

Licensing and Control Sub-Committee

Date: 30 July 2014

Time: 6.30pm

Venue: Council Chamber, Town Hall, Worthing

Committee Membership: Councillors Mark Nolan (Chairman), Keith Bickers, Callum Buxton

*This licensing authority will only allow licensing decisions to be taken by a minimum of three Councillors. In the event of one Councillor being unable to attend, their place will be taken by another Councillor taken from the membership of the full Licensing and Control Committee - B. In the event of this happening all parties will be informed of the change of membership at the beginning of the meeting.

Agenda

Part A

1. Declarations of Interest / Substitute Members

Members and Officers are invited to make any declarations of disclosable pecuniary interests that they may have in relation to any items on this Agenda. The declaration should refer both to the nature of the interest as well as its existence.

Members and Officers may seek advice upon any relevant interest from a Legal or Democratic Services Officer prior to the meeting.

Any substitute members should declare their substitution if appropriate.

2. Licensing Act 2003 – Application for a new Premises Licence

Venue: Premier Inn, 123 Marine Parade

Part B - Not for Publication – Exempt Information Reports

None

For Democratic Services enquiries relating to this meeting please contact:

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For Legal Services enquiries relating to this meeting please contact:

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Solicitor
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**Licensing Act 2003 – Application for a new Premises Licence at:
Premier Inn, 123 Marine Parade, Worthing, BN11 3 QJ**

Report by the Director of Customer Services

1. Recommendation

- 1.1 That a Sub Committee of Licensing & Control Committee “B” consider and determine the application made on behalf of :

Whitbread Group Plc.

for a new Premises Licence to authorise the sale of alcohol for consumption on & off the premise, the provision of film and the provision of late night refreshment at their proposed new hotel.

2. Reasons for Hearing

- 2.1 The application has been the subject of formal representation by a responsible authority and a member of the public and it therefore falls to this sub-committee to determine.

3. Background

- 3.1 Marine Parade is Worthing’s main coast road and is a mixed commercial/residential road with a number of hotels and guest houses in the vicinity together with a high concentration of residential properties. All properties are situated on the north side and to the south is the promenade and beach. The new hotel is situated next door to the Burlington Hotel to the west on one side and the Kingsway Hotel in the next block to the east.
- 3.2 The hotel is to be known as a ‘Premier Inn’ and will be operated by the Whitbread Group. It is situated in a new development with a number of residential properties on the site of the old ‘Beach Hotel’ that closed in 2011
- 3.3 The above application was made on behalf of the Whitbread Group Ltd. to Worthing Borough Council on the 16 April 2014 for a new Premises Licence to authorise the sale of alcohol, for consumption on & off the premise and the provision of regulated entertainment and late night refreshment at the new proposed hotel.
- 3.4 The application was due to come before this committee on 11 June but due to an error contained in the advertisement published in the local newspaper as required

by the act ,and complaint received from the public regarding the error, the consultation process had to be re-started.

3.5 Attached to the report are copies of::

- A plan of the area (Appendix A)
- A plan of the proposed new hotel (Appendix B)
- The application (Appendix C)
- An email received from a member of the public. (Appendix D)
- A representation made by a Responsible Authority, namely Sussex Police (Appendix E)
- The mediated agreement between Sussex Police and the applicant. (Appendix F)

4. **The Application**

4.1 The Application is attached at **Appendix C**. However, in summary, the application is seeking authorisation for:

- the sale of alcohol to the public between the hours of:
10.00hrs & 00.30hrs, of the following morning, Monday to Sunday incl.
- the provision of late night refreshment to the public:
23.00hrs & 00.30hrs, of the following morning, Monday to Sunday incl.
- the provision of regulated entertainment in the form of film
10.00hrs & 00.30hrs, of the following morning, Monday to Sunday incl.
- opening to the public between the hours of:
06.00hrs & 01.00hrs, of the following morning, Monday to Sunday incl.
- It is proposed that the sale of alcohol to residents & their bona fide guests and the hours of opening for residents will be 24hrs a day.
- If the proposed hours are not granted the applicant is seeking to have the sale at least authorised until 00.30hrs on Friday, Saturday, Sunday & Monday of Bank Holiday weekends, Christmas Eve, Boxing Day, New Year's Day and All Saints Days plus on New Year's Eve from 10.00hrs to the terminal hour on New Year's day.

4.2 As recommended by the Guidance issued under section 182 of the Licensing Act 2003 the applicant has completed an operating schedule as to how it is intended to address the Licensing Objectives if this application were granted.

4.3 The proposed designated supervisor detailed in the application is Mr Richard Walker who holds a personal licence issued by Calderdale Metropolitan Borough Council.

