



Communities Directorate

21 March 2017

Licensing Committee	
Date:	29 March 2017
Time:	7:00pm
Venue:	Queen Elizabeth II Room, The Shoreham Centre, Pond Road

Committee Membership: Brian Coomber (Chairman), David Simmons (Vice Chair), James Butcher, Stephen Chipp, Emma Evans, David Lambourne, Peter Metcalfe, Robin Monk, Lyn Phillips, Ben Stride
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Agenda

Part A

1. Declarations of Interest / Substitute Members

Members and officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

2. Confirmation of Minutes

To approve the minutes of the Licensing Committee meeting of held on 3 March 2017, copies of which have been previously circulated.

3. Public Question Time

To receive any questions from Members of the public in accordance with Standing Order 11.2

Questions from the public should be submitted by 6.30pm 27 March 2017

Where relevant notice of a question has not been given, the person presiding may either choose to give a response at the meeting or respond by undertaking to provide a written response within three working days.

(Note: Public Question Time will operate for a maximum of 30 minutes.)

4. Items Raised Under Urgency Provisions

To consider any items the Chairman of the meeting considers to be urgent

Part B - Licensing Act 2003 and Gambling Act 2005 Applications

5. Determination of an Application for a new Premises Licence at: Pannisa Coffee Lounge, 19 Southwick Square, Southwick

To consider a report by the Director for Communities, copy attached as item 5

Part C - Not for publication - Exempt Information Reports

Nil

Recording of this meeting: The Council will be voice recording the meeting including public question time. The recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part C of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Chris Cadman-Dando Democratic Services Officer 01903 221364 chris.cadman-dando@adur-worthing.gov.uk	Ruth Pallister Lawyer 01903 221050 ruth.pallister@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

Determination of an Application for a new Premises Licence at:

**Pannisa Coffee Lounge
19 Southwick Square, Southwick, BN42 4FP**

Report by the Director for Communities

1.0 Summary

- 1.1 An application for a Premises Licence has been made by:
Mr Panicos Soteriou

For a new Premises Licence to authorise the sale of alcohol for consumption on the premises.

- 1.2 The application has been the subject of formal representation by a Responsible Authority and a member of the public and it therefore falls to members to determine.

2.0 Background

- 2.1 An application was made by Mr Soteriou. to the Licensing Authority, Adur District Council, on the 13th February 2017 for the grant of a new premises licence at his premise situated at 19 Southwick Square. The business operates as a coffee lounge/cafe occupying a single fronted shop unit with residential flats above and public parking spaces directly outside. The shop is within a parade of shops in a mixed commercial/residential area.

- 2.2 A copy of the application and a location plan are shown in appendices 1 and 2. The application is for authorisation for the sale of alcohol for the consumption on the premise. The application seeks:

- Alcohol Sales between the hours of:
11.00hrs to 16.30hrs - Monday – Saturday
11.00hrs to 15.30hrs - Sunday
- Opening to the Public between the hours:
07.30hrs to 17.00hrs - Monday – Friday
08.00hrs to 17.00hrs - Saturday

3.0 Consultation

- 3.1 The application has been subject to the statutory consultation and statutory public advertisement arrangements in accordance with the provisions of the Act.
- 3.2 As a result two relevant representations were received. One from a responsible authority, Sussex Police, and one from a local resident Mr Amir Kivaj. You will note that there are 2 representations from Mr Kivaj, the first one dated 2nd March was deemed not relevant to the licensing objectives. But the second one dated 7th March was accepted.
- 3.3 All the representations received are reproduced in full at appendices 3a – 3d.

4.0 Representation & Mediation

- 4.1 The representations are considered to fall under the licensing objectives:

Prevention of Crime and Disorder
Prevention of Public Nuisance

- 4.2 Two representations were originally received, as stated, but as a result of mediation one has now been withdrawn.
- 4.3 The representation from Sussex Police has been withdrawn, following the applicant's agreement to the following conditions being added to the licence if members were of a mind to grant the licence:

• All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. All training shall be recorded and signed by the staff member and the Designated Premises Supervisor; the records shall be made immediately available upon request to the Local Authority Licensing

These would become fully enforceable conditions of licence. Sussex Police have confirmed these would address their concerns.

- 4.4 Mediation has been attempted between the applicant and the member of the public that made representation, Mr Kivaj. The applicant met with Mr Kivaj and tried to offer some assurances to address his concerns, and an email report of this meeting was received from Mrs Soteriou, and is shown in appendix 4. However, at the time

of drafting this report no agreement had been reached.

- 4.5 Notices of Hearing have been served on the applicant and those making representation.

5.0 Legislation

- 5.1 The Licensing Act 2003 (Hearings) Regulations 2005 require licensing authorities to disregard any information given by a party or other persons permitted to speak which is not relevant:

- (i) To their application, representation or notice and
- (ii) The promotion of the licensing objectives.

- 5.2 Section 4 of the Licensing Act 2003 requires licensing authorities to carry out its functions with a view to promoting the following licensing objectives.

- (i) the prevention of crime and disorder;
- (ii) public safety
- (iii) the prevention of public nuisance; and
- (iv) the protection of children from harm.

