counter to everything Sevenoaks stands for. People do not come to Sevenoaks to party in a nightclub. This proposal is a terrible idea for many reasons but most of all the negative effect it will have on this delightful neighbourhood, including reduced property values and the potential for anti-social activities make it clear that there is just no way it can be justified.

Respectfully,

Tom Gold



20 August 2021, 20.02



19 August 2021, 19.51



16 August 2021, 15.14

Reasons for comment:  
Noise Disturbance

4:50 PM on 30 Jul 2021 Ephesus restaurant causes a lot of noise disturbance for all the neighbours around. The noise is very loud in the evening, continuing very late into the night. It keeps us as parents awake and also wakes our children up. I do hope that these hours and days are not increased as it is very difficult to live with

Mrs Jennifer Hersee

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Reasons for comment:  
Noise Disturbance  
Opening Hours  
Parking

The extended hours proposed by Ephesus will effectively mean that becomes a nightclub, instead of a restaurant. Ephesus already has an outside area from which music is clearly audible and a disturbance to local residents late at night. If music is permitted until 2.30am on Fridays and Saturdays and until 1am on Sundays this will create even more of a noise nuisance for local people.

Live music, in particular, is invariably louder than recorded music, and will carry a long distance - especially as Ephesus operates both outdoors and indoors as mentioned above. A lot of families with young children live in the area. Loud music until 2.30am will prevent them from sleeping.

Rockdale Road is a narrow road and on Friday, Saturday and Sunday evenings it is already virtually impossible to drive along it on account of vehicles parked on the double yellow lines. The proposal to play live music will attract more people, hence more vehicles, and it will inevitably block access to Rockdale Road for people living in the area and, also for the ambulances which are frequently needed for those living in Rockdale Care Home.

*Further representation received:*

I am still opposed to the variation of the premises licence for Ephesus for the reasons set out in my objection lodged in July. I referred in my representation to the noise nuisance which will inevitably result if permission is given for live music; recorded music and dancing until the early hours of the morning. There is already a problem with noise from Ephesus - on Saturday, 21 August 2021, for example, music was clearly audible in Oak Tree Close at 10.30pm. If Ephesus is permitted to extend its hours of operation, this problem will only be exacerbated.

I note that the prevention of crime and disorder is one of the four licensing objectives. If Ephesus is allowed to extend its licence to sell alcohol for an additional 19 hours per week, it is quite likely that crime and disorder issues could emanate from that, eg drunken behaviour; littering and vandalism.

Ms Jane Kostelnyk

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Reasons for comment:

Crime Objections

Noise Disturbance

Opening Hours

Prevention of Public Nuisance

The noise levels have become intolerable. I have two teenage children who cannot get a full night's sleep based upon the existing hours. i am really concerned at the anti-social behaviour, loud arguments and drug smoking until the early hours with no regard for the neighbours. It's a restaurant NOT a night-club but the new hours appear more like a night-club. I find it highly unusual that this establishment can gain any music license when the garden at the back is not enclosed and the sound 'travels' to Oak Tree Close, Rockdale Housing Association and the flats in the high street. Why should a large number of SEVENOAKS RESIDENTS BE DISADVANTAGED FOR THE SAKE OF ONE ESTABLISHMENT?

Mr Adrian Lessner

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I am the owner of the house at 2 Rockdale Mews, just around the corner from the Ephesus Restaurant.

I wish to object in the strongest terms to the application for live and recorded music through the week and into the early hours at weekends. (19 hours in total)

Anyone who knows the area will realise it's residential and this proposal poses a serious threat as a public nuisance. Noise of course- which will be heard by neighbouring houses - but also the likelihood of drunkenness and disorder.

There is also the issue of parking . The street is already heavily parked, especially at weekends . This would further exacerbate that problem.

To turn this restaurant into what would be essentially a nightclub is completely out of character with the area and would ride roughshod over the right to reasonable peace and amenity of local residents.

