



Communities Directorate

Tuesday 30 September 2014

Licensing and Control Sub-Committee

Date: 8 October 2014

Time: 6.30pm

Venue: Council Chamber, Town Hall, Worthing

Committee Membership: Councillors Paul High (Chairman), Paul Howard, Susan Jelliss

*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 for ‘Off Sales’

Venue: Star Convenience Store, 87a Chapel Road

Part B - Not for Publication – Exempt Information Reports

None

For Democratic Services enquiries relating to this meeting please contact:

Chris Cadman-Dando
Democratic Services Officer
01903 221364
chris.cadman-dando@adur-worthing.gov.uk

For Legal Services enquiries relating to this meeting please contact:

Caroline Perry
Solicitor
01903 221086
michele.wilkinson@adur-worthing.gov.uk

**Licensing Act 2003 – Application for a new Premises Licence at:
Star Convenience Store, 87a Chapel Road, Worthing, BN11 1HU**

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 by :

East Sussex Drinks Ltd.

for a new Premises Licence to authorise the sale of alcohol for consumption off the premise.

2. Reasons for Hearing

- 2.1 The application has been the subject of formal representation by a responsible authority, a local ward councillor and other persons. It therefore falls to this sub-committee to determine.

3. Background

- 3.1 The store is situated in Chapel Road in a parade of shops in a mixed commercial/residential area on a busy main road.
- 3.2 The premise is currently unoccupied but previously operated as a hairdresser's salon.
- 3.3 The application was made on behalf of East Sussex Drinks Ltd. to Worthing Borough Council on the 18 August 2014 for a new Premises Licence to authorise the sale of alcohol, for consumption off the premise, at the proposed new store.
- 3.4 Attached to the report are:
- A plan of the area (Appendix A)
 - A plan of the store (Appendix B)
 - A copy of the application (Appendix C)
 - A copy of the representation made by a Responsible Authority, namely Sussex Police(Appendix D)

- A copy of the representation made by a local ward councillor (Appendix E)
- Copies of the representations made by members of the public (Appendices F 1 - 20)

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 between the hours of:
07.00hrs and 22.00hrs Monday to Sunday incl.
- It is proposed that the store will open to the public between the hours of:
07.00hrs and 22.00hrs Monday to Sunday incl.

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 Umair Ahmed, who holds a personal licence issued by Reigate & Banstead 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:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance;
- the 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).*
- 6.18 *The Council will generally consider the licensing of shops, stores and supermarkets to sell alcohol for consumption off the premises at any times they are open for shopping. However, it may consider that in some circumstances there are very good reasons for restricting those hours and these are detailed in paragraphs 7.1 to 7.13 below. .*

SPECIFIC CONSIDERATIONS

Off sales of alcohol – Stores & Supermarkets

- 7.1 *The Home Office Guidance to the Act recommends that shops, stores and supermarkets selling alcohol should generally be permitted to match the hours during which they may sell alcohol with their normal trading hours, unless there are exceptional reasons related to the licensing objectives, in particular 'the prevention of crime and disorder' and 'the prevention of public nuisance'.*
- 7.2 *The council will consider all applications on their own merit and will not consider 'need or demand' but if an area is experiencing problems and this is linked to the number of premises in the area already selling alcohol, for consumption off the premises, the council will carefully consider the cumulative impact on the licensing objectives of any new application if relevant representation is received.*
- 7.3 *The council will be particularly concerned with regard to the granting of new licences to stores and supermarkets in localities where the following problems have been identified:*

- *Alcohol sales to persons who are drunk*
- *Underage drinking*
- *Street drinking*
- *Pre-loading & post-loading*

7.4 *Selling alcohol to a person who is drunk or to a person who is under the age of 18 are both offences under the Licensing Act. The council recognises that the vast majority of licensees are very aware of their responsibilities and the duty of care they have selling alcohol to the public. However, the council takes both these issues extremely seriously.*

7.5 *The Council considers it vital that licence holders provide formal and effective training to all staff involved in the sale of alcohol to recognise members of the public who are drunk or underage and give their staff the ability and confidence to refuse service. The council will expect operating schedules to demonstrate that the licence holder has considered such matters and addressed them as far as possible and that formal training records are kept on the premise and are to be made available for inspection by Police and/or Licensing Unit officers on request.*

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 – 20 X Representations
 Ward Councillor – 1 X Representation
 Responsible Authorities – 1 X Representation from Sussex Police

7. Relevant Representations

7.1 Detail of the relevant representation received is reproduced at **Appendices D, E & F**. They are considered to relate to the statutory licensing objectives as follows:

The Prevention of Crime and Disorder.