- 5.3 The authority must also have regard to its own statement of licensing policy and any guidance issued by the Secretary of State.

6.0 Council Policy Statement

- 6.1 The Council, as licensing authority, has adopted a policy on the determination of applications under the Licensing Act 2003. Members will already have a copy of the Policy Statement.

- 6.2 The following sections (re-produced in full below) are regarded as particularly relevant:

6.2 The main principles of the policy are as follows:-

- a) to reduce crime and disorder;*
- b) to reduce alcohol misuse; and*
- c) to encourage visitors and boost the local economy*
- d) to promote safer communities*

6.3 The policy is also intended to ensure that the provision of additional opportunities for licensable activities, are matched by additional measures enabling the police and licensing authorities to act promptly to maintain public order and safety.

6.4 The policy sets out a general approach to the making of licensing decisions

and underpins the provisions of the Licensing Act. It does not seek to undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits.

6.5 Similarly, this policy does not override the right of any person to make representations on an application or seek a review of a licence or certificate, where provision has been made for them to do so under the Act.

6.6 Licensing is about control of licensed premises, qualifying clubs and temporary events, within the terms of the Act and the terms and conditions attached to various permissions will be focused on matters which are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.

6.7 The Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises and how these may affect members of the public living, working or engaged in normal activity in the area concerned. Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding a licence, certificate or relevant permission.

7.3 In respect of each of the four Licensing Objectives, applicants will need to provide evidence to the Licensing Authority that suitable and sufficient measures, as detailed in their Operating Schedule, will be implemented and maintained, relevant to the individual style and characteristics of their premises and events. Reference will need to be made as to whether additional measures will be taken on an occasional or specific

basis such as when a special event or promotion is planned, which may pose additional risks that need to be controlled.

10.1 Licensed premises have a significant potential to impact adversely on communities through public nuisances which can arise from their operation. The Licensing Authority recognises the need to maintain and protect the amenity of residents, visitors and other businesses from the potential consequence of the operation of licensed premises, whilst balancing the rights of licensed premises to develop their business potential.

10.2 The Licensing Authority understands 'public nuisance' to include such issues as noise and disturbance, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.

10.3 Applicants will be expected to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained with the intention of preventing public nuisance, relevant to the individual style and characteristics of their premises and events.

10.4 The Licensing Authority recognises the intention of the legislation in seeking to achieve a more flexible licensing regime with the concept of greater

diversity of operating hours than previously existed. Conversely, it must be appreciated that premises seeking to provide late or unrestricted hours of operation can present a greater potential for public nuisance and adversely affect residential amenities. As such, there will be occasions when proposals for extended or unrestricted hours of operation will be unsuitable.

10.5 *When addressing the issue of prevention of public nuisance, an applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These will include:-*

- the location of premises and proximity to residential and other noise sensitive premises (e.g. hospitals, hospices, places of worship etc);*
- effective and responsible management and supervision of the premises and associated open areas;*
- the hours of opening;*
- the nature of activities to be provided, the customer profile, whether the activities are of a temporary or permanent nature and whether they are to be held inside or outside premises;*
- the design and layout of premises and in particular the presence of noise limiting and/or noise insulating features;*
- the number of people attending the premises;*
- the availability of public transport;*
- a 'wind down' period between the end of the licensable activities and closure of the premises;*
- a last admission time.*

10.6 *The following examples of control measures are given to assist applicants and are considered to be amongst the most important to be taken into account in an Operating Schedule, having regard to their particular type of premises and/or activities:-*

- Effective and responsible management and supervision of premises and associated open areas;*
- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance;*
- Control of opening hours for all or part (e.g. garden areas) of the premises and the operation of noise generating plant and equipment;*
- Adoption of existing and future best practice guidance (e.g. Good Practice Guide on the Control of Noise from Pubs and Clubs produced by the Institute of Acoustics);*
- Where appropriate, the installation of acoustic insulation, suitably controlled, sited and silenced ventilation or air conditioning systems and sound insulation or sound limiting devices;*
- Management of people, including staff, and traffic (and resulting queues) arriving and leaving premises;*
- Liaison with public transport providers;*
- Siting of external lighting, including security lighting;*
- Management arrangements for collection and disposal of litter;*
- Effective ventilation systems to prevent nuisance from odour.*

7.0 Conditions

- 7.1 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representation and it has been satisfied that it is appropriate to impose conditions to promote one or more of the four licensing objectives. Such conditions must be unequivocal and unambiguous.
- 7.2 The Act specifies certain mandatory conditions that are present on all premises licences and the applicant has detailed a number of conditions in the operating schedule contained in the application. In addition the applicant has volunteered a number of conditions in mediation with the Police. All would become enforceable conditions of licence if members are of a mind to grant the premises licence.

8.0 Decision

- 8.1 Section 35 of the Act requires authorities to grant an application unless relevant representations have been made. If representations have been made, the Act requires the licensing authority to have regard to them and take such steps as it considers necessary for the promotion of the licensing objectives.

- 8.2 As defined the "steps" are:-

- a. To modify the conditions of the licence
- b. To reject the whole or part of the application.

The conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

9.0 Safeguards

- 9.1 Under Section 181 and Schedule 5 of the Act, the following rights of appeal to the Magistrates' Court, in respect of applications for a premises licence includes:

- (1) The applicant may appeal against any decision to modify the conditions of the licence.
- (2) The applicant may appeal against a rejection in whole or part of an application.
- (3) A person who has made relevant representations may appeal against a licence being granted, or against the modification or lack of modification of any conditions.

- 9.2 The Act also allows for the local licensing authority to undertake a review following the grant of a premises licence, when requested to do so by a responsible authority, such as the police or the fire authority, or any other party, such as a resident living in the vicinity of the premises. The government's guidance states:

"The proceedings set out in the 2003 Act for reviewing premises licences

represent a key protection for the community where problems associated with licensing objectives are occurring after the grant or variation of a premises licence.

At any stage, following the grant of a premises licence, a responsible authority, or any other person, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

10. Legal Implications

- 10.1 In determining this application, the principles of the Human Rights Act 1998 must be taken into consideration and the convention rights of both individuals and businesses will be given due weight.
- 10.2 Members must consider each application on its own merits, and in accordance with the principles of natural justice, as well as the provisions of the Licensing Act 2003. All relevant factors must be taken into account, and all irrelevant factors must be disregarded.
- 10.3 All applications, before Committee, must be considered against the backdrop of anti-discriminatory legislation, such as the Equality Act 2010 and also in accordance with the Council's stated policy on Equal Opportunities.
- 10.4 In accordance with Section 17 of the Crime and Disorder Act 1998 the Council is under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent, crime and disorder in its areas. The possible crime and disorder implications are clearly relevant factors in the consideration of all applications and this is re-emphasised by the Licensing Act 2003 itself. In giving "due regard" to these possible implications members will consider and weigh up all the information available and representations made, including those from interested parties and the responsible authorities particularly the Police.

11. Recommendation

- 11.1 Members are requested to determine the application for a Premises Licence, made by Mr Panicos Soteriou., for the premises known as 'Pannisa Coffee Lounge' situated at 19 Southwick Square, Southwick, BN42 4FP and give reasons for that determination.

Mary D'Arcy
Director for Communities

Local Government Act 1972

Background Papers:

- **Licensing Act 2003**
- **Guidance issued under section 182 of the Licensing Act 2003 (July 2009)**
<http://webarchive.nationalarchives.gov.uk/+http://www.homeoffice.gov.uk/publications/alcohol/guidance-section-182-licensing?view=Binary>
- **Adur District Council's Statement of Licensing Policy**
<http://adcweb/intranet/docs/env-health/licensing-policy-statement.pdf>

Principle Author & Contact Officer:

**Theresa Cuerva – Environmental Health Technician (Licensing Specialist)
Public Health & Regulation Team**

theresa.cuerva@adur-worthing.gov.uk (01273 263193)

Appendices:

- **Appendix 1 – Application & Plan of Premises**
- **Appendix 2 – Location Plan**
- **Appendix 3a – Police Representation**
- **Appendix 3b – Kivaj Representation 1**
- **Appendix 3c – Kivaj Representation – ADC Response**
- **Appendix 3d – Kivaj Representation 2**
- **Appendix 4 - Mediation.**

Schedule of Other Matters

[To be completed on all reports. If no issues are identified under a heading then it should read "Matter considered and no issues identified."]

1.0 Council Priority

1.1 [Set out which of the Council's priorities the proposal meets and how.]

2.0 Specific Action Plans

2.1 (A) [Set out the specific outcomes from the Corporate Plan the proposal is aimed at achieving and how]

(B) [Set out any specific government target the proposal is aimed to achieve]

3.0 Sustainability Issues

3.1 [Details of any sustainability issues, checklist to be completed and submitted to Community Wellbeing]

4.0 Equality Issues

4.1 [Details of any equality issues or how the proposal improves the current position]

5.0 Community Safety Issues (Section 17)

5.1 [Details of how the proposal helps reduce crime and disorder and to meet the Council's duty regards crime and disorder reduction targets]

6.0 Human Rights Issues

6.1 [Does the proposal impinge on anyone's human rights and if so how is it justified under the Human Rights Act? Human rights include:
Right to a fair trial, respect for family life, private life, home and correspondence, freedom of thought, expression, assembly and association and protection and quiet enjoyment of property and possessions. Also ask, is the action proportionate to the anticipated response or outcome?]