Susan Marling

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Reasons for comment:  
Noise Disturbance  
Opening Hours

I would like to object to the late license and request to play live and recorded music. We live within a few feet of the Ephesus premise and the volume of the music means we can not sleep until the music is turned off at 2am. We can also hear the music whilst we are sat inside from as early as 9pm. We have two young children who are woken by the music. They are very early risers so the noise disturbance from this restaurant has been extremely distressing for us all. We can not continue to live like this as it is deeply impacting our lives particularly at the weekends. There are a number of residential properties within a few feet of this restaurant and I am astounded a late license was ever awarded to Ephesus.

Mrs Louise Marshall

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I wish to make representation on behalf of Rockdale Housing in relation to the current Licensing Application 21/01465/LAPRE.

Rockdale Housing is a registered social landlord providing accommodation for older people which was founded in 1947. The Association is also a registered Community Benefit Society. Our mission is to provide affordable homes, care and other help to improve the quality of life for older people. On our site in Rockdale Road we have a Residential Care Home with 48 rooms and 152 sheltered rent/leasehold apartments and 28 leasehold properties in Akehurst Lane.

I have reviewed the licensing application and have strong reservations around the revised opening times and proposed live and recorded events and how this is likely to impact the quality of lives for a number of Rockdale's older residents and on-site staff. I have outlined these as below:

- **The prevention of crime and disorder:**

In this residential and commercial area, we are concerned at the potential for disorderly behaviour if large numbers of people congregate in and around the area, specifically in Rockdale Road. There is also restricted off road and office parking in the area and a number of our Care and Support staff leave their cars parked in this area overnight, by increasing the number of people in the area late in the night you put peoples cars at risk of damage; both accidental and deliberate. It is also likely there would be an increase in litter, particularly from takeaway wrappers, cigarette butts and packets and other littered items.

- **Public Safety**

Rockdale provides 24 hour support for its elderly residents and staff are located on-site overnight. Whilst we have effective lone working policies in place there is an increase risk to their safety when leaving the site in Rockdale Road to attend to an emergency overnight in Akehurst Lane (rear of Waitrose), with large numbers of people congregating, potentially under the influence of alcohol in the area heightens risks further.

- **The prevention of public nuisance:**

The 'Ephesus' premises is in close proximity of Rockdale Housing properties, predominately those in Rockdale Road. There is a real concern that guests will cause a serious noise nuisance in the early hours of the morning. Rockdale feel that allowing the sale of alcohol and similar activities this late at night will lead to noise and anti-social behaviour in local streets at a time when most respectable local residents are in bed and trying to sleep.

Claire Billis : Chief Executive (Interim)  
Rockdale

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We understand there is an application in to increase the licensable hours to the restaurant called Pegasus in the High Street Sevenoaks,

We live next door to this restaurant and have had no notification of any application at all. Earlier this year they built an extension which doubled the size of this restaurant, this is now open. The last two weekends they have been open and very noisy late into the night,

We oppose this application for the following reasons:

1. The requested late hours, up to 2.30 am, for music and dancing will be very loud and will impact on our privacy and sleep.
2. There is no adequate parking facility and people are already encroaching on surrounding private properties.
3. People will inevitably be noisy when leaving the restaurant late at night and early morning.
4. This restaurant is next door to Rockdale old folks home.
5. This area is already very busy, it is on the main London road with the only access to parking being through Rockdale Road which is already very busy with private, commercial and emergency traffic,

Vincent Potter and Diana Latter

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I am writing to you to object to The Ephesus Restaurant application for extension of license to sell alcohol and food with music, singing and dancing until 02:30am. The licensing application number is: 21/01465/LAPRE

I live at 48B High Street which is almost directly opposite Ephesus Restaurant. I have lived here for the past 4 years and have never made any high-street noise complaints during this time. For the entirety of the summer months now, I have had to endure sleepless nights on Fridays and Saturdays whilst Ephesus hosts parties until the early hours of the morning. One thing I will say in their defence, is that when the doors are shut to the restaurant, the noise levels are kept at a minimum, however it appears that the majority of their clientele enjoy smoking outside the restaurant for the duration of the evening, or hanging out in the garden area whilst all singing to the music inside. Not only does this cause a great deal of noise outside the restaurant, it means that they keep opening and closing the door to the restaurant, which allows pumping music to flow out onto the street and keep everyone awake.