The Prevention of Public Nuisance

The Protection of Children from Harm

Public Safety

7.2 Sussex Police made a representation limited to comments regarding one of the conditions the applicant had volunteered in the application.

7.3 Councillor Vinojan made representation on behalf of his constituents regarding the high number of stores in the area and the effect this was having on crime & disorder and public nuisance. His letter highlights the problems he perceives the area suffers with street drinking and he has brought the town's 'Enough is Enough' campaign to members' attention. Councillor Vinojan suggests a number of conditions are

imposed consistent with the council's licensing policy regarding off licences for the subcommittee's consideration if they are of a mind to grant the application.

7.4 Nineteen letters of representation were received from members of the public.

7.5 All those making relevant representation have been invited to attend this hearing.

8. Mediation

8.1 The Licensing Act 2003 encourages mediation.

8.2 The applicant and Sussex Police have been in mediation and agreement has been reached to reword the condition that caused concern. Sussex Police have therefore withdrawn their representation.

8.3 Officers are unaware of any further mediation at the time this report was drafted and because of the number of representations received and the opinions expressed consider it unlikely a successful outcome can be reached but will report any developments to members at the 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 any 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 on behalf of East Sussex Drinks Ltd. for the proposed convenience store to be known as Star Convenience Store to be situated at 87a Chapel Road, 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:

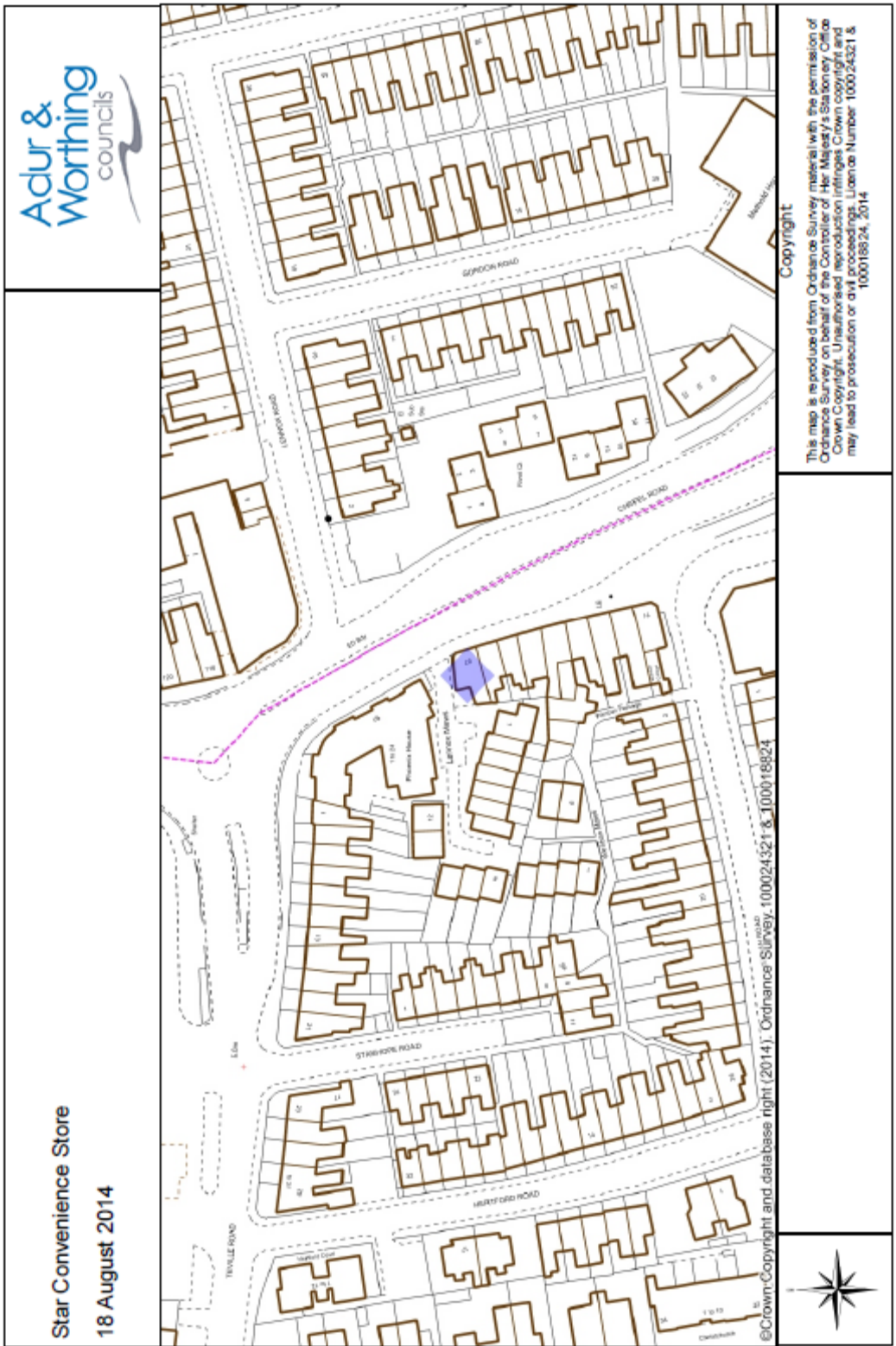
- Appendix A - Plan of area.
- Appendix B - Plan of the building.
- Appendix C - The Application Form.
- Appendix D - Representation received from Sussex Police
- Appendix E – Representation from Cllr. Vino Vinojan
- Appendices F 1-20 – Representations from members of public.

