
**Licensing Act 2003 – Application for the Review of the Premises Licence at the
Light Bar
31 Chatsworth Road, Worthing, BN11 1LY**

Report by the Executive Head of Housing, Health & Community Safety

1. Recommendation

- 1.1 That the full Licensing & Control Committee “B” considers and determines the application from:

Sussex Police

for a Review of the premises licence at the above venue under section 51 of the Licensing Act 2003.

2. Reasons for the Hearing

- 2.1 An application for a Review of premises licence No: LN/000001195, held by

The Lounge Leisure Group

for the bar known as the Light Bar, has been received from Jean Irving, Force Licensing & Public Safety Manager on behalf of the Chief Constable of Sussex Police. The Police being a Responsible Authority as defined in the Act.

- 2.2 Worthing Borough Council is the Licensing Authority that granted the above licence and it therefore falls to members to determine this application.

3. Background

- 3.1 The Liquid Lounge and the Light Bar are two separate venues owned by Peter Mott & Barry Wells T/A the Lounge Leisure Group. Both premises are situated in a large multi storey, multi use building, Chatsworth House, situated in Chatsworth Road. The Liquid Lounge is situated on two floors of the building. Entry to the club is at the west side of the building via a staircase to the first floor. The main area of the club occupies the majority of the first floor and operates primarily as a nightclub with a stairway leading down to a ground floor section (known as Tokyo - or previously Le Chic). The Light Bar is situated on the east side of the building on the ground floor and operates primarily as a bar. The two premises are linked physically by an

interior staircase and share infrastructure but normally operate as separate businesses under separate premises licences.

- 3.2 Somewhat unusually when the Light Bar closes in the evening the premises licence allows the Light Bar to be incorporated as part of the club letting it re-open as an extension to the nightclub accessed and exited only from the staircase leading down from the first floor nightclub.
- 3.3 Review applications regarding both the Liquid Lounge's and Light Bar's premises licences were received on 22 November 2012.
- 3.4 Premises Licence no. LN/000001195 covers the Light Bar and authorises the sale of alcohol and the provision of regulated entertainment. It has been held by the Lounge Leisure Group since the introduction of the Licensing Act 2003 in November 2005.
- 3.5 Mr Peter Mott is the current Designated Premises Supervisor. He holds a Personal Licence, ref. no. 00189, issued by Worthing Borough Council.
- 3.6 A plan of the area is attached. (Appendix A)
- 3.7 A plan of the premises is attached. (Appendix B)
- 3.8 The application is for a review of the licence due to representations made regarding the following licensing objectives:
- Prevention of crime & disorder
 - Prevention of public nuisance
- The application is attached. (Appendix C)
- 3.9 The current Premises Licence allows:
- a) Sale of alcohol between:
- 12.00hrs and 00.30hrs, of the following morning, Sunday
 - 11.00hrs and 02.00hrs, of the following morning, Mon. to Wednesday
 - 11.00hrs and 03.00hrs, of the following morning, Thursday
 - 11.00hrs and 04.00hrs, of the following morning, Friday & Saturday.
- b) Provision of regulated entertainment:
- 12.00hrs and 00.30hrs, of the following morning, Sunday
 - 11.00hrs and 02.00hrs, of the following morning, Mon. to Wednesday
 - 11.00hrs and 03.00hrs, of the following morning, Thursday
 - 11.00hrs and 04.00hrs, of the following morning, Friday & Saturday.
- c) Hours the premise can open to the public:
- 12.00hrs and 01.00hrs, of the following morning, Sunday
 - 11.00hrs and 02.30hrs, of the following morning, Mon. to Wednesday
 - 11.00hrs and 03.30hrs, of the following morning, Thursday
 - 11.00hrs and 04.30hrs, of the following morning, Friday & Saturday.
- (Appendix D)

- 3.10 Copy of the representation received in support of the Police's application is attached. (Appendix E)
- 3.11 Copies of the representations (letters & petitions) received in support of the licence holder are attached. (Appendices F1- 45)
- 3.12 A copy of the additional information supplied by Sussex Police to support their application is attached. (Appendix G)
- 3.13 A copy of the additional information supplied by Messrs Mott & Wells regarding their case is attached. (Appendix H)

4. The Application

- 4.1 The Application for Review is attached at Appendix C.
- 4.2 The application is made on behalf of Sussex Police a responsible authority as defined in the Section 13 of the Act.
- 4.3 Sussex Police have applied for Reviews of both the Light Bar's & the Liquid Lounge's premises licences maintaining that whilst they are covered by separate licences they are used as part of a homogenous business with at times unrestricted access from one venue to the other allowed and problems that have occurred in one often being attributable to incidents that have started in the other.
- 4.4 The applicant has included detailed information in the application supporting their case that the licence holder is undermining the Licensing Objectives:
 - Prevention of crime & disorder
 - Prevention of public nuisance

Sussex Police are requesting that members consider revocation of the licence.

5. Promotion of the Licensing Objectives

- 5.1 The Licensing Act 2003 and regulations require that the Council, as local licensing authority, carries out its functions with a view to promoting the four licensing objectives:
 - the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance;
 - the protection of children from harm.

According to the Home Office Guidance each objective is of equal importance. It is important to note that there are no other licensing objectives, so that these four objectives are paramount considerations at all times.