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:

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

5.2 In carrying out its licensing functions, the licensing authority must also have regard to the Guidance issued by the Secretary of State 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 & Disorder

- 4.2 *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.*
- 4.3 *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.*
- 4.4 *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.*
- 4.9 *The Council recognises that the Licensing Act is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night time economy in town centres.*

Prevention of Public Nuisance

- 4.17 *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.*
- 4.18 *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.*
- 4.19 *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.*
- 4.20 *Anti-social behaviour such as excessive noise from access and egress or patrons littering should also be addressed in the Operating Schedule.*

Protection of Children from Harm

- 4.24 *The wide range of premises that require licensing means that children can be expected to visit many of these, perhaps on their own, for food and/or entertainment.*
- 4.28 *It is an offence to sell alcohol to an individual aged under 18. Licence holders are required to consider carefully ways to ensure that the sale of alcohol is restricted to those over the age of 18. Popular schemes include the 'Challenge 25 scheme' whereby if the individual looks under 25; they are required to prove that they are over the age of 18 when buying alcohol or tobacco. Acceptable forms of proof are: a photo card driver's licence, passport or PASS. PASS is the national guarantee scheme for proof-of-age, which is fully supported by the Home Office. Applicants are encouraged to introduce such schemes and detail them in operating schedules. The council may impose conditions requiring such schemes if relevant representation is received. Special care should be exercised and the licensed trade should be alert to counterfeit IDs and their fraudulent use.*

DEMAND, SATURATION & HOURS

- 6.1 *In accordance with the Government's guidance the Council recognises that demand is not a relevant criterion in considering an application under the Act.*
- 6.14 *Following relevant representations the Council will deal with the issue of licensing hours having due regard to the individual merits of each application. However, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated in mainly residential areas. This will particularly apply in circumstances where, having regard to the location, size and nature of the licensed*

premises, it is likely that disturbance will be caused to residents in the vicinity of the premises, or its environs, by concentrations of people either present or leaving during normal night-time sleeping periods (23.00hrs to 07.00hrs).

6. Consultation

- 6.1 The application has been subject to the statutory consultation and statutory public advertisement arrangements in accordance with the provisions of the Act, in respect of which relevant representations were received from the following:

Other Persons – 1 X letter of representation
Responsible Authorities – 1 X representation from Sussex Police

7. Relevant Representations

- 7.1 Details of the relevant representations received are reproduced at **Appendices D & E**. They are considered to relate to the statutory licensing objectives as follows:

The Prevention of Crime and Disorder. The Prevention of Public Nuisance

- 7.2 One representation was received from a member of the public. (Appendices D)
- 7.3 Sussex Police made a number of comments and listed a number of conditions that they considered the minimum required to enable this premise to meet the licensing objectives if members were of a mind to grant a licence in the terms applied for. (Appendix E)
- 7.4 All those making relevant representation have been invited to attend this hearing.

8. Mediation

- 8.1 The Licensing Act 2003 encourages mediation.
- 8.2 Sussex Police have successfully mediated with representatives of Whitbread and as a result the following conditions have been volunteered to the applicant's operating schedule:
- *CCTV to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System and shall as a minimum cover the entrances/exits and any bar area. CCTV to be operational at all times licensable activities are taking place to which non-residents have access to the premises.*
 - *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 and refresher training thereafter at intervals of no more than six (6) months. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available*

upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers.

- CCTV Images shall be retained for at least 28 days and except for mechanical breakdown beyond the control of the proprietor, shall be immediately available upon request to the police. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.*
- It will be the responsibility of the DPS, or duty manager, to ensure that any request from the police for a CCTV recording to be made for evidential purposes, is carried out as soon as possible or in any case within 12 hours, in compliance with data protection legislation.*
- The premises shall at all times maintain and operate a sales refusals log and an incident log which will be kept on the premises to record all refusals and incidents of crime or disorder. This can be stored as an electronic log but must be easily available for inspection. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers*
- The only form of ID that will be accepted are passports, driving licences with a photograph or Citizen card or validated proof of age cards bearing the "PASS" mark hologram. The list of approved ID may be amended or revised subject to prior written agreement with Sussex Police.*

8.3 These would become conditions of any licence members may consider granting and consequently Sussex Police have confirmed that their concerns have been addressed and they have withdrawn their objection to the amended application being granted. (Appendix F)

8.4 Mediation between Whitbreads and Ms Pauline Roberts, the member of the public that made relevant representation, was embarked on but no response received. Though if any agreement were to be reached after this report was published members will be fully updated prior to any hearing.

9. Consideration

9.1 Members must take into consideration the following when determining this application:

- The four statutory licensing objectives
- Worthing Borough Council's Statement of Licensing Policy
- Guidance issued by the Home Secretary
- The relevant representations from all parties and the mediated agreement reached.

9.2 These are the only matters to be addressed by the authority when considering this 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 or impose conditions in addition to statutory conditions and those proposed by the applicant in the Operating Schedule.

9.3 When considering this application for a premises licence the following options are available to the Sub-Committee:

- a. Grant the licence, as requested,
- b. Grant the licence, as requested, with additional conditions appropriate to the promotion of the specific licensing objectives on which relevant representations have been received.
- c. Reject the whole or part of the application.