The worst element of this late license is definitely the spilling out onto the street of their punters at closing time; 2:30am, often with many of them not leaving the premises until gone 3am, and they sing, scream and shout until they go home in taxi's. A couple weeks ago my neighbour had to call the police as there was a big fight of lads in the middle of the road after Ephesus closing time, they were thumping each other outside of her window and as a female living alone, she felt very unsafe. It has caused great distress to myself and my neighbours throughout the summer, on what has seemingly been a strictly residential end of the high-street for many years now.

The fact that they want to extend their license until 1am on a Sunday is beyond me, I have work to attend in London on on the weekdays, and if the weekends gone by are anything to go by, I won't be getting any sleep if this license gets approved. Even if the music stops at 1am, the noise does not. This end of Sevenoaks town has always been such a delight to live on, and has recently been tainted at the weekend's by the bad behaviour of Ephesus' clients, I really hope this does not continue in to additional days of the week. Sevenoaks is not known for it's late night parties and I sincerely hope this extension does not get approved.

Louise Watsham

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I would like to propose an objection to Ephesus' licensing application (ref: 21/01465/LAPRE) on the grounds that the proposed extension of operation hours threatens to be a public nuisance. With Rockdale Road already often congested on Friday and Saturday evenings due to delivery and takeaway orders from local restaurants, I feel that any further traffic would make public access impossible.

With the sale of alcohol running into the early hours of the morning every single night of the week (including Sundays), I also fear that this will lead to an increase in anti-social behaviour. The loud noise, which is already disturbing during Ephesus' current operating hours, is disrespectful to the general public who live nearby and makes it difficult to sleep.

Furthermore, as a resident of Rockdale Road, I do not like the idea of this late-night anti-social behaviour threatening to increase levels of crime and destruction of private and public property (there being many other restaurants and shops in the nearby vicinity).

This licensing application makes me fear for my safety and for that of my neighbours and their families.

I hope that this objection might be seriously considered in the council's decision-making process.

Hanna Campbell

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Please note that one of the key issues, as also highlighted by the District Council since 2008 and Town Council in January 2020 for the neighbourhood plan valid until 2038, is that this very stretch of Sevenoaks high street is not only located within the boundaries of the conservation area with very narrow pathways but also within what has been defined as a “Significant junction/node” (please refer to figure 2.3: Road Hierarchy, *2020/2038 Neighbourhood Plan*).

Because of this under item 2.3 ISSUES FOR THE NEIGHBOURHOOD PLAN, “Movement and Public Realm” of the *2020/2038 Neighbourhood Plan* it is highlighted overall the need to improve pedestrian movement in the town centre, now being Ephesus located on a very narrow pathway on a very busy street (even at night) selling alcohol and blasting loud music on what is defined as a “significant junction” in the town centre with narrow pathways I think should not be allowed... not only for the peace of mind of the residents but firstly for the safety of both pedestrians and car traffic - it is a very dangerous address to set up a club.

[2008 Sevenoaks District Council appraisal and management plan](#)