- 5.2 In carrying out its licensing functions, the licensing authority must also have regard to Guidance issued by the Home Secretary and its own Statement of Licensing Policy. Members are advised that the following sections of the Worthing Borough

Council's Policy may be particularly relevant to consideration of this matter, though of course the Policy in its entirety must be considered. Sections indicated relate to paragraph numbers in the Policy itself:

Prevention of crime and disorder

- 4.1 *The Council places huge importance on the prevention of crime and disorder. A high standard of control is, therefore, expected to be exercised over licensed premises.*
- 4.2 *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, the Guidance issued under section 182 to the Act and this policy. The Council will give "due regard" to all possible implications and its Licensing & Control Committee will always consider all the information available and relevant representations made, including those from interested parties and the responsible authorities, particularly the Police.*
- 4.3 *In their role as a responsible authority, Sussex Police are an essential source of advice and information on the impact and potential impact of licensable activities in the borough, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and usually have good working relationships with those operating in the local area. The council recognises that Sussex Police are the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder, but may also be able to make relevant representations with regards to the other licensing objectives if they have evidence to support such representations. The Council will accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.*
- 4.4 *Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems. The Council will expect Operating Schedules to satisfactorily address these issues from the design of the premises through to the daily operation of the business, including, where appropriate, the arrangements proposed in respect of prevention of both alcohol and drug misuse.*
- 4.7 *In addition to the requirements for the Council to promote the licensing objectives, it also has a duty, as detailed in para. 4.2, under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough. The Council will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder within the vicinity if relevant representations are received. Whether or not incidents can be regarded as being in the vicinity of licensed premises is a question of fact and will depend on the particular circumstances of the case."*

Prevention of Public Nuisance

- 4.16 *Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of disturbances impacting upon people living, working or sleeping in the vicinity of the premises or wider afield.*
- 4.17 *Noise disturbance can arise from entertainment or activities held within licensed premises and also from people or motor vehicles outside licensed premises. The Council will expect Operating Schedules to address these issues. Advice and guidance can be obtained from Licensing Officers or the Council's Environmental Protection Team. If representations are received the Council may utilise appropriate conditions to control noise disturbance and the use of such conditions will depend upon the activities/entertainment/hours of operation proposed; the nature of the locality; and existing background noise levels and ambient noise levels. Noise control conditions may include the satisfactory sound insulation of licensed premises; compliance with maximum noise levels; and limiting hours of operation.*
- 4.18 *When addressing public nuisance the applicant should initially identify any particular issues (having regard to their particular type/construction of their premises, proposed activities and nature of locality) which are likely to adversely affect the promotion of the objective to prevent public nuisance. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule.*
- 4.19 *Anti-social behaviour such as excessive noise from access and egress or patrons littering should also be addressed in the Operating Schedule.*

Enforcement

- 8.1 *Once licensed, it is essential premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the 2003 Act and the Council will make arrangements to monitor premises.*

Reviews

- 9.6 *The 2003 Act provides a clear focus on the promotion of the four statutory licensing objectives which must be addressed when licensing functions are undertaken. The Act provides tough powers, in the form of the review procedure, to enable licensing authorities to bring the minority of badly managed premises, which are failing to promote the licensing objectives, into line with the best.*
- 9.8 *When considering an application for a Review the priority of the Licensing Authority will be to establish the cause or causes of the concerns and failures and to take necessary and proportionate remedial action.*
- 9.9 *However, when considering applications for Review arising in connection with crime (this includes underage alcohol sales) deterrence is an appropriate objective. Whilst punishment may not strictly be a valid tool on an application for Review in cases where there has been activity in connection with crime, deterrence can be. The Licensing Authority will not confine its decision simply to considerations of remedying. To simply re-emphasise conditions which clearly have not been adhered to in the past will not in most cases prevent further breaches of the law in the future and consequently would not promote the Licensing Objectives.*

6. Consultation

- 6.1 The application has been subject to statutory consultation and statutory public advertisement arrangements in accordance with the provisions of the Act.

7. Relevant Representations

- 7.1 As detailed the Liquid Lounge & the Light Bar are inter-linked. The Light Bar operates as a separate venue during the day and evening until approx. 00.00hrs (midnight) but acting as an extension of the Liquid Lounge on most evenings the club opens. As a result it is not considered practical or possible to separate the representations received as they refer to the activities taking place in both premises.
- 7.2 The applications have received numerous representations and they are all reproduced in full at Appendices E & F.
- A. Supporting Sussex Police's Application - During the 28-day consultation period 1 written representation supporting the application was received from a responsible authority – NHS West Sussex Primary Care Trust.
- B. Supporting the Licence holder – 43 letters were received from members of the public, local businesses and members of Worthing Pub Watch supporting the licence holder. In addition to the letters received a petition of 421 signatories supporting the licence holders was received and an on-line petition of 365 signatories. Members have been supplied with a copy of the petition and letters. However, the 'on-line' petition received contains no addresses or contact details so this petition could not be authenticated and whilst it has not been excluded members are reminded that they will need to consider carefully the weight, if any, they apportion to this.
- 7.3 Both the applicant and licence holder have produced additional information supporting their arguments at Appendices G & H.
- 7.4 The applicant, licence holder and those making relevant representation have been invited to attend the Committee meeting. All parties have the right to address members.

8. Mediation

- 8.1 As part of the review process the Licensing Act encourages, where possible, mediation.
- 8.2 Messrs Mott & Wells have produced an action plan that they hope will address all Sussex Police's concerns and this is produced in Appendix H.
- 8.3 Sussex Police and the Licence holders are engaging in mediation but the results were unavailable at the time of writing. Any developments will be reported at the hearing.

9. Consideration

9.1 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. These being the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. Each objective is of equal importance and it is important to note that there are no other licensing objectives, so that these four objectives are paramount considerations at all times.

9.2 But members should note that the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- *Necessary protection of local residents, whose lives can be blighted by disturbance and anti-social behaviour associated with the behaviour of some people visiting licensed premises of entertainment;*
- *Introduction of better and more proportionate regulation to give business greater freedom and flexibility to meet customers' expectations;*
- *Greater choice for consumers, including tourists, about where, when and how they spend their leisure time;*
- *Encouragement of more family friendly premises where younger children can be free to go with the family;*
- *Further development within communities of our rich culture of live music, dancing and theatre, both in rural areas and in our towns and cities;*
- *Regeneration of areas that need the increased investment and employment opportunities that a thriving and safe night-time economy can bring.*

9.3 When determining this application members need to carefully consider the following:

- The four statutory licensing objectives
- Worthing Borough Council's 'Statement of Licensing Policy'
- 'Guidance issued under Section 182' by the Home Secretary
- The application & relevant representations
- The testimony and any relevant information supplied by the licence holders.