Members may also:

- d. Grant the licence but exclude certain licensable activities from the licence,
- e. Refuse to specify a particular person as a premises supervisor,
- f. Approve different parts of the premises for different activities.

9.4 Members are required to give reasons for their decision.

10. Legal Implications

10.1 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.

10.2 Members are reminded that 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 person, 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 crime and disorder, public safety, public nuisance or the protection of children from harm are occurring. It is the existence of these procedures which should, in general, allow licensing authorities to apply a light touch bureaucracy to the grant and variation of premises licences by providing a review mechanism when concerns relating to the licensing objectives arise later in respect of individual premises."*

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 interested parties 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.

12. Recommendation

- 12.1 Members are requested to determine the application for a new Premises Licence made by Whitbread Group Plc. for their new hotel to be situated in Marine Parade, Worthing and give reasons for that determination.**

**Jane Eckford
Director of Customer Services**

Principal Author and Contact Officer:

Simon Jones

Senior Licensing Officer - Tel: 01273 263191 or simon.jones@adur-worthing.gov.uk

Background Papers:

- Licensing Act 2003
- Guidance issued under section 182 of the Licensing Act 2003
<https://www.gov.uk/government/publications/licensing-act-2003-amended-guidance-issued-under-section-182>
- Worthing Borough Council's Statement of Licensing Policy
<http://www.adur-worthing.gov.uk/licensing-and-permits/consultations-policy-forum/policy-and-forum/>

Appendices:

- Appendix A - Plan of area.
- Appendix B - Plan of the building.
- Appendix C - The Application Form.
- Appendix D - Representation received from a member of the public.
- Appendix E – Representation received from Sussex Police
- Appendix F – Mediated Agreement between Applicant & Police
- Appendix G – Mediation letter sent to Ms Roberts by Applicant