7.0 Reputation

7.1 [Is the proposal likely to have an impact on the reputation of the Council(s)]

8.0 Consultations

8.1 (A) [Details of relevant internal (staff UNISON etc) and external (including Stakeholder Groups; etc.) consultation]

(B) Include how have you used the feedback from the consultation in this proposal

9.0 Risk Assessment

9.1 [Details of risks of doing or not doing? Are there insurance or public liability issues? Is there a statutory duty on the Council to do what is proposed and what are the consequences of not doing it? Highlight if this report meets an element in the corporate business continuity plan]

10.0 Health & Safety Issues

10.1 [Details of any health and safety issues]

11.0 Procurement Strategy

11.1 [Confirm that the report complies with the Procurement Strategy or explain why the Strategy had not been complied with. Include how your recommendation meets the strategy making reference to Best Value principles if necessary]

12.0 Partnership Working

12.1 [Detail any partnership working the report/proposal seeks to promote]

2100
F019
13/2/17

Adur & Worthing Councils
Licensing Unit
RECEIVED
17
Initials

Application for a Premises Licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION

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 MR PANICOS SOTERIOU (of)
PANNISA COFFEE LOUNGE (insert name(s) of applicant) apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description		Adur & Worthing Councils Licensing Unit RECEIVED 13 FEB 2017
19 SOUTHWICK SQUARE SOUTHWICK		
Post town	Post code	Initials
WEST SUSSEX	BN12 4FP	
Telephone number at premises (if any)	01273 - 593710	
Non domestic rateable value of premises	[REDACTED]	

Part 2 – Applicant Details

Please state whether you are applying for a Premises Licence as:

- Please tick ✓
- a) an individual or individuals* please complete section (A)
 - b) a person other than an individual*
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. Other (for example a statutory corporation) please complete section (B)
 - c) a recognised club please complete section (B)
 - d) a charity please complete section (B)
 - e) The proprietor of an educational establishment please complete section (B)

f) A health service body

please complete section (B)

g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital

please complete section (B)

h) The chief officer of police of a police force in England and Wales

please complete section (B)

Please tick ✓

*If you are applying as a person described in (a) or (b) please confirm:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- Statutory function; or
- A function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

SOTERIOU

First names

PANICOS

Please tick ✓

I am 18 years old or over

Current postal address if different from premises address

[Redacted address]

Post Town

[Redacted town]

Postcode

[Redacted postcode]

Daytime contact telephone number

[Redacted number]

[Redacted number]

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname First names

I am 18 years old or over Please tick ✓

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

N/A

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
20	03	2017

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

If 5000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

Please give a general description of the premises (please read guidance note 1)

PANNISA COFFEE LOUNGE IS A SHOP LOCATED WITHIN SOUTHWICK SQUARE. WE HAVE ONE LEVEL WITH DISABLED ACCESS, AND A FEW TABLES. WE WOULD LIKE TO OFFER ALCOHOL TO CUSTOMERS ON PREMISES ONLY, NOT TO TAKEAWAY.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment:

Please tick ✓

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performance of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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Sale by retail of alcohol (if ticking yes, fill in box M)

✓

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed			N/A		
Thur			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed			N/A		
Thur			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 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			<p>State any seasonal variations for indoor sporting events (please read guidance note 4)</p> <p style="text-align: center; font-size: 2em;">N/A</p>
Tue			
Wed			
Thur			
			<p>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. (please read guidance note 5)</p>
Fri			
Sat			
Sun			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed			N/A		
Thur			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 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			<p>State any seasonal variations for indoor sporting events (please read guidance note 4)</p> <p style="text-align: center; font-size: 2em;">N/A</p>
Tue			
Wed			
Thur			
			<p>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. (please read guidance note 5)</p>
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	/	
Tue			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)	/	
Wed			N/A	/	
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 5)	/	
Fri				/	
Sat				/	
Sun				/	

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon			<p>N/A</p>		
Tue					
			<p>State any seasonal variations for the performance of live music (please read guidance note 4)</p>		
Wed					
Thur			<p>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. (Please read guidance note 5)</p>		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed			N/A		
Thur			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 5)		
Fri					
Sat					
Sun					

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed			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. (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e),(f) or(g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing				
			Will this entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors
Indoors							
Outdoors							
Both							
Day	Start	Finish	Please give further details here (please read guidance note 3)				
Mon							
Tue							
Wed							
Thur							
Fri							
Sat							
Sun			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)				
			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. (please read guidance note 5)				

Provision of facilities for making music Standard day and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the provision of facilities for making music at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri					
Sat					
Sun					

N/A

J

Provision of facilities for dancing Standard days & timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			N/A	Both	
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within (i) or (j) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing					
			Will the entertainment facility be place indoors or outdoors or both – please tick (✓) (please read guidance note 2)		<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors
Indoors								
Outdoors								
Both								
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon			 State any seasonal variations for the provisions of facilities for entertainment of a similar description to that falling within (i) or (j) (please read guidance note 4) 					
Tue								
Wed								
Thur								
			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within (i) or (j) at different times to those listed in the column on the left, please list. (please read guidance note 5)					
Fri								
Sat								
Sun								

L


Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur			N/A		
Fri			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. (please read guidance note 5)		
Sat					
Sun					


M

Sale of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>	
Day	Start	Finish		Off the premises	<input type="checkbox"/>	
Mon	1100	16.30	State any seasonal variations for the sale of alcohol (please read guidance note 4) POSSIBLE SPECIAL OCCASSIONS ON A SUNDAY - IE: MOTHERS DAY, ETC (WHEN WE OFFER AFTERNOON TEA)	Both	<input type="checkbox"/>	
Tue	1100	16.30				
Wed	1100	16.30				
Thur	1100	16.30		Non standard timings. Where you intend to use the premises for the sale of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri	1100	16.30				
Sat	1100	16.30				
Sun	11.00	15.30				