Commerce Way, Lancing

Ref: SJ/Lic.U/LA03/NEW – Star Convenience

Date: 30 September 2014.

**Appendix A
Plan of Area**



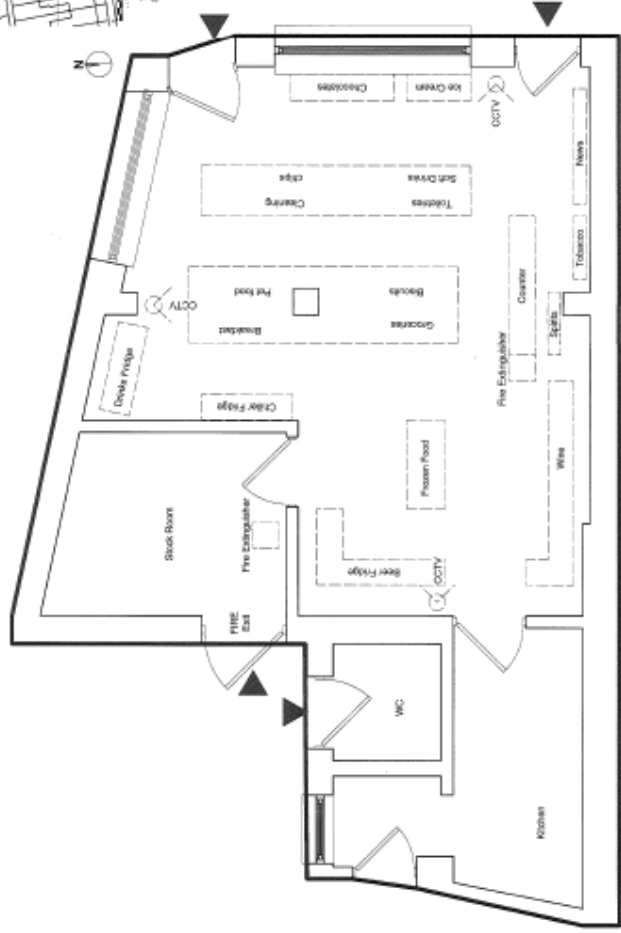
Appendix B Plan of Premises



Adur & Worthing Councils
Licensing Unit
RECEIVED
18 AUG 2011

Drawn by	Client
ALH	Client
Issued by	Date
Scale	Survey
1:50 @ A3	Survey
Dig.No.	Date
ADS-001	30.07.14

and associated signpost and notices



1:50 Ground Floor Plan
87A Chapel Rd

WORTHING BOROUGH COUNCIL

**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.

I/We East Sussex Drinks Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Star Convenience Store 87a Chapel Road			
Post town	Worthing	Postcode	BN11 1HU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	6100



Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- 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 in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England 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:


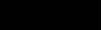

Please tick yes

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

(B) OTHER APPLICANTS

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

Name	East Sussex Drinks Ltd
Address	
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	An operating company formed by the applicants to run the business
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	5	092014

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 Currently an empty shop in the busy Chapel Road shopping and commercial area aimed at serving the community at large including nearby residents.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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

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

Provision of regulated entertainment

Please tick any that apply

- 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)

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	X
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	0700	2200			
Tue	0700	2200			
Wed	0700	2200			
Thur	0700	2200			
Fri	0700	2200			
Sat	0700	2200			
Sun	0700	2200			
			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)		

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

Name Umair Ahmed	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) Reigate & Bansted Borough Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)	
Day	Start	Finish		
Mon	0700	2200		
Tue	0700	2200		
Wed	0700	2200		
Thur	0700	2200		<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	0700	2200		
Sat	0700	2200		
Sun	0700	2200		

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

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

b) The prevention of crime and disorder

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System, operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

CCTV footage will be stored for a minimum of 28 days

The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.