Commerce Way, Lancing

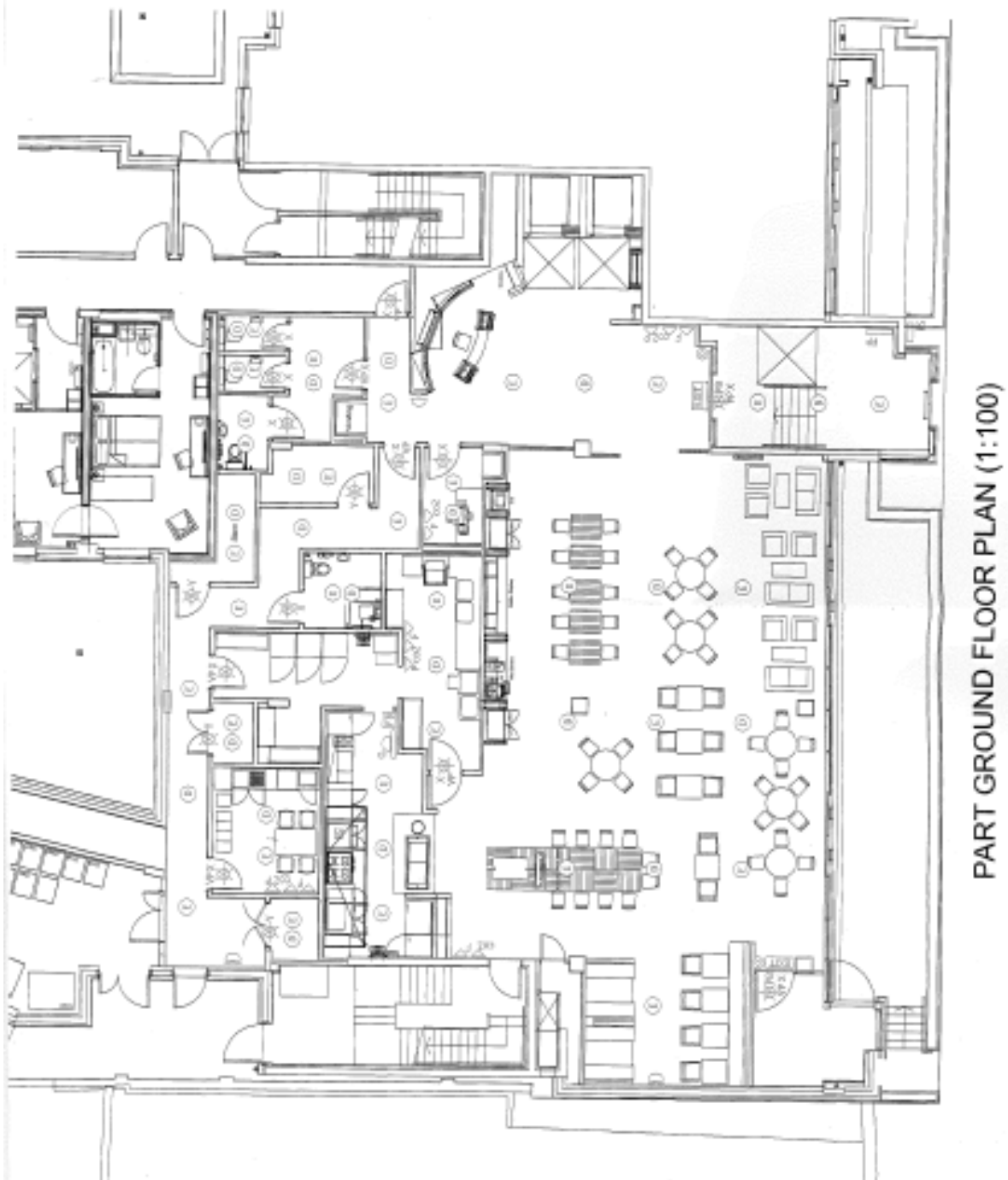
Ref: SJ/Lic.U/LA03/NEW – Premier Inn

Date: 2 June 2014.

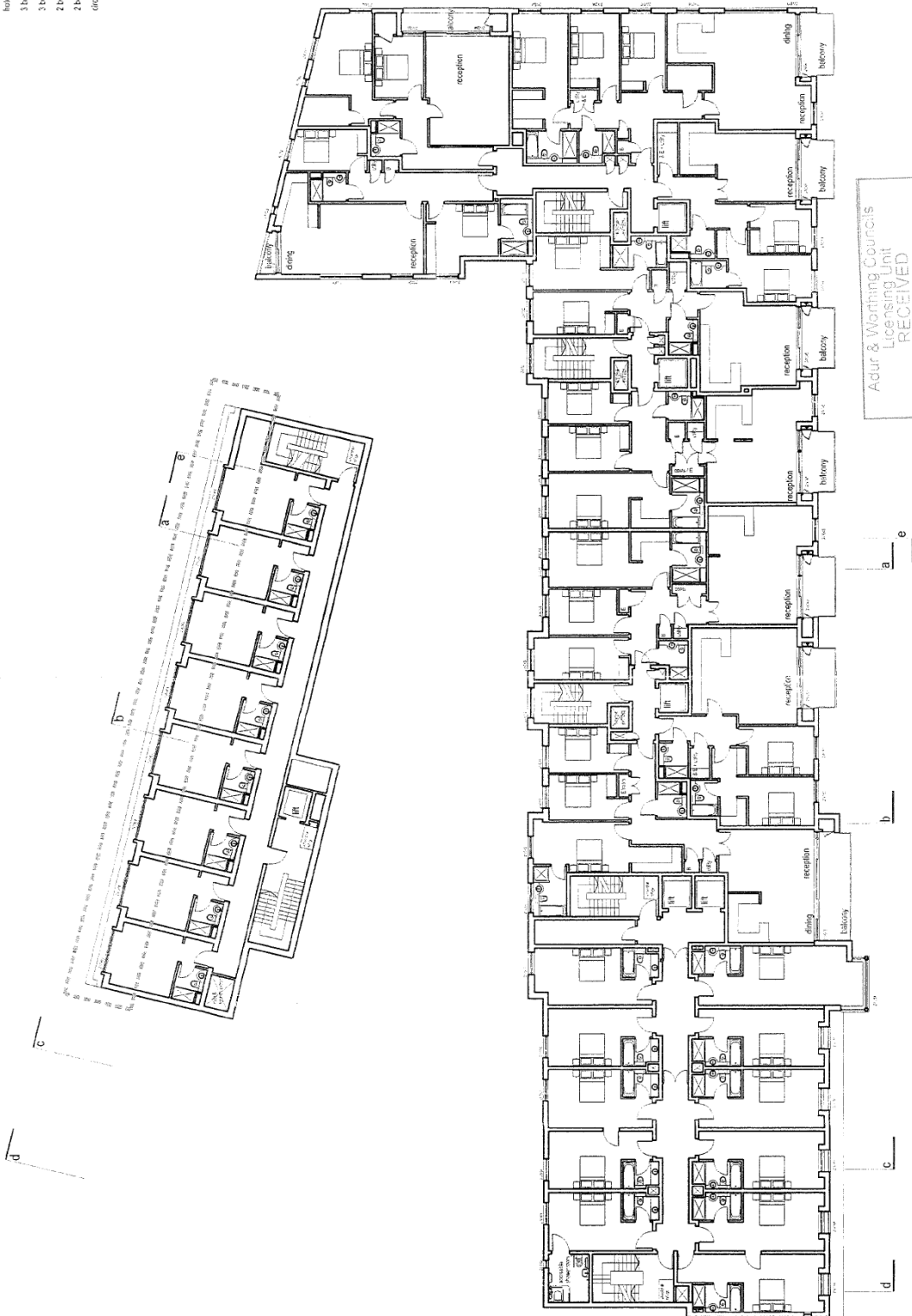
Plan of Area



Plan of Premises



- KEY:
- host
 - 3 bedroom apartment
 - 2 bedroom apartment
 - 2 bedroom apartment
 - 2 bedroom apartment
 - circulation