9.4 These are the only matters to be addressed by the authority when considering this review application. The statutory licensing objectives are the only grounds on which representations can be made, and the only grounds on which an authority will be able to refuse an application, suspend or revoke a licence or impose conditions.

9.5 When considering an application for a review, pursuant to s51 of the Act, the following options are available to the Committee to ensure promotion of the Licensing Objectives:

- To take no action.

- To issue an informal warning to the licence holder and/or recommend improvement within a particular period of time.
- To modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition).
- To exclude a licensable activity from the scope of the licence.
- To remove the designated premises supervisor because they consider the problems are the result of poor management.
- To suspend the licence for a period not exceeding three months
- To revoke the licence.

9.6 In determining an application for a review the following sections of the Home Secretary's Guidance issued under section 182 of the Licensing Act 2003 (Amended – October 2012) should be taken into account,

11.17 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

11.19 In deciding which of these powers to invoke (see section 9.5 of this report), it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

11.20 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.21 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.

11.22 *Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.*

9.7 Members should also have regard to relevant case law regarding deterrence.

Crown (Bassetlaw District Council) v Worksop Magistrates' Court – 2008

The judgment by Mrs Justice Slade in the High Court in a Judicial Review applied for by Bassetlaw District Council regarding a judgement of a District Judge sitting at Worksop Magistrates' Court in respect of a Licensing Act Appeal for Select & Save has established a number of principles.

1. *The general approach of Licensing Authorities on a Review is to establish the cause or causes of the concerns and to take remedial action which is necessary and proportionate.*
2. *However, when considering Reviews arising in connection with crime (and underage sales are included) deterrence is an appropriate objective and one contemplated by the Secretary of State in the Guidance.*
3. *Whilst punishment may strictly not be a valid tool on a Review, in Reviews where there has been activity in connection with crime, deterrence could be.*
4. *The Licensing Authority and courts should not confine their decision simply to considerations of remedying. Deterrence can be considered.*
5. *To simply re-emphasis conditions which clearly haven't been adhered to in the past is not going to prevent further underage sales in the future, and therefore will not promote the Licensing Objectives.*

9.8 Sussex Police have not made any representation suggesting that the management, or staff, of the Light Bar were engaged in criminal activity.

9.9 In all cases members are required to give reasons for their decision.

10. Legal Implications

10.1 Under Section 181 and Schedule 5 of the Act, rights of appeal to the Magistrates' Court in respect of applications for review of an existing license include:

- (1) The applicant or licence holder may appeal against any decision to modify the conditions of the licence, suspend or revoke a licence.
- (2) The applicant may appeal against a rejection in whole or part of an application to review.
- (3) Those that have made relevant representations may appeal against a review being granted, rejected, or against the modification or lack of modification of any conditions.

10.2 The Act 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.

- 10.3 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.
- 10.4 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.
- 10.5 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.
- 10.6 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 the public and the responsible authorities particularly the Police.

11. Other implications

- 11.1 Any decision taken will have regard for the local environment and, in particular, any conditions attached for the purposes of preventing public nuisance will take this principle into account. There are no significant direct race relations or equal opportunity implications that have been identified.

12. Recommendation

- 12.1 Members are requested to determine the application by Sussex Police for a Review of the Premises Licence, held by the Lounge Leisure Group at the Light Bar situated in Chatsworth Road. Members are requested to give reasons for their determination.**

Paul Spedding
Executive Head of Housing, Health and Community Safety

Principal Author and Contact Officer:

Simon Jones, Senior Licensing Officer
Telephone 01273 263191.

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>
- Worthing Borough Council's Statement of Licensing Policy
<http://www.adur-worthing.gov.uk/media/media.98561.en.pdf>

Appendices:

- Appendix A - A plan of the area.
- Appendix B - A plan of the premises.
- Appendix C – A copy of the Review Application.
- Appendix D – A copy of the Light Bar's Premises Licence.
- Appendix E - A copy of the representation supporting the Application.
- Appendix F1-45 - Copies of the relevant representations supporting the licence holders
- Appendix G - A copy of the additional information supplied by Sussex Police to support their application.
- Appendix H - A copy of the additional information supplied by the Lounge Leisure Group.