The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.

Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

c) Public safety

The Fire Risk Assessment will be updated.

d) The prevention of public nuisance

The premise will adopt as a condition the Licensing Authorities recommendation regarding Not selling High alcohol beers and ciders above 6% ABV

e) The protection of children from harm

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The only forms of ID that will be accepted are passports, driving licences with a photograph or proof of age cards bearing the 'PASS' mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the licence or conditions attaching to it.

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

All staff members engaged, or to be engaged, in selling or delivery of alcohol on or from the premises shall receive the following training in age-restricted sales:

Induction training which must be completed, and fully documented, prior to the sale of alcohol by the staff member; and refresher training thereafter at intervals of no less than 8 weeks.

All age-restricted sales training undertaken by staff members shall be fully documented and recorded.

All training records shall be made available to Sussex Police, officers of the licensing authority and Weights and Measures upon request.

The premises shall at all times maintain and operate an age-restricted sales refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals not to exceed 4 weeks and feedback given to staff as relevant. This refusals recording system shall be available upon request to Licensing Authority Officers, police officers and Weights and Measures Officers.

Checklist:



Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	18/08/14 
Capacity	Licensing consultant to the applicants

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Doug Simmonds FBII, TP. Licensing Consultant Doug Simmonds Ltd 13 Roman Road			
Post town	Southwick	Postcode	BN42 4TP
Telephone number (if any)	01273 597 125		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) info@dougsimmonds.co.uk			

Appendix D

Afternoon,

Re; Star Convenience Store 87a Chapel Road Worthing, BN11 1HU.

Following on from our phone call, as explained while in principle Sussex Police have no objections to the application, one of the conditions proffered in the operating schedule need slight alteration.

-Induction training which must be completed, and fully documented, prior to the sale of alcohol by the staff member; and refresher training thereafter at intervals of no **more** than eight (8) weeks.

Until such time that the applicant has confirmed they are happy to accept this change Sussex Police shall raise a representation to the application on the grounds of

- Prevention of Crime and Disorder.
- Protection of children from Harm

If you wish to discuss any of the above then please contact the licensing team on the below number and myself or any other member of the team will be happy to assist

Kind Regards

Helen

Kind Regards

Helen

Helen Manley
Assistant Licensing Officer
Neighbourhood Licensing Team, W. Sussex

Tel: 101 Ext. 581179

Mobile: [REDACTED]

Direct Dial: [REDACTED]

From: Vino Vinojan
Sent: 09 September 2014 13:28
To: Simon Jones
Subject: Premise Licence of Star Convenience Store, 87A Chapel Road, Worthing

08 September 2014

Dear Mr Jones

Ref: Premise Licence of Star Convenience Store, 87A Chapel Road, Worthing

Please accept this letter as a representation regarding the above application.

I am a ward councillor representing the residents of central Worthing. This new store is situated within my ward in an area containing a large number of similar stores selling alcohol and this is causing concern to a number of the local residents and businesses. Worthing town centre suffers from a high level of crime & disorder associated with street drinkers & drunks. I am involved in the 'enough is enough' campaign attempting to assist off licence premises stop the supply of alcohol to the street drinking fraternity. Worthing Borough Council's Statement of Licensing Policy contains a number of conditions designed to address street drinking and the sale of alcohol to drunks from 'off licences' (section 7.11). I would like the following conditions suggested by the council's licensing policy added to the Premise Licence of the Star Convenience Store to act as a deterrent to street drinkers from using the store:

- No sales of alcoholic beverages over 6.0% ABV (alcohol by volume) in containers (cans or bottles) containing less than 500ml.
- No sales of miniature bottles of wine or spirit in units of less than 35cl.
- No sales of single cans or bottles of beer, lager and cider in containers containing less than 500ml. Sales of such cans & bottles to be made in multiple packs of a minimum of 4.

I would also suggest that the strong brands of cider sold in 1 litre to 2 litre bottles and favoured by the street drinkers are not supplied by the store so suggest the following condition

- No sales of strong ciders over 6% alcohol by volume.

In addition I would like to see the management of the store actively involved in the addressing of the issue of street drinking in the area and so suggest the imposing of the following condition:

- The store will sign up to the 'Enough is Enough' responsible retailing charter and attend their training courses and fully adhere to the principles set out in the charter.
- All staff involved in serving alcohol to receive on-going training that covers licensing law and responsible sales
- Maintain suitable records that demonstrate that such training has been given to each member of staff.