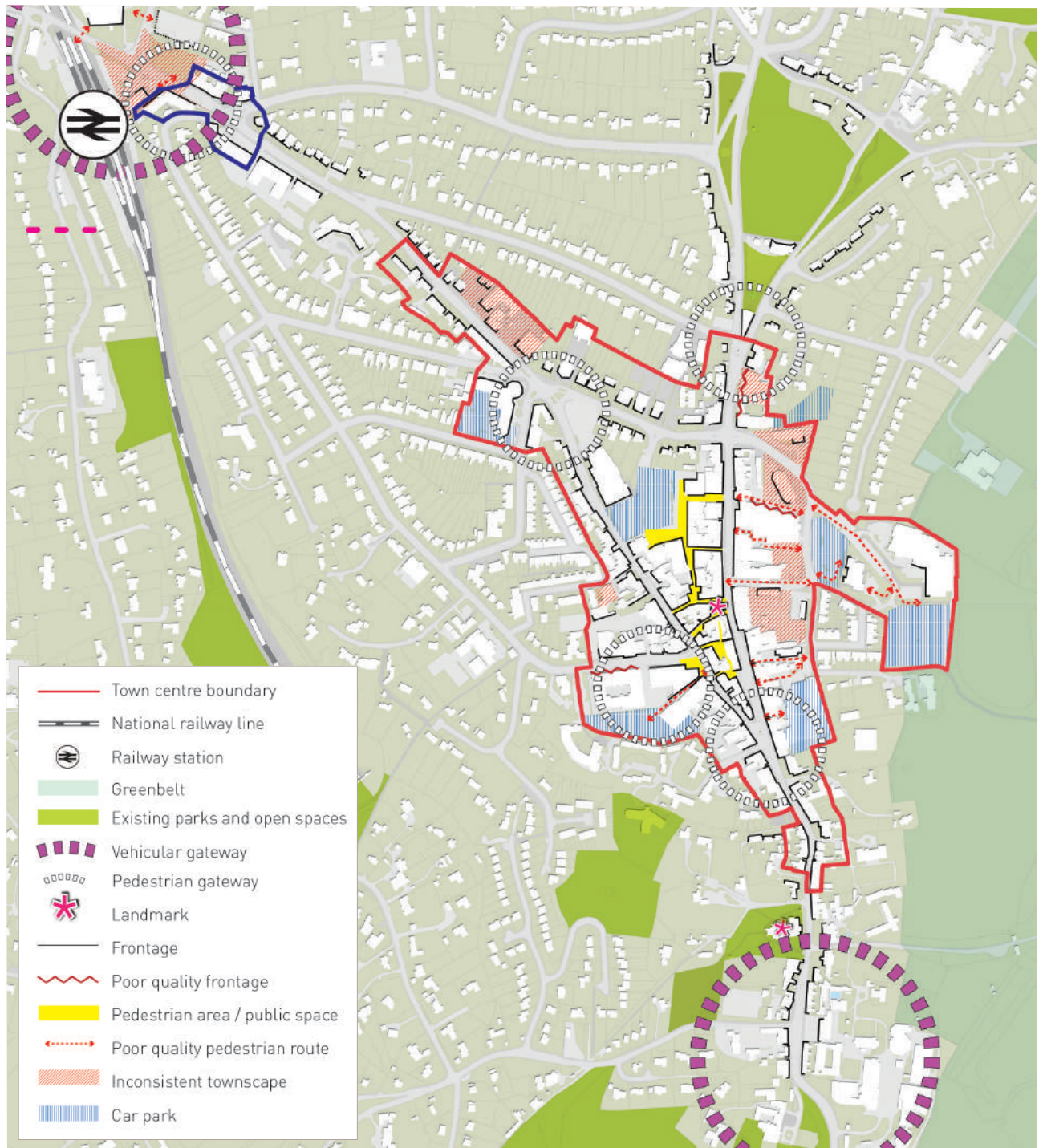
[2020/2038 Sevenoaks Town Council Neighbourhood Plan](#)

For me, resident of Six Bells Lane, the Town Council issues residents parking permits for South Park/Zone A which also means that when we come back home even late in the evening we need to walk all the way from our cars to Six Bells Lane on what is already a very dangerous pathway... walking past Ephesus is already difficult as is, we really are concerned that a late licence and loud music there would make it even more dangerous than it is currently.

Please do consider this application very carefully, taking into account first the safety of Sevenoaks residents.

Many thanks,  
Giovanni Sard

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**Figure A14: Town centre analysis diagram**

An analysis of the town centre is provided in Figure A14 above.

The town centre has been sub-divided into eight character areas and these are described on the pages that follow.

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I'm writing to you regarding Ephesus' application for extending their night time hours.

I live on the high street at 67a.

I don't feel the venue do enough to manage their clientele and the noise and disruption they already cause to local residents. Their clientele often congregate outside the venue and down the high street, creating a lot of noise until the early hours. There are regular fights and arguments - one of which went on for over an hour recently until the police attended.

For these reasons I would like to register an objection to their license application.

Kind regards  
Suzanne Bayliss

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Application 21/01465/LAPRE

May I make objection to the proposed extension of the music and alcohol license at these premises, on the following grounds:

1. The prevention of crime and disorder
2. Public nuisance
3. Public safety

My home address is Rectory Lane, but I own a property, 6 Oak Tree Close, Sevenoaks. My concern lies in the fact of the above, but also the very real option for our long term tenants, with two young children, may decide they can no longer stay in Oak Tree Close, if this license is granted. A virtual night club at these inappropriately situated premises, e.g. congestion of Rockdale Road, which needs constant access for the care home/apartments, is hopefully something to be avoided.