The Licensing Unit, Civic Centre, Shoreham-by-Sea

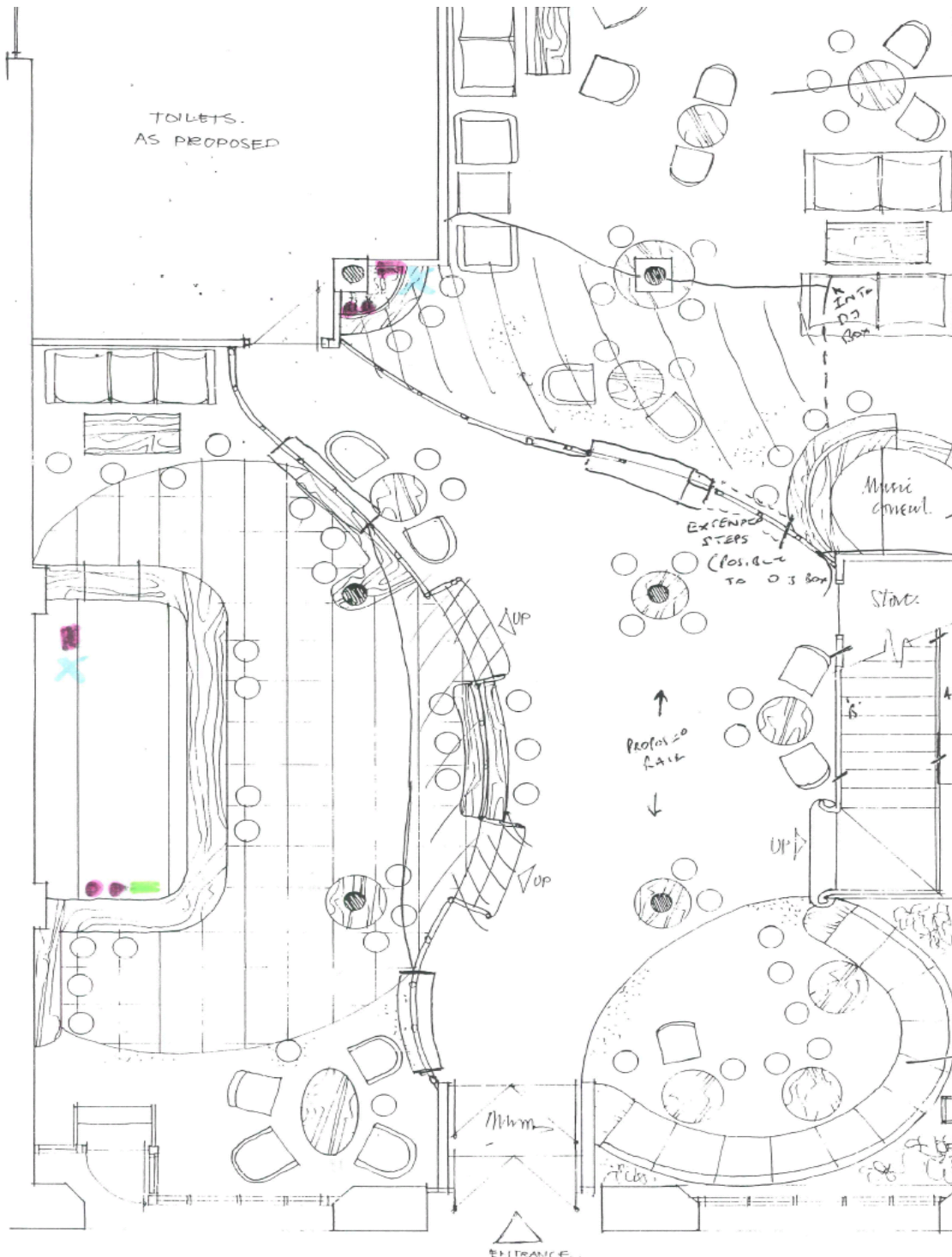
Ref: SJ/Lic.U/LA03/Review – Light Bar
Date: 7 January 2013.

Appendix A Plan of Area



Title: Liquid Lounge 31 Chatsworth Rd Scale 1:1250 Date Plotted 14/7/2005

**Appendix B
Plan of Premises**



LIGHT BAR.
GROUND FLOOR.

- FIRE BREAK GLASS POINTS.
 - FIRE EXTINGUISHERS.
 - ✕ CALL POINTS/PANIC BUTTONS.
 - FIRST AID KITS.
- B.**

Appendix C Review Application

Application for the review of a premises licence or club premises certificate 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 Jean Irving, Force Licensing and Public Safety Manager
Sussex Police, for and on behalf of the Chief Constable of Sussex Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Light Bar 31 Chatsworth Road	
Post town Worthing	Post code (if known) BN11 1LY
Name of premises licence holder or club holding club premises certificate (if known) Lounge Leisure Group	
Number of premises licence or club premises certificate (if known) LN/000001195	

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Jean Irving, Force Licensing and Public Safety Manager for and on behalf of the Chief Constable of Sussex Police. C/O Simon Morgan Sussex Police Divisional Headquarters Centenary House Durrington Lane Worthing West Sussex BN13 2PQ
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 3) the protection of children from harm | <input type="checkbox"/> |
| 4) public safety | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

Sussex Police contend that the Licensing Objectives of:

- i) Prevention of crime & disorder
- ii) The prevention of public nuisance

have been seriously undermined by the constant & persistent volume of incidents of crime and disorder in and around these premises and by the continuing failure of the Designated Premises Supervisor (DPS) Peter Mott, representatives of the Premises Licence Holder (Peter Mott & Barry Wells of the 'Lounge Leisure Group') and the premises management team to address issues of violence, drunkenness & disorder within and around the immediate vicinity of the premises.

The Light Bar shares the same address as Liquid Lounge; it also shares the same Designated Premises Supervisor and Premises Licence Holders. Similarly, the manager, James Lanz and the door staff team both work at the Liquid Lounge and The Light Bar when both premises are in operation.

By the management's own admission, the Liquid Lounge and The Light Bar are the same licensed business. Their website describes the Liquid Lounge as:

'Worthing's only 2 roomed venue' and further states: 'Originally a 450 capacity venue, the building has over the years been expanded over 2 floors and 4 rooms with a capacity of 810. Liquid Lounge also has two covered smoking terraces. One servicing Ice, Fire & Le Chic - the other servicing Light bar.'

Sussex Police contend that even though Liquid Lounge and The Light Bar have separate licences, they are used as part of a homogenous licensed business. Unrestricted access can be gained to each venue from inside the building and incidents occurring at The Light Bar have often been attributable to Liquid Lounge and vice versa. Sussex Police contend that, as such, these two licences are inextricably linked and the problems identified by Sussex Police in the Liquid Lounge review document are identical with the problems occurring at The Light Bar.

In February 2010, Peter Mott and James Lanz were required to attend a Local Action Team (LAT) meeting after Sussex Police identified that the levels of crime and disorder, public nuisance and anti-social behaviour in and around Chatsworth Road, Worthing had risen to unacceptably high levels. When the premises 'Liquid Lounge' was being referred to by those present at the meeting it was held that this term encompassed all the 'rooms' in the Liquid Lounge complex, namely Ice Bar, Fire Room, Tokyo 31 and Light Bar. It was identified that this complex was clearly responsible for many of the identified problems.

Sussex Police believe that despite repeated police intervention since that meeting, the measures put into place by the management of the Liquid Lounge 'complex'

have failed to provide a sustainable solution to the continuing high levels of crime and disorder attributable to the 'complex' and that it is now necessary to review the Premises Licence.