Adur & Worthing Councils
Licensing Unit
RECEIVED

initials

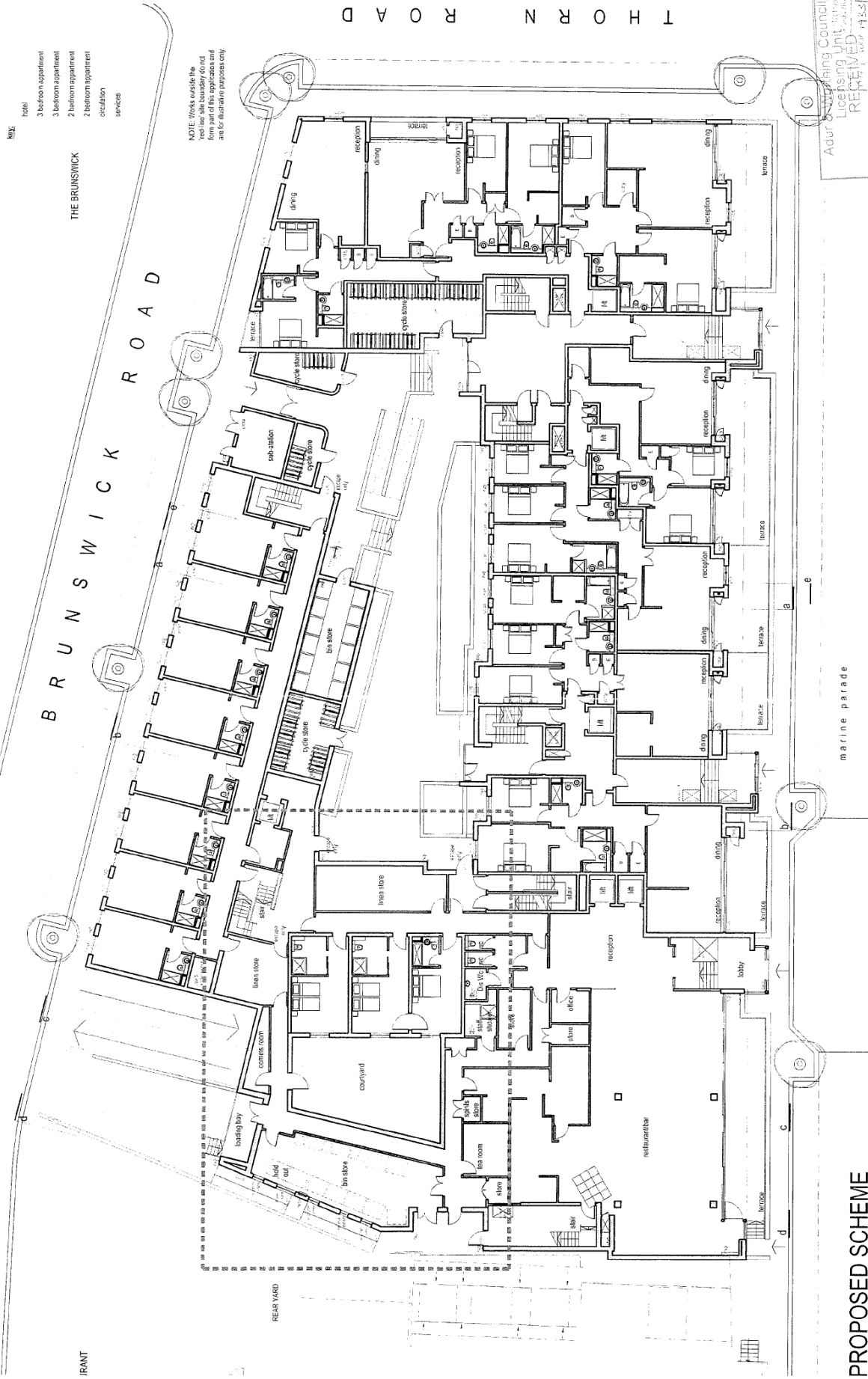
PLANNING
MR 17/0013
MH 17/0013

084117
4-013
1:125 @ a1

PROPOSED SCHEME

K - PLANNING ISSUE

ROFFEY HOMES LTD.
proposed second floor plan



- Key:
- hotel
 - 3 bedroom apartment
 - 3 bedroom apartment
 - 2 bedroom apartment
 - 2 bedroom apartment
 - 2 bedroom apartment
 - circulation
 - services

NOTE: Works outside the red line site boundary do not form part of this application and are for illustrative purposes only.

THE BRUNSWICK

BRUNSWICK ROAD

THORN ROAD

Adur & Worthing Council
Licensing Unit
RECEIVED
Date: 17/10/13
Time: 17:30

ROFFEY HOMES LTD.
proposed ground floor plan

marine parade

PLANNING
MR 17/10/13
MH 17/10/13

094117
4-011
1:125 @ 01

PROPOSED SCHEME

K - PLANNING ISSUE

Application

Application for a premises licence to be granted 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.