Trusting this plea on behalf of the residents of Oak Tree Close will be rewarded with a negative response to the application.

Dorothy Allen

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I understand that the Ephesus restaurant has applied for an extended licence up to 2:30am on Fridays and Saturdays, which will include recorded music, dance performance and sales of alcohol, with slightly reduced hours on Sundays. My office with residential property above at 48A and B High Street is within 50m of the restaurant and so I write to object to this additional 19 hours of licenced time per week on the grounds that this will constitute public nuisance and will be detrimental to the protection of children from harm. I am told by my tenant in the flat above my office that fights sometimes break out in the street, so these proposals would hinder the prevention of crime and disorder. There is noisy activity as people get into taxis etc, and the noise from the open air garden area can be considerable into the early hours of the morning, a considerable public nuisance. It is inevitable that restaurant windows and doors will be open onto the garden and therefore the dance and recorded music, will, by definition, be heard by quite a number of people in the vicinity, including children who live in flats nearby. Sales of alcohol will during until 1am during the week and therefore it will be 1:30am before the street is quiet again; an unreasonable imposition on people who need to go to work and school in the morning. Many people live in flats over shops and offices in the Town Centre and whilst I would not want to curtail the vibrancy of Sevenoaks, a sensible balance needs to be found between the needs of residents, commercial activity, and the enjoyment of visitors who may be quite often be from outside the town.

I consider that the granting of a licence as proposed would upset this balance since it will be close to 3am by the time diners have left the restaurant if music and dance performance continues until 2:30am. This is unreasonable and should not be permitted. I hope you will take our residents views into account.

Regards

Robert Rummey  
for and on behalf of  
Rummey design

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My wife and I wish to object to the planning application made by Ephesus to extend its hours of live and recorded music and sale of alcohol for a total of an extra nineteen hours a week.

We object to the application based on the following concerns: -

- The close proximity to quiet residential housing
- 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

Already residents have had to keep windows closed at the weekend when the music has been clearly audible, plus the recent addition of an outdoor space for the use of Ephesus customers adds to the noise levels and disturbance of sleep

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

Kind regards,  
James and June Murphy

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Sevenoaks District Council

24th August 2021

Dear Susan,

**Re: Ephesus application number 21/01465/LAPRE**

We are writing to formally object to the application by the Ephesus bar/club and restaurant for a late license, with loud (recored/live) music.

We do not feel that this is the correct location for a 'club style' bar, with live DJ's and very loud music (with reverberant bass tones), in close proximity too many residential homes, including the Rockdale supported living and home for the elderly. This is an area of quiet residential character, within the Conservation Area.

**The significant noise disturbance granting this application will cause falls under 'Public Nuisance'.**

The Ephesus restaurant has developed an external terrace, enclosed by lightweight construction; plastic sheeting and a retractable fabric roof, as an extension of its club/bar operation. This construction offers very little sound reduction, enabling their current music, as well as the party goers, to be audible by local residents', disturbing the peace.

From our house on Six Bells Lane, approximately 80 metres from Ephesus, their current music can be heard with closed windows and wearing ear-plugs, which disturbs our sleep. The applicant is seeking music to be played until much later at night (Friday and Saturday until 2:30am, and Sunday 1am, Thursdays 11:30pm).

We fear that granting permission to the application will significantly increase the disturbance and anguish caused to the surrounding community.

## Agenda Item 3

Has an acoustic assessment of both the building fabric sound reduction, and secondly to assess the existing ambient sound levels been carried out? These assessments would need to be considered in reviewing the application. The applicant needs to demonstrate how they are protecting their surroundings from noise disturbance.

A traffic assessment should also be undertaken. Presumably taxis will drop-off/pick-up from the High Street or Rockdale Road, causing congestion and additional noise disturbance.

### **Public safety**

The applicant is seeking much longer opening hours including alcohol sales (Friday and Saturday until 2:30am, Sundays until 12:30am, Monday to Thursday until 1am). The bar currently shows a focus on alcohol offering fixed price 'all you can drink' lunches.