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name: **MR PANICOS SOTERIOU**

Address: 

Postcode: 

Personal licence number (if known): **BEING APPLIED FOR**

Issuing licensing authority (if known):

N

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 8)

N/A

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)	
Day	Start	Finish		
Mon			<p>POSSIBLE 3 SUNDAYS A YEAR</p> <p>IE: MOTHERS DAY FATHERS DAY VALENTINES (IF ON A SUNDAY)</p>	
	07.30	17.00		
Tue				
	07.30	17.00		
Wed				
	07.30	17.00		
Thur				<p>Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5)</p> <p>NONE</p>
	07.30	17.00		
Fri				
	07.30	17.00		
Sat				
	08.00	17.00		
Sun				
	10.00	16.00		

P

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)

b) The prevention of crime and disorder

WE HAVE FULL CCTV IN THE SHOP
WHICH IS AVAILABLE TO POLICE IF NEEDED
ALL RECORDINGS KEPT FOR A MINIMUM OF 30
DAYS

c) Public safety

I.D. TO BE GIVEN BY ANYONE LOOKING
UNDER 25 YEARS OLD
SIGNAGE OF FIRE EXITS AND FIRE FIGHTING EQUIPMENT

d) The prevention of public nuisance

ALCOHOL ONLY TO BE SERVED ON
PREMISES WITH FOOD
THE PREMISES SHALL AT ALL TIMES MAINTAIN AND
OPERATE A SALES REFUSAL LOG AND AN INCIDENT LOG
ALL RECORDS KEPT AT LEAST 24 MONTHS AND AVAILABLE TO
POLICE & LOCAL AUTHORITY STAFF ON REQUEST

e) The protection of children from harm

WE OPERATE A CHALLENGE 25 POLICY
SUITABLE SIGNAGE WILL BE DISPLAYED ADVERTISING
THIS POLICY

Please tick YES ✓

- I have made or enclose payment of the fee (please read guidance note 14)
- I have enclosed a plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the proposed premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature



Date

10/2/17

Capacity

MANAGER

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 19) MR PANICOS SOTERIOU PANNISA COFFEE LOUNGE 19 SOUTHWICK SQUARE SOUTHWICK	
Post town WEST SUSSEX	Post code BN42 4FP
Telephone number (if any) [REDACTED]	
(optional) e-mail address PANNISACOFFEELOUNGE@HOTMAIL.COM	

Notes for guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol, and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place is and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. If you wish people to be able to consume alcohol on the premises, please tick on. If you wish people to be able purchase alcohol to consume away from the premises, please tick off. If you wish people to be able to do both, please tick both.
8. 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants, or their respective agents must sign the application form.
13. This is the address that we shall use to correspond with you about this application.
14. Cheques should be made payable to either Adur District Council **OR** Worthing Borough Council depending on where your premises is located.

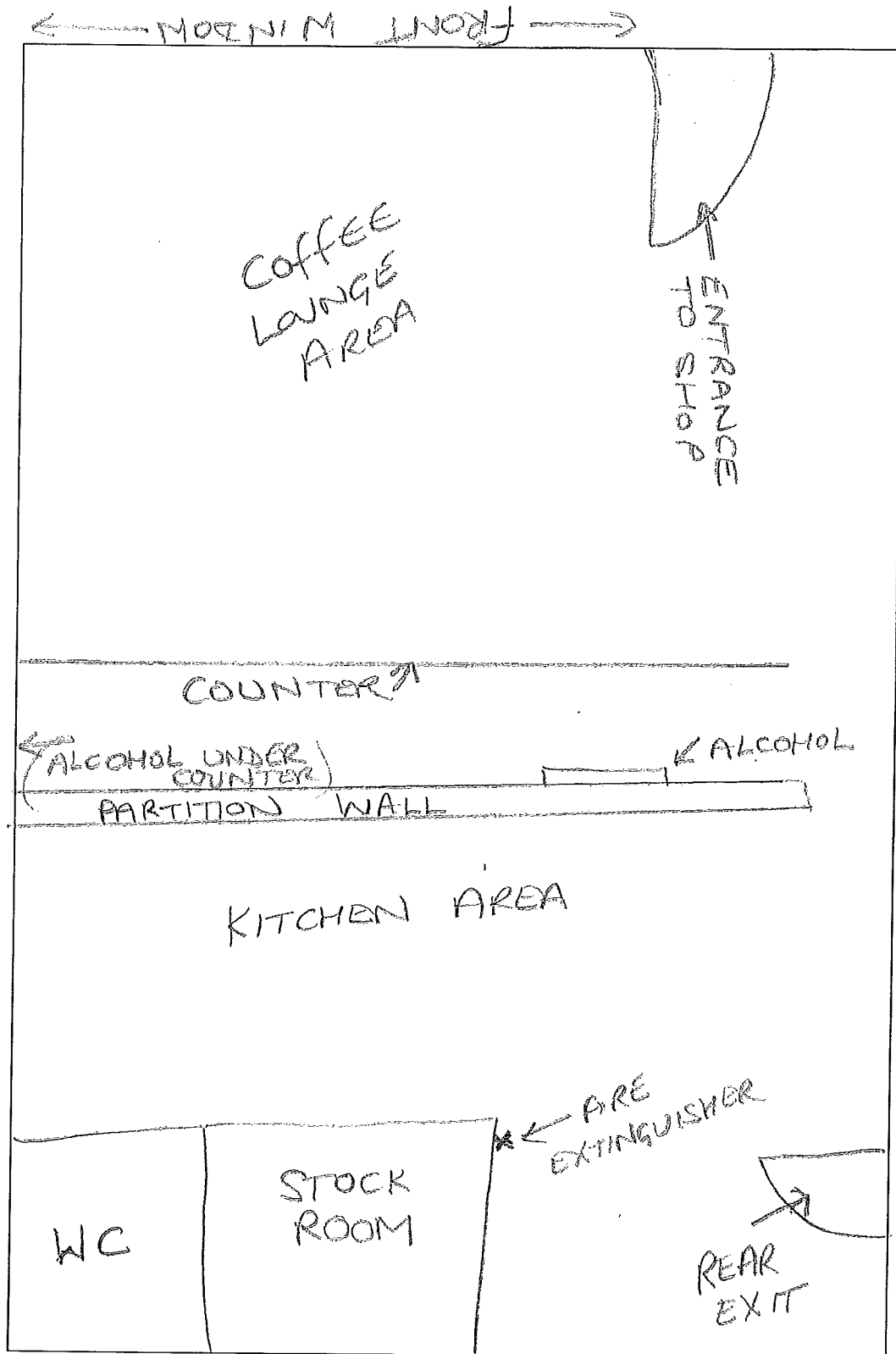
Information on the Licensing Act 2003 is available on the Home Office website - www.homeoffice.gov.uk