We Whitbread Group plc, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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 Proposed Premier Inn, Marine Drive (being the site of the former Beach Hotel)	
Post town Worthing,	Post code

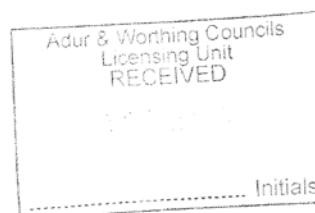
Telephone number of premises (if any)

Non-domestic rateable value of premises

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)

- * If you are applying as a person described in (a) or (b) please confirm: **Please tick ✓ yes**
- 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 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)

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)

- 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)

- * If you are applying as a person described in (a) or (b) please confirm: **Please tick ✓ yes**
- 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 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)

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)

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

This is a development site for which no rateable value has been fixed attributable to our client's proposed development as a Premier Inn. It would appear that a Band A fee would be payable.

It is intended that the proposed premises will operate as a Hotel under the Premier Inn brand with related licensed accommodation. The premises form part of a larger site.

The proposed Hotel will have at ground floor level an entrance lobby. The Hotel reception and food and beverage provision will also be situated at ground floor level.

The bedrooms (which will be unlicensed) will be on the upper floors comprising in all some 81 rooms.

The details of the development are shown on the drawings identified below, deposited with this application.

A Licensed Premises Notification will be given for 2 gaming machines under the Gaming Act 2005.

It is proposed that the permitted hours for licensable activities for these premises should be :-

Monday to Sunday: 10:00 – 00:30 inclusive with the premises closing to the general public 30 minutes thereafter. However, the premises will remain open 24 hours a day to hotel residents.

This application seeks to licence the premises specifically to authorise under the Licensing Act 2003 the following activities:

1. Exhibition of a film principally non-live television or educational videos.
2. The sale of alcohol.
3. The provision of late night refreshment after 23.00

The appropriate drawings deposited with this application are :-

- Indicative site location plan.
- Further site location plan showing the premises will be part of a wider development.
- Drawing no. 3595/L01 being a detailed layout for the proposed licensed area for the ground floor of the premises.
- Proposed ground floor plan showing the wider development including apartments etc.
- Plans showing the upper floors of the premises (again forming part of a larger part of the development (which are to be unlicensed).

Please note that the internal licensed areas edged red on the licensing drawing (3595/L01) are intended to be used (as required) for all licensable activities.

Please further note that the appropriate fire safety precautions will be incorporated within the development in consultation with the Fire Safety Officer and under the Building Regulation approval process.

It is not anticipated that the proposed development will adversely affect crime and disorder or public nuisance.

It is proposed that the development of this site will improve the area by providing jobs for the local community and bringing a new Hotel facility to this location.

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)

Please tick ✓ yes

Provision of regulated entertainment

- 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) performances 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 late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10:00	00:30	Please give further details here (please read guidance note 3) Exhibition of a film principally video entertainment on screens and tv screens.	Both	
Tue	10:00	00:30			
Wed	10:00	00:30	State any seasonal variations for the exhibition of films (please read guidance note 4) N/A – save as below		
Thur	10:00	00:30			
Fri	10:00	00:30	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)		
Sat	10:00	00:30			
Sun	10:00	00:30	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

I

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 {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	23:00	00:30	Please give further details here (please read guidance note 3) To allow the provision of hot food and drinks for consumption on and off the premises at the manager's discretion and in the areas identified. State any seasonal variations for the provision of late night refreshment (please read guidance note 4) N/A - save as below 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) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)	Both	
Tue	23:00	00:30			
Wed	23:00	00:30			
Thur	23:00	00:30			
Fri	23:00	00:30			
Sat	23:00	00:30			
Sun	23:00	00:30			

Converted to Word by
John Gaunt & Partners
Licensing Solicitors

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box γ) (please read guidance note 7)	On the premises	
				Off the premises	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	10:00	00:30	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	10:00	00:30			
Wed	10:00	00:30			
Thur	10:00	00:30	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	10:00	00:30	To the extent that the proposed hours as identified are not granted to permit sale of alcohol and such regulated entertainment as authorised hereunder until 00.30 (if not otherwise granted) on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve, Boxing Day New Years Day and All Saints Days.		
Sat	10:00	00:30			
Sun	10:00	00:30			
			New Years Eve: 10:00 to New Years Day – terminal hour as proposed.		
			The premises shall remain open to permit the sale of alcohol to hotel residents 24 hours a day.		