I ask for these conditions to be imposed as we have a known problem with Street Drinkers within this ward. Having these conditions will reduce Crime and Disorder in the vicinity and it will ensure that at least three of the four licensing objectives are met by this store.

Yours truly
Cllr Vino Vinojan
Central Ward
Worthing Borough Council

The Responsible Retailing Charter for Worthing

Enough is enough!

By signing up to this Charter you will be helping make your local community a safer place because you will be saying 'No! Enough is enough' we will not serve Street Drinkers or Drunks.

The Licensing Act 2003 makes it the overriding responsibility of licensees, the Council and other agencies to promote the four Licensing Objectives:

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

That means you should not serve Street Drinkers or Drunks. By serving them you could be breaking the law and jeopardising your licence to sell alcohol.

The licensees and or their agents must at all times demonstrate a responsible attitude to the sale through their staff, their marketing and their promotions.

Staff training to encourage and raise the standards of service and awareness, all licensees will:

- Ensure all staff involved in serving of alcohol has received training that covers licensing law and responsible sales.
- Maintain suitable records that demonstrate that such training has been given to each member of staff.

This campaign is supported by several members of Worthing Borough Council

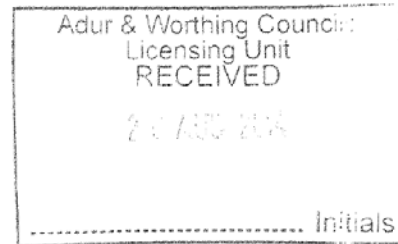
A LIST OF THE PREMISES AND ESTABLISHMENTS WHO HAVE SIGNED THE
CHARTER WILL BE MADE PUBLIC

[Redacted]

[Redacted] Christchurch Road
Worthing
West Sussex

[Redacted]

E-mail address – [Redacted]
22 August 2014



To : The Licensing Unit, Housing, Health & Community Safety

License to sell Alcohol application 87a Chapel Road.

To Whom It May Concern

I strongly object to the license application for the above premises to sell alcohol on the grounds that there are three premises in the immediate area and two others nearby which already provide this service.

Further premises would endanger the existing businesses survival.

Inevitable price reduction competition could attract undesirable individuals to the area and consequential anti social behaviour. It would also increase the risk of excessive exposure to alcohol to vulnerable individuals.

The area is the town's gateway for visitors who could be exposed to ASB & have a very unfavourable first impression to our town.

Yours sincerely,

R F Smith

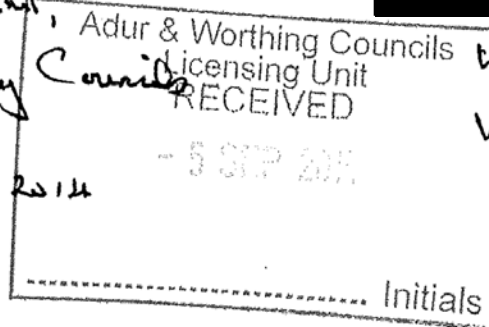
[Redacted signature]

S A Smith

[Redacted signature]

The Licensing Unit,
Adur & Worthing Councils

3rd September, 2014



Worthing Road,
Worthing,
W. Sussex

Dear Sirs,

re 57A, Chapel Road, Worthing

I am writing with reference to the application by East Sussex Drinks Ltd for an off-licence for the sale of alcohol at the above address, between the hours of 0700-2200, the site to be called Star Convenience Store, and wish to register my objection on the following grounds:

- 1) going south along Chapel Road (A24/A279) there are already 3 premises with off-licenses within 100/150 yards of the above address, including Morrisons & another newsagents/convenience store.
- 2) going north along the A24/A279 towards the railway bridge there are two more premises with off-licenses (Morrisons & Morrisons) plus a pub within about 100 yards of the above premises;
- 3) going east along the A259 & North Street, there are two more premises with off-licenses (Lidl & Waitrose) & a pub within about 350 yards;
- 4) going west along Tangle Road & the bottom of South Farm Road, guess what, a further three off-licenses, including a Tesco, within 1/4 mile;
- 5) being on an A road there is little or no parking for people outside the area, & the local residents, not being alcoholics, do not need another off-licence. It is time the Council restore the Saturation Policy if only for residents sake!!

Yours faithfully,

Regulation 25 Notice.

Stanhope Road
Worthing,
W. Sussex

Mr. Doug Simmonds
Licensing Consultant.

16th September 2014.

Dear Sir,

I object most strongly to the application by East Sussex Drinks Ltd. for 87A Chapel Road, BN11 1H4, to be given an alcohol licence for off-premises consumption. Within a few minutes' walk of 87A there already exist three alcohol-selling units. Within a wider circumference but again, in close proximity, there are other premises selling alcohol.