Sussex Police contend that over a period of approximately eighteen months the management of Liquid Lounge and The Light Bar have been responsible for allowing drunkenness to occur on a regular and frequent basis at both premises.

Drunkenness features in most of the incidents cited by Sussex Police and there is a clear correlation to drunkenness and incidents of violence occurring at The Light Bar. The Liquid Lounge website and social media page makes it clear that The Light Bar has been breaching the Licensing Act's mandatory condition regarding irresponsible promotions. Drinking games, free 'bar tabs' and complimentary drinks all feature as attractions to patrons and, in the opinion of Sussex Police, have contributed to increasing the levels crime and disorder in Worthing.

In this short time-frame, half a dozen assaults involving actual bodily harm (ABH) have occurred inside or in the immediate vicinity of The Light Bar; this is in addition to an assault causing grievous bodily harm (GBH) and an allegation of sexual assault. Police are currently investigating a report of rape by a stranger after a female left the premises in a drunken and vulnerable state.

Similarly, The Light Bar has been identified as being responsible for allowing a group of males to become drunk. This group then caused a serious public order incident in the town centre, injuring a member of the public and a police officer and requiring most of the district's police resources to restore order and resolve.

The predominance of incidents at The Light Bar occur on Tuesday and Wednesday nights. Sussex Police provide considerable resources dedicated to reducing public place violent crime and alcohol related disorder on Friday and Saturday night and it is not anticipated that a single licensed premises should require resources to be further provided to manage problems created by the night-time economy during the middle of the week.

Please provide as much information as possible to support the application
(please read guidance note 2)

Liquid Lounge and The Light Bar are joined internally by a flight of stairs. While two premises licences exist, the Premises Licence Holder, the Designated Premises Supervisor - Peter Mott, and the management team are common to both. Located in Chatsworth Road in the centre of Worthing, the premises are run concurrently, allowing access from one to the other between certain times, as specified on the premises licence. It is therefore necessary to examine records of all relevant incidents for both premises and while it is appreciated there are two premises licences, this review application is sought in conjunction with that for Liquid Lounge, premises Licence number **LN/000001196**.

Below is a chronology of notable incidents which have occurred and been reported in relation to this part of the joined premises. Due to the co-joined nature of the Liquid Lounge and The Light Bar, Sussex Police accept that, despite exercising diligence to accurately source these incidents, some of those cited may have originated from the Liquid Lounge.

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Tuesday 6th November 2012 (01:00 ~ 02:00 hours)

A female had been drinking at The Light Bar with a friend. When they left at approximately 00:40 hours, the female stated that she was 'very intoxicated' and some events of the evening could not be re-called due to her drunkenness. Police CCTV footage shows this female repeatedly falling onto the pavement in both Chatsworth Road and Chapel Road before collapsing into a shop doorway. It is clear from the CCTV footage that this female had been made vulnerable through excess alcohol. The female stated that after being left alone, she was picked up by a stranger and subsequently raped by him.

Monday 13th August 2012 (01:48 hours)

A female contacted Sussex Police to report that she had been assaulted by a second female. Both had been drinking at The Light Bar. The victim had sustained a head injury and was transported to Worthing hospital. Police officers took a statement from the victim; however she was unable to sign it due to her level of intoxication.

Wednesday 4th July 2012 (01:45 hours)

A patron became drunk inside the premises and when he exited the front in order to smoke he was refused re-entry by a member of the door staff who stated that he was drunk and had been sick in the toilets. The patron argued with the door staff before head-butting him in the face. The male was then restrained by the door staff and arrested for assault occasioning actual bodily harm (ABH). The patron was transported to Worthing custody, where he was unable to comply with the booking in process due to his drunken and violent state. In interview the male admitted to becoming drunk at The Light Bar. The investigation was discontinued due to the limitations of the premises CCTV.

Friday 9th March 2012 (22:00 ~ 00:00 hours)

Between 22:00 hours and midnight an off-duty member of police staff was at The Light Bar with a group of friends. The evening was advertised as a 'Holiday Party

Games' night. 'Ibiza Club style' games and challenges, organised by the premises, were taking place; including 'Shot Wheel Fun', 'Limbo' and a number of drinking challenges. Prizes seemed to be of an alcoholic nature.

At the conclusion of the limbo competition, the winner was clearly seen to be taken to one side and given his prize; this was dispensed directly into the mouth of the male patron from a spirits bottle with a pourer. Two other males were also seen to be 'downing' pints whilst being encouraged by the staff. It was unclear if this was part of a competition or as part of a prize. Due to the levels of intoxication of the predominantly male patrons and a general atmosphere of drunkenness, the group felt the need to leave the premises.

Wednesday 21st December 2011 (02:20 hours)

A police patrol received reports of an assault from patrons who had recently left The Light Bar; the group had been drinking at the premises for approximately six hours. They stated that a male in their group had collapsed after being punched in the face, this had occurred inside the premises. A female witness stated that she saw the door staff usher away the suspects. All members of the group were highly intoxicated and the victim, who was bleeding from the face, showed signs of recently taking drugs. The witness further stated that the door staff had refused to assist the group as it was past 02:00hrs and they were closing the premises.

Tuesday 22nd November 2011 (02:05 hours)

A female contacted Worthing Police Station reporting that her male friend had been assaulted and required an ambulance. Both the suspect and the aggrieved had been drinking at The Light Bar and had become intoxicated there. Officers attending the scene - an alleyway near The Light Bar, observed the aggrieved and stated that he was 'extremely drunk' and had facial cuts and a lump on the head. The suspect was located and arrested on suspicion of assault. He was given a police caution for assault occasioning actual bodily harm (ABH).

The same suspect has now recently been arrested on suspicion of committing a serious assault upon another patron who he had met inside the Liquid Lounge, attacking them after they left the premises.

Wednesday 26th October 2011 (01:44 hours)

Police received a report from a female stating that she had been sexually assaulted inside The Light Bar. Investigating officers noted that she was drunk to the point of vomiting.