Or from: - The Licensing Unit, Adur & Worthing Councils, Contact details below.

Telephone: 01273 263189/263192

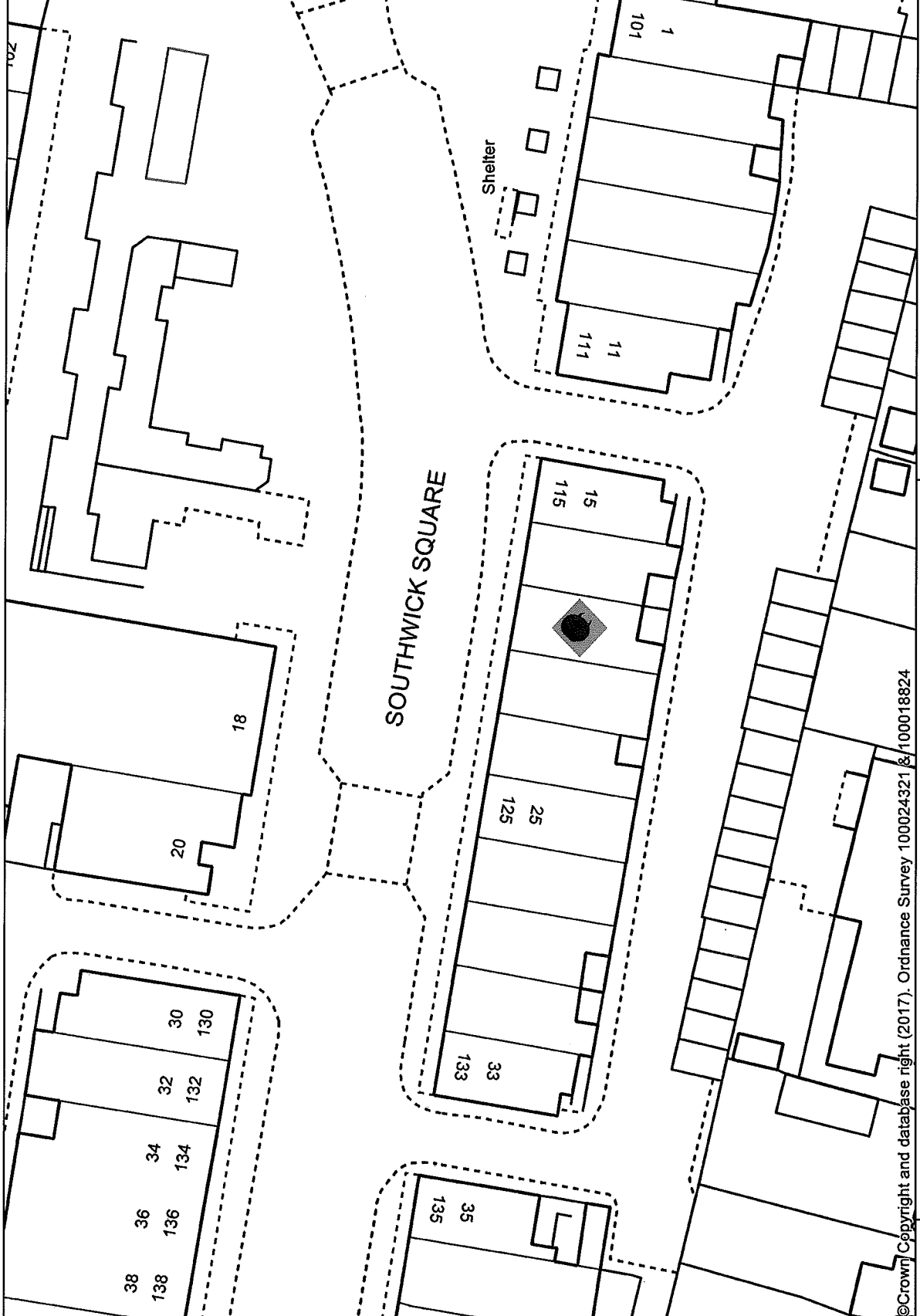
Email: licensing.unit@adur-worthing.gov.uk