Adjoining 87A Chapel Rd. is a cul-de-sac containing family houses and overlooking this site is a large block of flats. This area, part of Central Ward, Worthing is one of the most densely populated neighbourhoods in the town. It is also an area with a high proportion of social problems.

The over-subscription of alcohol licences in recent years led to this area being designated as a saturation zone. This title was, for some reason, rescinded by W.B.C.

I suggest that a licence for 87A Chapel Road would give the green light for others to follow suit. In other words, saturation creep would be the result.

Our community worked hard to restore balance to this town. In the interests of health, community and safety, no further expansion of the alcohol trade is needed here. The East Sussex Drinks Ltd. should not be awarded a licence for 87A Chapel Road, Worthing.

Yours faithfully,

[Redacted signature]

Adur & Worthing Councils
Licensing Unit
RECEIVED
- 5 SEP 2014
..... Initials

The Licensing Unit
Housing, Health & Community Safety
Adur & Worthing Councils
9 Commerce Way, Lancing.

Dear Sir or Madam,

East Sussex Drinks Ltd
Application for sale of alcohol off-licence
87A Chapel Rd, Worthing

Re. the above application, as a Worthing resident and Council Tax payer for 24 years, I wish to object to this application.

There are already, within a quarter of a mile radius of my Wenban Road home, TEN off-licences and 3 pubs (at least). Little wonder this country is sinking in a sea of alcohol, with all the disruption that causes.

It is time to call a halt to this. I met a young mother and child outside the proposed above location. She told me enough is enough. She lived a stone's throw away and was angry that this once-quiet residential area - populated by decent people including many pensioners - is being gradually turned into a lawless den of drunks, drug addicts and indeed drug dealers - dealers who openly walk the streets.

Within that 1/4-mile, there is a shop which regularly sells illegal tax-free cigarettes under-the-counter - a shop which was given permission to operate - not long ago - by your Licensing Unit. Shame on you all!

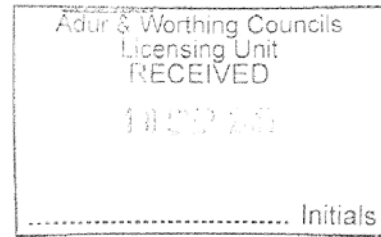
Decent shopkeepers - who keep to the law - have been forced to open to 10 pm at least to compete as best they can with this under-the-counter shop ... and now there may be yet another convenience store just yards from them.

Stand up for the decent people. I call upon you not to allow this area to become a cesspit - or your council and the useless Police will surely reap the whirlwind.

Yours -

WENBAN ROAD, WORTHING, WEST SUSSEX,

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



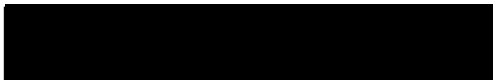
Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

We hope for positive response.

Thank you very much.

Name :



Sign



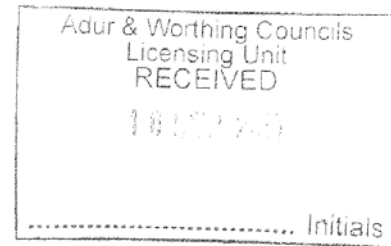
Address :

Teuille Rd

Chapel Road
Worthing.

Worthing

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



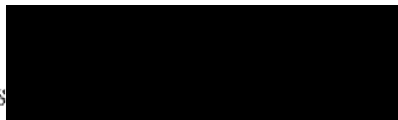
Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

We hope for positive response.

Thank you very much.

Name :
Address



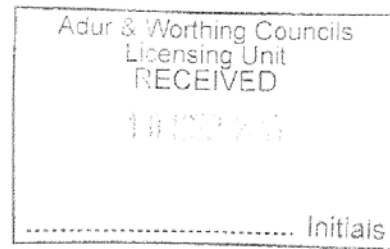
Chapel Road
Worthing.

Chapel Rd.

Sign :



The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA


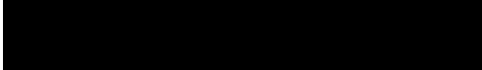


Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

We hope for positive response.

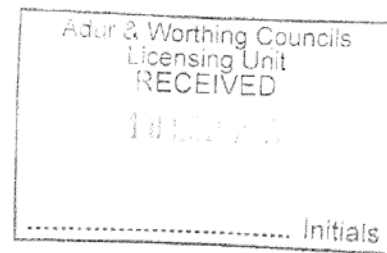
Thank you very much.

Name : 
Address : 

Sign : 

Chapel Road
Worthing.