This leaves us greatly concerned about the potential for anti-social behaviour, due to the long drinking hours, in addition to the noise of patrons gathering and departing the Ephesus until the early hours of the morning.

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

We are also concerned by crowds; queuing to enter and smoking, blocking the narrow footway in front of the club. At present one often has to walk in the road to pass the club. These crowds can also be intimidating to residents and passers-by.

### **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.

5.13 Crime (page 48) - 'All new development should be carefully designed to provide a safe and secure environment'.

As expressed above our concerns about health and safety do not fit 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/music, to protect the character of the area, and 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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We wish to object to the granting of an extension to the licence of Ephesus restaurant.

Noise Disturbance: We live in Six Bells Lane approximately 80 metres from the restaurant. The restaurant has created an outdoor area with no sound proofing. We can currently hear the party goes and music. Any extension to their licence into the early hours with the addition of live and recorded music will result in significant noise disturbance for all neighbours including in Six Bells Lane.

Opening Hours: Any extension to the licence to sell alcohol could lead to an increased risk of antisocial behaviour and disturbance to local residents when patrons are leaving the premises in the early hours of the morning.

Prevention of Public Nuisance: Please note our comments under noise disturbance, open hours and public safety which apply equally to the issue of public nuisance.

Public Safety: It is already proving difficult to pass the restaurant on the narrow pavement when people are gathering outside making it necessary to walk on the road. Any increase in activity has the potential to cause serious injury on a busy road at an already dangerous junction. Private vehicles and taxis coming and going at a dangerous junction and unauthorised parking in Rockdale Road are already causing a problem. Any extension of activity into the early hours will cause more nuisance and potential danger.

We strongly object to the granting of permission to the application from Ephesus restaurant for an extension to their current licence

Yours Sincerely

Victor Scott & Teresa Puplett

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We are concerned with the proposed permits that we understand the restaurant Ephesus has applied for and that raise serious safety concerns for us as residents of Six Bells Lane.

As you will be aware, there is no onsite parking for Six Bells Lane, and residents have to walk a significant distance for the next available parking spaces, inevitably having to pass by Ephesus on the way to and from Six Bells Lane.

Already in recent weeks, Ephesus customers have frequently been blocking the pavement in front of the restaurant in the evenings, forcing us to step into the road in order to pass, exposing us to often fast-going traffic.

An establishment like the one now proposed by Ephesus will also almost inevitably lead to significant noise levels and also alcohol and, potential other drug, consumption, and we do not feel safe having to pass customers lingering outside or entering / leaving the premises on our way home at night.

Whilst we support local business and appreciate the need for entertainment for the wider residents of Sevenoaks and surroundings, this is not the place for a venue as appears to be planned.

For this reason, we strongly object to the granting of an extension to the licence of Ephesus restaurant.

With kind regards,

Gaëlle & Matthias Voss

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To echo the concerns of our neighbours on Six Bells Lane, and the Upper High Street, we strongly object to the new licence extension application for Ephesus for the following reasons.

We feel that the use of the premises for a late night venue isn't appropriate. It is in the Conservation area, extremely close to the Rockdale residential care home, upper High Street residences and also our own and neighbouring property on Six Bells Lane.

The recent renovation to the exterior of the Ephesus premises has not been constructed in a way that is intended for late night hospitality. At present, it is just covered with a canopy, and there is no sound insulation. We are already able to hear the music and customers, so extended hours will cause significant noise disturbance. Like many of the local residents, we are in a grade II listed building without the luxury of double glazing to eliminate external sounds.

We fear that we may well experience anti social behaviour in the area with the extended alcohol licence. We can clearly hear raised voices in the town council gardens that we live adjacent to, and on the lane. This is likely to considerably worsen, and especially at closing time while people are loitering while waiting for lifts or before making their way home, and we are conscious to try and protect our young daughter from this.

The narrow pavements that run along the upper High Street could become more of a danger to passing pedestrians with the increase of gatherings outside Ephesus, forcing passers by off the pavement and into the road in order to pass. This is already happening to some degree. There would most definitely be an increase in private vehicles and taxis dropping off and picking up patrons near an already dangerous junction. A number of these vehicles would almost certainly use Rockdale Road as the nearest place to pull in and turn around.