<p>State the name and details of the individual whom you wish to specify on the licence as premises supervisor</p> <p>Name: Richard Walker</p> <p>Address: Whitbread Group PLC, Whitbread Court, Houghton Hall Office Park, Porz Avenue, Dunstable.....</p> <p>.....</p> <p>Postcode LU5 5XE.....</p> <p>Personal Licence number (if known): [REDACTED]</p> <p>Issuing licensing authority (if known): Calderdale Metropolitan Borough Council</p>
--

K

<p>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)</p> <p>NONE save for the presence of gaming machines the use of which is not permitted by person under the age of 18.</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4) Please see box J above
Day	Start	Finish	
Mon	06:00	01:00	
Tue	06:00	01:00	
Wed	06:00	01:00	
Thur	06:00	01:00	Non standard timings. Where you intend to use 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)
Fri	06:00	01:00	The premises shall remain open 24 hours a day for hotel residents.
Sat	06:00	01:00	For non residents, the premises will close 30 minutes after the end of the non-standard timings identified in box J above.
Sun	06:00	01:00	

M

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)

We have undertaken our own risk assessment to propose the following steps:-

The steps which we have identified in relation to the four licensing objectives are listed below

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in the hotel bedrooms.
3. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
4. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
5. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
6. The management of the premises will liaise with police on issues of local concern or disorder.
7. CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises.
8. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
3. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
4. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
5. Toughened glasses will be used in the premises where appropriate.
6. Fire Exits and means of escape shall be kept clear and in good operational condition.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

e) The protection of children from harm

1. The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
2. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
3. Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident in the hotel.
4. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
5. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
5. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have enclosed the 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 individual I wish to be 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

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. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners.....

Date: 15 April, 2014.....

Capacity: Solicitors.....

For joint application 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: John Gaunt & Partners.....

Date:

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT

Hello,

Pauline Roberts [REDACTED] has sent you an enquiry from the Adur & Worthing Councils website. The page they sent the message from was:

<http://www.adur-worthing.gov.uk/licensing-consultations/>

Account / Reference number (if supplied):

Their enquiry was:

I had no idea that your office closed at five. I have spent a long time trawling the web sites in the last two days, and so has my friend. I rang the council today and they took my number and said that a relevant person would ring me back. As I have heard nothing, I presumed, that they were busy and would ring later.

I live at [REDACTED] Beachview, Marine Parade [REDACTED] in West Worthing.

I wanted to comment on the licensing application for the new Premier Inn, on the site of the old Beach Hotel.

They propose to open until 0.30 a.m and longer on Bank Holidays and other limited days. This is a residential seafront area in West Worthing and there is already quite a lot of noise fairly late in the evening. I feel that this would greatly increase the amount of noise.

We have also had quite a lot of car damage in the evenings. The proposed hotel is not, a refined hotel, and there could, therefore, be a great increase the amount of noisy revellers. It is hard to know what to put without seeming presumptuous. I do know that we were looking to possibly upgrade to one of the newer apartments, where the rest of the Beach Hotel was, but were put off by the possible noise disturbance after midnight. I don't think that there is a place for late opening when the licensed premise is attached to residential apartments.

Please reply to this email if required.

Thank you.



MEMORANDUM

To: **Simon Jones Licensing Officer Worthing and Adur District Council.**

From: **West Sussex Neighbourhood Licensing Team**

Extension: **101 x581179**

Date: **02nd May 2014**

Dear Mr Jones

**RE APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003
FOR PREMIER INN, MARINE DRIVE, WORTHING (FORMER SITE OF BEACH HOTEL)**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds of Prevention of Crime and Disorder and the Protection of Children from Harm.

Sussex Police believe it is necessary that the following conditions be added to the Premises Licence if granted to either replace or strengthen some of the steps proffered in the operating schedule. These are in keeping with many of the steps offered for the promotion of the Licensing objectives and should not prove onerous as conditions on the licence.

Replace condition three (3) section M (B) with;

- 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 and refresher training thereafter at intervals of no more than twelve (12) weeks. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers.

Replace condition seven (7) section M (b) with;

- CCTV to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System and shall as a minimum cover the entrances/exits and any bar area.
- CCTV Images shall be retained for at least 28 days and except for mechanical breakdown beyond the control of the proprietor, shall be immediately available upon request to the police. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
- It will be the responsibility of the DPS, or duty manager, to ensure that any request from the police for a

Listen Inspire confidence Support with information Take ownership Explain Notify people



Sussex Police
Serving Sussex

www.sussex.police.uk

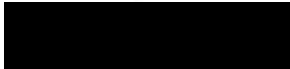
CCTV recording to be made for evidential purposes, is carried out as soon as possible or in any case within 12 hours, in compliance with data protection legislation.

To add;

- The premises shall at all times maintain and operate a sales refusals log and an incident log which will be kept on the premises to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers
- The only form of ID that will be accepted are passports, driving licences with a photograph or Citizen card or validated proof of age cards bearing the "PASS" mark hologram. The list of approved ID may be amended or revised subject to prior written agreement with Sussex Police.

If you wish to discuss this further please do not hesitate to contact me.

Yours sincerely



Chief Inspector Banks
District Commander
Sussex Police.

Listen Inspire confidence Support with information Take ownership Explain Notify people


Dear Simon,

I can confirm that Sussex Police are happy to withdraw the representation attached, subject to the agreed conditions below being attached to the premises licence.