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



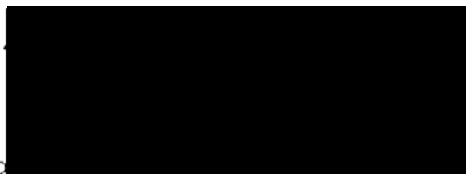
Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

We hope for positive response.

Thank you very much.

Name :
Address

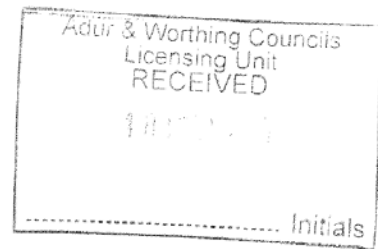


Sign :



Chapel Road
Worthing.

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

We hope for positive response.

Thank you very much.

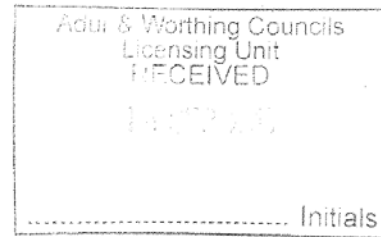
Name :
Address

Sign :

[Redacted Name and Address]

[Redacted Signature]

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA

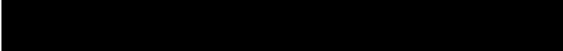
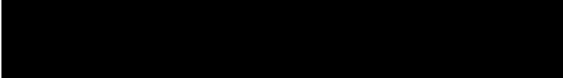


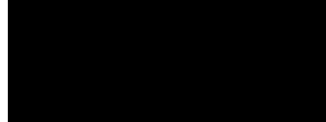
Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

We hope for positive response.

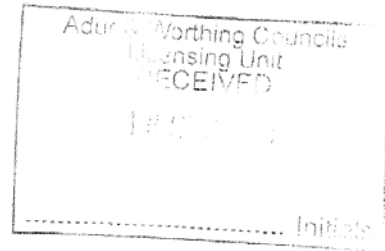
Thank you very much.

Name : 
Address : 

Sign : 

Chapel Road
Worthing.

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

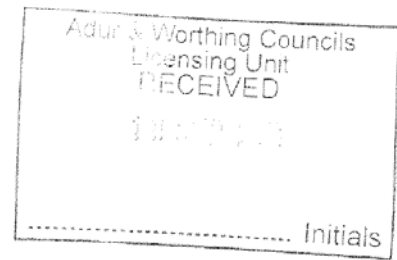
We hope for positive response.

Thank you very much.

Name : 
Address 
Chapel Road
Worthing.

Sign : 

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

We hope for positive response.

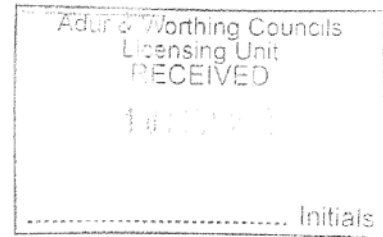
Thank you very much.

Name :
Address :

Chapel Rd
Worthing.

Sign :

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



Application For A New Premises Licence in 87a Chapel Road

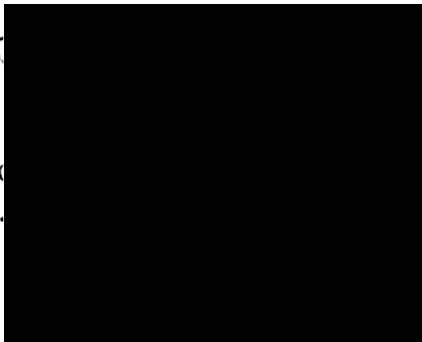
As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

We hope for positive response.

Thank you very much.

Name :
Address :

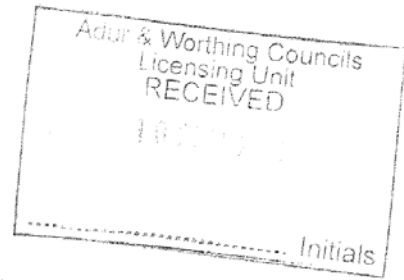
Chapel Road
Worthing.



Sign



The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

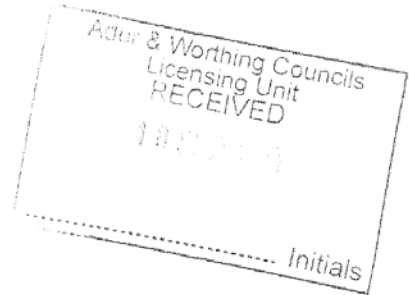
We hope for positive response.

Thank you very much.

Name : 
Address : 
Chapel Road
Worthing.