Thursday 20th October 2011 (23:33 hours)

A group of males had attended The Light Bar where they had become extremely drunk. They proceeded into town where they assaulted a member of the public before attacking attending police officers. One officer was punched, bitten and knocked to the ground by one of the males. Five individuals were arrested for public order offences and an assault against police. The disorder required over a dozen police officers to quell. Batons and pepper spray were deployed in order to do so. At custody, the suspects were unable to comply with the 'booking in' processes due to their levels of drunkenness. Two males were charged for public order offences, a further two were issued with penalty disorder notices for public order offences and one received a charge for assaulting a police officer.

Thursday 16th June 2011 (00:38 hours)

Sussex Police received a call from a male saying he had been assaulted whilst dancing at the premises. Attending officers located the male outside in the street. The victim stated that, after bumping into a female on the dance floor, her partner approached and punched him in the face, breaking his nose. Door staff then intervened, taking the males out to the front of the premises. The victim then called the police for assistance however the assailant left the location prior to arrival. The victim was too heavily intoxicated to provide police with a statement and officers noticed that he was struggling to stand up without falling over. Limited details were taken at this time and the male re-entered Liquid Lounge.

Sunday 10th April 2011 (01:15 hours)

A male patron was punched in the eye by another male patron in an unprovoked attack which caused him 'a great deal of pain and discomfort'. The suspect ran out of the premises. Door staff took the victim to another room where he could clean away the blood. The management failed to inform Sussex Police that an assault had taken place on the premises. The victim attended Worthing Hospital the following day and later reported the incident to the police. The CCTV footage provided by the premises was not for the date of the incident and merely showed footage of an empty premises. As a suspect for the assault could not be formally identified, no one was charged with the offence.

Tuesday 22nd February 2011 (22:52 hours)

Police were called to The Light Bar after receiving a report that a male had been restrained by door staff. The caller, a member of staff at the premises, also requested an ambulance to attend as the male was not moving and was bleeding from the head. When police arrived they found an unconscious male lying face down on the pavement and surrounded by door staff. CCTV footage showed that a male patron had been ejected from the premises and an off duty member of door staff at The Light Bar, positioned at the front entrance the premises, had attacked the ejected male, punching him in the face with such force that he fell straight onto his back. The off duty member of the premises door staff team then leaned down and punched the victim a further four times to the head until he became unconscious. The Floor Supervisor at the premises stated that he believed that the off duty member of door staff had been drinking at the premises and was drunk.

The victim was taken to hospital where a CT scan was completed. He sustained a dislocated shoulder and a serious eye injury.

The off duty member of door staff was arrested for grievous bodily harm (GBH) and his SIA door supervisor's licence was immediately suspended. After a protracted investigation, the offender was charged with assault occasioning actual bodily harm (ABH).

.....

Sussex Police contend that the Designated Premises Supervisor and the management team of this premises have systematically failed in their duty to promote the licensing objectives. The continuing occurrence of violent incidents, drunkenness

and the failure to report incidents to the emergency services not only contravenes the licensing objectives, but gives Sussex Police a clear indication that The Light Bar is being operated in such a way that it currently presents both a real danger to the patrons at the premises and a detriment to the wider local community.

Sussex Police contend that it is necessary and appropriate that the Licensing Committee gives very serious consideration to the revocation of the Premises Licence, thereby preventing the risk of further injury and protecting the public.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day

Month

Year

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

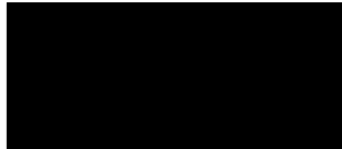
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date 22nd. November 2012

Capacity Force Licensing and Public Safety Manager
Sussex Police

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Telephone number



If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)



Licensing Act 2003 – Sections 16 and 18
Premises Licence – Part A

Health & Housing Services
Portland House
Richmond Road
WORTHING
BN11 1HS

Premises Licence Number - LN/000001195

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description		
The Light Bar 31 Chatsworth Road Worthing BN11 1LY		
Telephone number	[REDACTED]	
Licensable activities authorised by the licence		
See attached Schedule		
The times the licence authorises the carrying out of the licensable activities		
See attached Schedule		
Opening hours of the premises		
Location : Light Bar		
Day	Start	Finish
Sunday	12:00	01:00
Monday	11:00	02:30
Tuesday	11:00	02:30
Wednesday	11:00	02:30
Thursday	11:00	03:30
Friday	11:00	04:30
Saturday	11:00	04:30
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • 12.00 to 02.30hrs, of the following morning, on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday. • New Year's Eve from normal closing time the premises may remain open until the start of normal opening hours New Year's Day. 		
Where the licence authorises supplies of alcohol whether these are on and/or off supplies		
Both		

Part 2 – Premises Licence Holder Details

Name
Lounge Leisure Group

Registered Address
The Light Bar 31 Chatsworth Road Worthing
Telephone Numbers : [REDACTED]
E-mail : liquidworthing@aol.com

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

Designated Premises Supervisor Details (Where the premises licence authorises for the supply of alcohol)

Name
Mr Peter Mott

Registered Address
[REDACTED]
Telephone Numbers :

Personal licence number and issuing authority of personal licence held by Designated Premises Supervisor where the premises licence authorises the supply of alcohol	
Personal Licence Number :	00189
Licensing Authority :	Worthing Borough Council

Schedule 1 – Licensable Activities authorised by this Licence

Times the licence authorises the carrying out of the licensable activities

Location : Light Bar		
Activities : Alcoholic Sales		
Day	Start	Finish
Sunday	12:00	00:30
Monday	11:00	02:00
Tuesday	11:00	02:00
Wednesday	11:00	02:00
Thursday	11:00	03:00
Friday	11:00	04:00
Saturday	11:00	04:00
<u>Non Standard Timings & Seasonal Variations</u>		
Alcohol sales may continue:		
<ul style="list-style-type: none"> • Until 02.00hrs, of the following morning, on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday. • New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day. 		