In conclusion, while we are always very keen to strongly support local businesses that enhance the area, we feel that this application to extend the licence to Ephesus will unfortunately be detrimental to the Conservation area and local residents, and that would be a great shame.

Yours sincerely,  
Timothy and Etke Craig

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EPHESUS Restaurant 57/59 Upper High Street Sevenoaks

Licensing Application 21/01465/LAPRE

I strongly object to this application by Ephesus for their stated extension of hours to sell alcohol and food with singing and dancing as stated up to 2.30.

This has the obvious potential to become and escalate and public nuisance to neighbours specifically and the town in general.. Living opposite in Austen Drive and almost directly facing Ephesus. My bedroom windows are normally open at night and this has the to affect my personal quality and enjoyment of life. Over the eleven years I have lived here I have got accustomed to the night traffic but the potential noise from the restaurant is from people and needs to be avoided. (. I have past enjoyed the restaurant indoors with its absence of music and dancing music.

I and many others I know have chosen to live in this area of the Upper High Street Sevenoaks to enjoy the tranquillity of the town and value the fact that it is free of those who create noise through music and dance alongside the drinking of alcohol and be a public nuisance. This extension might well attract those from outside the town causing further noise as they leave the restaurant. I ask that we may be able to continue to enjoy the town and this neighbourhood.

Please consider the application and the objections you receive in this light and unequivocally refuse to grant this application in its entirety.

Thank you for your due consideration.  
Wendy Billington (Mrs)

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We received a letter regarding the Ephesus application for extension of licence to sell alcohol and food with music, singing, and dancing until 2:30am.

We live in extremely close proximity to Ephesus and have lived here since October 2020. We have therefore witnessed Ephesus build their new outdoor area and are pleased for them, it is a lovely area. However since the reopening of all business after lockdowns we have noticed a significant increase in noise and public nuisance on Friday and Saturday nights.

Please see our thoughts below on the relevant areas:

1. The prevention of crime and disorder - in the short time we have lived here we have been kept awake due to disorder outside our home resulting in police attendance. On one occasion Ephesus had their front door smashed. We are worried that increasing their opening time and therefore the time they are able to sell alcohol will lead to a further increase in crime and disorder.
2. Public nuisance - alongside the above there is often shouting/arguments/general noise of people leaving Ephesus and in the smoking area, and that keeps us awake on weekend nights. We cannot have our windows open as it is just too loud to sleep.
- 3 & 4. Public and Children Safety - one major concern we have is the amount of rubbish that gathers in the alley and car park behind Ephesus. Their bin is often overflowing and results in rubbish all around the car park. This is unhygienic and attracts foxes. We would therefore be extremely concerned if Ephesus increase their opening hours, which will result in an increase in waste, without resolving the current issue.

We do not want to stop a business from developing however we would suggest they allow sufficient time to learn and perfect the changes that their new space is bringing before rushing to open for longer.

I trust the above makes sense, thank you

Best Wishes  
Molly Shuter

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I refer to the above application for Ephesus restaurant to increase their licensing hours.

My husband, daughter and I live directly above Ephesus restaurant, therefore I would imagine the proposed changes would affect us most.

I would like to commend the restaurant owner and staff for the improvements they have made to their dining facilities particularly bearing in mind the hardships they must have faced during lockdown.

We certainly hear music and revelry from the restaurant, but it is never intrusive, never offensive and there has never been any detrimental effects of the restaurant or its clientele on our lives. To that end I would encourage the restaurant to be allowed to do all it can to improve business in Sevenoaks, and to allow them to continue to improve their facilities and to increase their revenue in whatever way they see fit.

The staff and management are supremely polite and helpful and I sincerely feel their good behaviour and courtesy should be repaid by residents by allowing them to expand their business in whatever way they see fit.

I imagine that some of those complaining were also those who were the recipients of unbought food which the restaurant distributed at their own volition during lockdown. This altruism should be repaid by residents with support during a time when we should be celebrating our freedom not restricting it.

Helen Ayling

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