Kind regards

Megan Smith
Licensing Clerk

Centenary House, Durrington Lane, Worthing, West Sussex, BN13 2PQ
Neighbourhood Licensing Team, W. Sussex
Tel: 01273 404 030
Direct Dial: 101 Ext. 581261, Twitter: @sussex_police

From: Tim Shield [<mailto:> 
Sent: Tuesday 27 May 2014 16:06
To: WS_Licensing_WOR; Smith Megan 31953
Subject: RE: Premier Inn

Megan


With the amendments discussed and as detailed I am happy to agree the conditions on CCTV training and refusals.

On that basis please confirm withdrawal of the representation.

Many thanks in anticipation.

Regards

Tim Shield


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Partners: John Gaunt (569711) Katharine Redford (569712) Tim Shield (569713) Michelle Hazlewood (569714)
Associates: Christopher Grunert Jonathan Hyldon
Practice Manager: Jonathan Pupius

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CAUTION

This email is intended to be confidential to the person to whom it is addressed and may be legally privileged.

If you are not the intended recipient, please contact us by email or telephone and please delete the message from your system immediately.

Any unauthorised disclosure of information contained in this communication is strictly prohibited.

We use the word "partner" to refer either to a partner of John Gaunt & Partners (the "firm"); an office holder in a partner; or an employee of the firm with equivalent standing and qualifications.

From: Megan.Smith@sussex.pnn.police.uk [<mailto:Megan.Smith@sussex.pnn.police.uk>] **On Behalf Of**
WS_Licensing_WOR@sussex.pnn.police.uk

Sent: 23 May 2014 10:03

To: Tim Shield

Cc: Sue McCourt

Subject: FW: Premier Inn

Mr Shield,

Following our telephone conversation, please see below the proposed CCTV condition, for which there has been a change of wording:

CCTV to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System and shall as a minimum cover the entrances/exits and any bar area. CCTV to be operational at all times licensable activities are taking place to which non residents have access to the premises.

I understand that yourself and Helen have agreed on the remaining conditions, as listed below:

- 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 and refresher training thereafter at intervals of no more than six (6) months. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers.
- CCTV Images shall be retained for at least 28 days and except for mechanical breakdown beyond the control of the proprietor, shall be immediately available upon request to the police. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
- It will be the responsibility of the DPS, or duty manager, to ensure that any request from the police for a CCTV recording to be made for evidential purposes, is carried out as soon as possible or in any case within 12 hours, in compliance with data protection legislation.
- The premises shall at all times maintain and operate a sales refusals log and an incident log which will be kept on the premises to record all refusals and incidents of crime or disorder. This can be stored as an electronic log but must be easily available for inspection. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers
- The only form of ID that will be accepted are passports, driving licences with a photograph or Citizen card or validated proof of age cards bearing the "PASS" mark hologram. The list of approved ID may be amended or revised subject to prior written agreement with Sussex Police.

If you are agreeable to the above, then please respond to this email, sending it to us and also to Simon Jones of Adur District & Worthing Borough Councils.

Should you have any queries that you wish to discuss, then please do not hesitate to contact our office.

Sincerely

Megan Smith

Licensing Clerk

Centenary House, Durrington Lane, Worthing, West Sussex, BN13 2PQ

Neighbourhood Licensing Team, W. Sussex

Tel: 01273 404 030

Direct Dial: 101 Ext. 581261, Twitter: @sussex_police

Letter emailed to Ms Roberts 30.05.14

As you know from the application the Licence requests limited licensable activities for the sale of alcohol and exhibition of film principally non live television or educational videos and also late night refreshment.

Our clients currently operate of the order of some 670 plus Premier Inns around the country of which in excess of 200 are stand alone dedicated hotels such as proposed here. These are hotel operations and many of them are in towns and city centres. They operate without apparent difficulty and do not give rise to the apparent issues or concerns which have been expressed. In fact our clients operate for their own residents a "goodnight guarantee". The case is that the most "immediate residents" will be our clients paying guests on site and it is of primary importance to ensure that the amenity of their stay is not disturbed. We will refer to our clients operation of "goodnight guarantee" whereby if any residents sleep is disturbed they have the benefit of a no quibble money back guarantee at the hearing if the hearing does proceed.

So far as the food and beverage provision is concerned this is principally but not exclusively a facility for hotel residents and their guests. My clients tend to find that non residential use is both limited and also that such use declines as the evening progresses.

We are writing at this stage to see if you will forward this email on to the residential objector to see if this addresses the concerns that have been raised. We will be happy to liaise with them direct but felt it appropriate to initially contact you in this regard.

Perhaps you could acknowledge receipt of this email and confirm you will either forward it on or are happy for us to contact them direct in these terms.

I look forward to hearing from you.

Regards.

Tim Shield

We would be grateful if you could provide us some feedback on the service you received, [click here for a survey form](#). Please click on the logo below to visit our award winning website and see the latest updates in our news section.



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