Location : Light Bar		
Activities : Recorded Music, Perform Dance, Dance Facilities		
Day	Start	Finish
Sunday	12:00	00:30
Monday	11:00	02:00
Tuesday	11:00	02:00
Wednesday	11:00	02:00
Thursday	11:00	03:00
Friday	11:00	04:00
Saturday	11:00	04:00
<u>Non Standard Timings & Seasonal Variations</u>		
Entertainment may continue:		
<ul style="list-style-type: none"> • Until 02.00hrs, of the following morning, on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday. • New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day. 		

Location :	Light Bar	
Activities :	Music Making Facilities	
Day	Start	Finish
Sunday	19:00	00:30
Monday	19:00	00:00
Tuesday	19:00	00:00
Wednesday	19:00	00:00
Thursday	19:00	00:00
Friday	19:00	00:00
Saturday	19:00	00:00
<u>Non Standard Timings & Seasonal Variations</u>		
Entertainment may continue:		
<ul style="list-style-type: none"> • Until 02.00hrs, of the following morning, on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday. • New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day. 		

Location :	Light Bar	
Activities :	Live Music	
Day	Start	Finish
Sunday	19:00	00:30
Monday	19:00	02:00
Tuesday	19:00	02:00
Wednesday	19:00	02:00
Thursday	19:00	03:00
Friday	19:00	04:00
Saturday	19:00	04:00
<u>Non Standard Timings & Seasonal Variations</u>		
Alcohol sales may continue:		
<ul style="list-style-type: none"> • Until 02.00hrs, of the following morning, on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday. • New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day. 		

Signed : Date : 9th October 2008

Environmental Health Manager (on behalf of the Licensing Authority)

Annexe 1 : Mandatory Conditions

A. Mandatory conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under the premises licence:-
 - (a) at a time when 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
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

B. Mandatory conditions: door supervision

Each such individual must be licensed by the Security Industry Authority.

C. Conditions consistent with the Embedded Restrictions of the Justices' 'On' Licence (Licensing Act 1964)*

1. Permitted Hours

Alcohol shall not be sold or supplied except during the premise's permitted hours.

Restrictions

The above restrictions do not prohibit:

The sale of alcohol on New Year's Eve from the end of permitted hours to the start of permitted hours on the following day.

- a) consumption of alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
- c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- e) the taking of alcohol from the premises by a person residing there; or
- f) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- g) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

2. Premises with no children's certificate-

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- a) He is the child of the holder of the premises licence.
- b) He resides in the premises, but is not employed there.
- c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of alcohol. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Source Section 168,171 and 201 Licensing Act 1964

D. Conditions consistent with the Specific Conditions of the Public Entertainment Licence.

1. Between 23.30hrs until closing Sunday – Saturday inclusive the premises may be used in conjunction with the Liquid Lounge Nightclub, and entrance and exit shall be available only through the Nightclub via the internal staircase.

If the Liquid Lounge nightclub is closed to the public on a Sunday, Monday, Tuesday or Wednesday evening then members of the public may enter using the bar's main entrance in Chatsworth Road after 23.30hrs.

2. The glass doors which separate the main bar area from the frontage of the public house must not be left or propped open at any time and patrons must not be allowed to congregate outside on the paved area immediately outside the frontage of the building.
3. The procedure for managing the premises shall be in accordance with the document submitted by Holgate Fire & Safety Ltd dated 20th August 2003 entitled "Recommended procedure for managing the premises with the Light Bar linked to the first floor via an internal stairway."
4. A duty record of attendants must be maintained. The record must, on a daily basis, list the names of individuals who have worked on that day.
5. Departing customers must not be permitted to take glasses or opened bottles outside the premises.

E. The Standard Conditions of the Public Entertainment Licence

Are converted, where relevant, onto this Premises Licence. A copy of these can be obtained from Worthing Borough Council.

Annexe 2 : Conditions consistent with the Operating Schedule

1. Pre-opening safety checks to all fire exits and emergency lighting shall be carried out and the results recorded every evening before opening.
2. CCTV, of a quality acceptable to Sussex Police, covering the entire premise shall be in operation continuously. Recordings shall be kept for at least 28 days and be available to officers of Sussex Police and the Licensing Authority on demand.
3. On the nights when permitted regulated entertainment is provided, SIA trained and licensed door supervisors shall be in attendance.
4. The capacity limit of 160 persons shall not be exceeded.
5. A sound insulation scheme shall be maintained and management will carry out regular monitoring.
6. Regulated Entertainment to take place indoors only
7. No person under 18 years of age shall be allowed in the premises.
8. All drinks glasses shall be of tempered/toughened glass.
9. First Aid kits and emergency equipment shall be properly maintained.
10. An NIEC electrical certificate will be obtained every 24 months.
11. Regulated entertainment shall cease half an hour prior to the licensed closing time of the premises i.e. at the commencement of "wind down" time.
12. A 30 minute period after the terminal hour for the sale of alcohol to allow the premises to be cleared of the public.
13. The doors and windows shall be kept closed while regulated entertainment is in progress (except to allow for momentary access or egress of patrons and staff).
14. The noise of regulated entertainment from the premises shall neither exceed 56dB LAeq (5min) before 23.00hrs, 53dB LAeq (5 min) between 23.00hrs and 02.00hrs nor 50dB LAeq (5min) after 02.00hrs. The noise level shall be measured at any 1.2-1.5M above the south pavement of Chatsworth Road or the west pavement of High Street.
15. The premises will make a contribution by way of at least one member of doorstaff to assist with "Taxi Marshalling" on all occasions that the premise is open until 02.00hrs or later.
16. The management of the premises will make a working arrangement with one or more of the local taxi or private hire companies in order that customers are able to be taken home with the minimum of delay.
17. The latest entry/re-entry times to the premises by the public on any Sunday shall be 23.00 hrs.