Website: www.adur-worthing.gov.uk



NO STEPS, STAIRS, LIFTS OR STAGES

15 March 2017



SOUTHWICK SQUARE

Shelter

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Re: Pannisa Coffee Lounge

1 message

15 February 2017 at 12:37

To: "Pauline.Giddings@sussex.pnn.police.uk" <Pauline.Giddings@sussex.pnn.police.uk>
Cc: "theresa.cuerva@adur-worthing.gov.uk" <theresa.cuerva@adur-worthing.gov.uk>

Dear Ms Giddings

I whole heartedly agree that should we take on any new members of staff in the future they will be fully trained on all procedures on the sale of alcohol and the challenge 25 policy.

We have an incident book already at the shop and along side that we will have a training book where we we log all training and dates of such. These records will be available at any time for the police or council authorities to peruse.

Kind regards,

Panicos Soteriou

Sent from my iPhone

On 15 Feb 2017, at 11:26, <Pauline.Giddings@sussex.pnn.police.uk> <Pauline.Giddings@sussex.pnn.police.uk> wrote:

Dear Mr Soteriou,

Thank you for your prompt response.

Your application and your response below give every indication that you and Mrs Soteriou have taken considered steps to ensure you promote the licensing objectives. However, can you please confirm that it is intended that any new members of staff would be trained prior to making any sale of alcohol?

If you confirm this to be the case Sussex Police would seek that this is reflected on the premises licence as a formal condition stating that

- All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. All training shall be recorded and signed by the staff member and the Designated Premises Supervisor; the records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff

If this is the intention of the application Sussex Police are able to agree to this application for a premises licence. If this is not the case please do not hesitate to contact me via the contact details below in order that we can discuss the matter further.

Kind regards

Pauline Giddings

Divisional Licensing Officer

Neighbourhood Licensing Team

West Sussex

101 x 581443

01273 404030

Fwd: Representations for the objection of licensing of alcohol in 19 southwick square (pannisa coffee)

1 message

Licensing Unit <licensing.unit@adur-worthing.gov.uk>
To: Theresa Cuerva <theresa.cuerva@adur-worthing.gov.uk>

2 March 2017 at 11:59

Hi Theresa,

I've downloaded and attached this representation to the worksheet already. WK/201701414

Kind Regards

Julie

----- Forwarded message -----

Date: 2 March 2017 at 11:40

Subject: Representations for the objection of licensing of alcohol in 19 southwick square (pannisa coffee)

To: "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>

To whom this may concern,

I, [REDACTED] director of Ali Baba 9 southwick square, BN424FP am writing a representation to the objection of the licensing proposal laid out by Pannisa coffee of 19 southwick square.

My reasons for this are:

1. The said company have only just displayed the proposals for licensing on the 1st march 2017 which on the representation poster is dated 10th of February 2017. This only gives 10 days of time to make an objection. This has been insufficient timing to make any adjustments the public may have to make objections to this proposal and not a full month which I believe is what is necessary by law. Breaching rules of the council which I believe.
2. We do not believe a coffee shop should sell alcohol as there is already two off license shops in southwick square serving alcohol as well as 2 restaurants serving alcohol. From my understanding according to the lease there should not be more than two companies serving similar products i.e. Alcohol in this given area. In our lease you could clearly see that there should only be two A3 licenses but there is already a breach as there is now 3 A3 licenses with all selling alcohol such as Tosca. Which is having an effect on our business.
3. I believe there are too many shops in southwick already selling alcohol and this is increasing the rate of crime in this small area. For the given size of southwick there are more than enough units serving alcohol as well as many serving alcohol at the same time of day.

I believe my points above validate and describe how it's is unfair on all the other businesses in southwick square as well as my own that we do not need another unit selling alcohol to create a competition that already exists between companies. Many shops past and present have closed down due to the presence too many similar companies opening up. I do not believe the council is dealing with these matters fairly.

I hope my representations to the objections are considered and I would greatly appreciate any correspondences are relayed to me accordingly.

Sincerely,

[REDACTED]
9 Southwick Square
Southwick
Brighton
Bn424fp
[REDACTED]

Dear [REDACTED]

I thank you for your email dated 2 March 2017.

However, as it stands I regretfully have to reject your representation as not relevant under the terms of the Licensing Act 2003.

