

SUB COMMITTEE
of the
LICENSING AND CONTROL COMMITTEE 'B'

MINUTES
of the
PROCEEDINGS
held on
Wednesday 20 March 2013

Sub Committee Membership: Councillors John Rogers (Chairman),
Christine Brown and Val Turner.

Hearing to consider an application for variation of a premises licence for

147 Broadwater Street East
Worthing
BN14 9AP

Applicant: Mr Thiyarajah Balakumar

Present:	Simon Jones	Senior Licensing Officer
	Theresa Cuerva	Licensing Officer
	Caroline Perry	Solicitor
	Chris Cadman-Dando	Democratic Services Officer
	Ms Silvester	Applicant's representative
	John Piper	Interested party making representation

LCC/12-13/35 Welcome

The Chairman welcomed the attendants to the meeting.

LCC/12-13/36 Apologies and Reconstitution of Membership

Nil

LCC/12-13/37 Declarations of Interest

There were no declarations of interest made.

LCC/12-13/38 Procedure

The proceedings were as set out on the procedure note circulated to all those present.

LCC/12-13/39 Licensing Act 2003 – Application for a New Premises Licence

Before the Committee was a report by the Executive Head of Housing Health and Community Safety, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as item 4. The application had been the subject of formal representation by a responsible authority and members of the public and it therefore fell to members to determine.

The Senior Licensing Officer introduced the report to the Committee. The Committee was told that as a result of mediation the applicant had volunteered suggested Police conditions to his operating schedule and that they would become enforceable conditions of licence if members were of a mind to grant the application. As a result it

was confirmed that Sussex Police had withdrawn their representation. Due to the number of signatories to a petition mediation between the applicant and those individuals was deemed impractical.

Mr John Piper a signatory of a petition against the application made his representation. Members were told of Mr Piper's concerns that another outlet for the supply of alcohol would conflict with all four of the Licensing Objectives. In particular concern was expressed at the potential increase of crime and disorder in the local area and a further opportunity for those who were underage to attempt to buy alcohol. Mr Piper stated that the depth of feeling was such that a petition on the issue collected 230 signatures over five days. Mr Piper stated that as secretary of Broadwater Working Men's Club he was concerned that the club would have to defend itself from accusations of local residents complaining of a public nuisance. Particularly noise and urination in public by people purchasing alcohol as an off sale from the proposed premises. He also asked the Committee to note the close proximity of a sheltered housing development and support for his view from the licensee of the 'Old House at Home' public house.

Ms Silvester made a representation on behalf of the applicant. The applicant's previous experience and clear record was stated in support of the view that he was a responsible licensee. Members were apprised of proposed conditions including training and refusals registers and a challenge 25 policy. Ms Silvester disputed claims that there would be an increase in the levels of noise and litter pointing out that the licensee had a premises in close proximity to the proposed premises that did not suffer from those issues.

The meeting adjourned at 10:22am

The meeting reconvened at 10:28am

The meeting was told that in reaching its decision the Committee gave due regard to the Home Office Guidance, the Council's own Licensing Policy, relevant licensing legislation, representations made by interested parties and the applicant. They also gave regard to Human Rights legislation and the rules of natural justice. The Licensing Committee gave due consideration to all representations made at the meeting and in writing and considered all issues raised

Resolved: that the licence be granted as requested

Reasons for decision: the previous experience of the licensee and his decision to volunteer mediated conditions as requested by the Police.

The proceedings finished at 10:40am