18. The Applicant will use a sound level meter to allow objective self-monitoring of the Light Bar and the Liquid Lounge to be carried out and recorded. Such records to be made in writing and made available on request to any Officer of Worthing Borough Council. The self-monitoring will take place as follows:
 - Sundays to Wednesdays – once during the course of the evening.
 - Thursdays to Saturdays – twice during the course of the evening.
19. There will be no external disposal of bottles or rubbish between the hours of 00.00 hrs (midnight) and 08.00 hrs on any day.
20. The Licensee/DPS will offer monthly meetings to the Central Worthing Residents Association and other local residents to discuss any issues that arise.

Annexe 3 : Conditions attached after hearing by the Licensing Authority

1. The self-monitoring of noise levels is to be carried out at different times each evening.

Annexe 4 : Plans

See attached



Public Health & Wellbeing Directorate
44 – 45 West Street
Chichester
West Sussex
PO19 1RP

10th December 2012

Tel: 01243 815 113

Dear Sir or Madam,

Re: Application for the Review of the Premises Licence: The Light Bar, Worthing

NHS Sussex (West Sussex Public Health & Wellbeing Directorate) wishes to support the application by Sussex Police to review the licence of:

The Light Bar, Chatsworth House, 31 Chatsworth Road, Worthing, BN11 1LY.

NHS Sussex (West Sussex Public Health & Wellbeing Directorate) concurs that the Licensing Objectives of:

- (i) The Prevention of Crime and Disorder; and
- (ii) The Prevention of Public Nuisance

are not being promoted.

NHS Sussex (West Sussex Public Health) supports the recommendation made by Sussex Police, to consider revocation of the licence as a necessary, proportionate and reasonable course of action in these circumstances.

As noted by Sussex Police, the Light Bar shares the same address, Designated Premises Supervisor, Premises License Holders, manager and door staff team as Liquid Lounge and appears to be used as part of a homogenous licensed premises. Therefore the supporting information that we wish to provide in support of this application is very similar to that in support of the application to Review the premises licence of Liquid Lounge.

Supporting Information

The evidence provided by Sussex Police highlights very high levels of binge drinking and drunkenness at The Light Bar. The term 'binge drinking' usually refers to drinking lots of alcohol in a short space of time or drinking to get drunk. Researchers define binge drinking as consuming eight or more units in a single session for men and six or more for women¹.

Binge drinkers are at increasing risk of physical and mental ill-health and of **being a victim of crime**, contracting a sexually transmitted disease and, for women, being more likely to have an unplanned pregnancy. There are also risks to others such as **aggression towards family members, general disorder, accidents and assaults**.²

The high levels of binge drinking, drunkenness and related disorder at The Light Bar indicates that the objectives of the Prevention of Crime and Disorder and the Prevention of Public Nuisance are not being promoted.

Between 1st January and 30th September 2012 there were 229 recorded alcohol-related A&E attendances at Worthing Hospital. At present, it is not possible to discern from the data the time that these attendances

¹ NHS Choices. (2010). 'Binge Drinking'. Available online at: <http://www.nhs.uk/Livewell/alcohol/Pages/Bingedrinking.aspx>

² Department of Health. (2009). 'Signs for improvement – commissioning interventions to reduce alcohol-related harm'.

occurred. However, we do know that 57% occurred between Friday – Sunday – at a time when most town-centre, night-time economy-based binge drinking is likely to occur.

Between 1st October-30th November 2012 there were 110 recorded alcohol-related A&E attendances at Worthing Hospital. Of these, 56% were recorded as brought in by ambulance, following a 999 call. A further 26% were recorded as presenting at A&E with head or facial injuries.

65% of those attending were male and 35% female. 44% of attendees were aged between 15-29 years old, encompassing the age group most likely to engage in binge drinking in bars and clubs.

Whilst it is not currently possible to discern from the data the location that assaults and injuries occurred, or where ambulances attended before transferring patients to A&E, we do know that 51% of all of the recorded alcohol-related Worthing A&E attendances for October and November occurred between 10PM and 4AM. This suggests a link to the night-time economy and venues that open until the early hours.

It is important to note that these figures are likely to be significantly under-represented. This is due to the fact that the recording of an A&E attendance as being alcohol-related relies on the routine screening of patients at the A&E booking-in stage by Reception staff, which may not always occur during busy periods. These data only relate to the active disclosure by patients at the initial A&E booking-in stage that their attendance is alcohol-related and are not a recording of the patient being perceived under the influence by Reception staff.

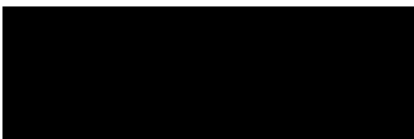
Furthermore, a patient admitted to hospital suffering extreme trauma or unconscious will not be screened and will be recorded as the most extreme condition - e.g. head trauma - and not as alcohol-related, even if this is later disclosed.

The Home Office 'Amended Guidance Issued Under Section 182 Of The Licensing Act 2003' describes how drunkenness can lead to accidents and injuries from violence, resulting in attendances at emergency departments and the use of ambulance services³.

There is a significant and rising population affected by alcohol, and the increasing problem of alcohol misuse is a clear priority for statutory sector organisations in West Sussex. To illustrate the scale of harm in Worthing, it is notable that the rate of alcohol-attributable hospital admissions in the district increased from 1281 per 100,000 males in 2006/07 to 1579 per 100,000 males in 2010/11; and from 639 admissions per 100,000 females in 2006/7 to 937 per 100,000 females in 2010/11⁴.

In summary, NHS Sussex (West Sussex Public Health) fully support the recommendation made by Sussex Police, to consider revocation of the licence, and believe it to be necessary, proportionate and reasonable in order to prevent further harm at The Light Bar.

Yours faithfully,



Judith Wright
Director of Public Health, Wellbeing and Safeguarding

³ Home Office. (2012). 'Amended Guidance Issued Under Section 182 of The Licensing Act 2003'. Section 9.2.1 Available online at: <http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing?view=Binary>

⁴ Local Alcohol Profiles for England. (2011). *Local Authority Profile - South East: Profile for Worthing*. Available online at: <http://www.lape.org.uk/LAProfile.aspx?reg=j>