Please note that to be regarded as a relevant representation/objection your letter/email must refer only to the authorisation being applied for and directly or indirectly tie it to the Licensing Objectives;

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

Representations regarding public demand and the affect granting the application will have on other commercial interests within the vicinity are specifically excluded from the consideration of the Licensing Authority by the Government in its guidance.

I appreciate business is difficult at present and any increase in competition can harm a small business, however, the law simply does not allow this authority to take such matters into account.

I have to advise you that I visited the premises on 14th February 2017 at 14.30 hours, and the blue notice advertising this application was in the front window of the premises, and was duly witnessed by myself. Also, the A3 licence you refer to is a planning licence, and as such does not effect this licensing application.

If you have any queries on this matter please do not hesitate to contact me.

Kind Regards

Theresa Cuerva

Licensing Officer, Adur & Worthing Councils

Phone: 01273 263193

Email: theresa.cuerva@adur-worthing.gov.uk

Website: www.adur-worthing.gov.uk

Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA



Re: Representations for the objection of licensing of alcohol in 19 southwick square (pannisa coffee)1 message

7 March 2017 at 16:18

To: Theresa Cuerva <theresa.cuerva@adur-worthing.gov.uk>

To Teresa Cuerva,

Thank you for your reply.

The reason I did not include the reasons indicated in the licensing objectives explicitly down below that you have mentioned is because I assumed it would be clear from my reasons mentioned that the impact this may have/ already has on crime and public disorder.

I have indicated that there are far too many units serving alcohol in this vicinity. The situation in southwick square is that there are many teens and young children who spend their time in the square surrounded by establishments serving alcohol. I feel this is too many for the size of the area. This is already having an effect on the public on the numbers of public/public disorders. The area around southwick square is a residential area and introducing another alcohol serving establishment will impact on the peace of the residents and cause further nuisance.

Not long ago, we personally have had our windows broken due to members of public being drunk as well as many fights in this vicinity and not to mention a recent fire that was set alight to a tree; we had to use our own fire extinguisher to put the fire out. All this was due to the effects of alcohol induced behaviour in the local area.

Another point I can make is that there was also recently a robbery at the co-op in southwick square where the perpetrators stole alcohol.

The licensing objectives set out for 19 southwick square state the times for licensing to be from 11am which I believe is absurd. Between these hours you are encouraging people to drink more in earlier hours and encouraging alcohol related behaviours. Many young people visit this coffee shop which is also encouraging them and their families with children to be within this atmosphere.

19 southwick square are open till 5pm. This means the general public including me will have to deal with the consequences and the aftermath of people who may drink irresponsibly during these early opening hours.

I hope I have made my reasons clear and I hope this has now given further clarity as to why I believe my representation should be taken in to account.

I would appreciate any correspondence in regards to this.

Thank you

Regards,

Pannisa Coffee Lounge1 message

8 March 2017 at 21:50

To: Theresa Cuerva <theresa.cuerva@adur-worthing.gov.uk>

Hi Theresa

My husband had a meeting today (Wednesday 8th March at 3.30pm) with Mr [REDACTED]

This man advised us he is the son of Mr Ali Baba who owns the shop at 9 Southwick Square.

My husband explained clearly our intentions of selling alcohol within the shop and that this would be monitored so no one would be getting drunk and disorderly at all whilst on our premises. He also pointed out that the clientele we have are mainly of the older generation and not the younger teenagers he refers to in his objection.

[REDACTED] was asked about his statement that he recently had a window broken at his shop, and he advised this happened 2 years ago !!! We were not even open then, and 2 years ago is hardly recent.

We also advised [REDACTED] that during our opening hours there is never any trouble in the Square and never any drunk people causing trouble or fights (as per his objection). And whilst our licence hours have been asked to start from 11am this is not something we will promote, even though the local pubs in the area sell alcohol from the same times - Cricketers pub opens at 11am weekdays and The Ship pub opens an hour earlier at 10am weekdays.

His main concern was that the recent opening of Tosca had taken some of his evening trade and he was not happy in case any of his customers during the day chose our shop over his, thus losing more business. My husband explained that people should have a choice where they eat and drink and that the types of food we offer in our coffee shop is totally different to what he offers in his kebab/burger shop. My husband also explained that the alcohol we will be selling will be very limited, for example a glass of prosecco with afternoon tea, and a real Irish coffee (to enhance the coffee we already sell).

[REDACTED] advised the decision for the objection was his fathers (Mr Ali Baba) and he did not want to withdraw it for fear of losing business and his main concern was greater competition within the Square.

My husband advised that should he not withdraw then we will go the hearing. [REDACTED] response was it would be a waste of our time as there was no way we would be granted a licence.

In our opinion and from the meeting with [REDACTED] his issue is with more 'competition' and fear of losing business than anything else. His other excuses of fights, window breakage, teenagers, drunks, etc are all highly exaggerated and inaccurate. This includes his false statement that my blue notice was not in the shop window from 10th February. [REDACTED] has no proof or evidence that our shop selling alcohol will have a negative effect on the Square and his objection has been made out of spite.

Lisa x

Sent from my iPad