Sign : 

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

We hope for positive response.

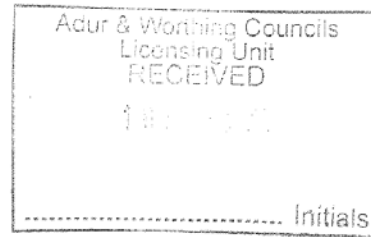
Thank you very much.

Name : [Redacted]
Address : [Redacted]

Sign : [Redacted]

Chapel Road
Worthing.

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



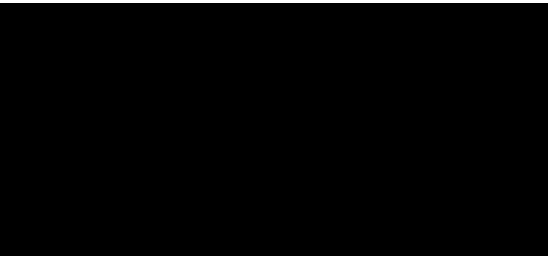
Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

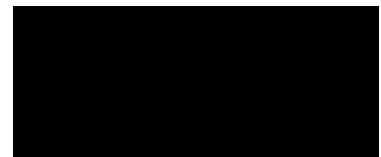
We hope for positive response.

Thank you very much.

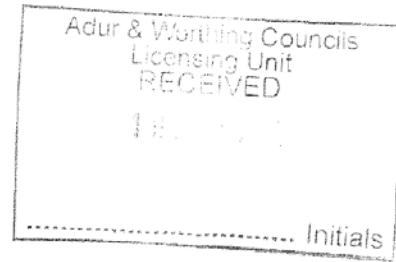
Name :
Address :
Chapel Rd
Worthing



Sign :



The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



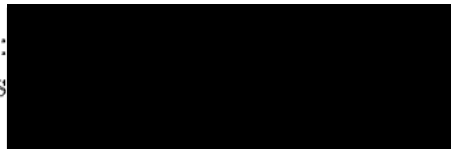
Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

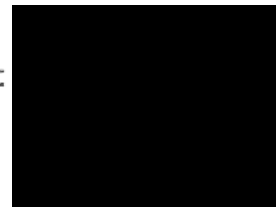
We hope for positive response.

Thank you very much.

Name :
Address

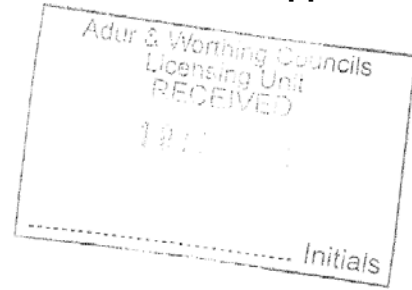


Sign :



Chapel Road
Worthing.

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

We hope for positive response.

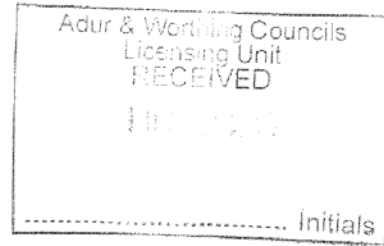
Thank you very much.

Name : [Redacted]
Address : [Redacted]

Sign : [Redacted]

Chapel Road [Redacted]
Worthing. [Redacted]

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



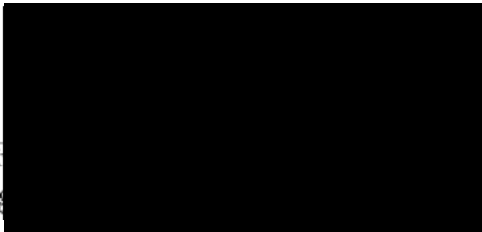
Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

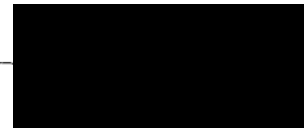
We hope for positive response.

Thank you very much.

Name :
Address

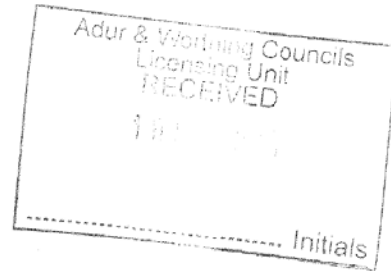


Sign :



Chapel R
Worthing

The Licensing Unit Housing
Health & Community Safety
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA



Application For A New Premises Licence in 87a Chapel Road

As a local residence on the door steps of this premises with lot of young kids and working parents we strongly oppose this application and request sussex police and licensing authority to reject this application to open another off licence in this area. Our kids play outside when we at work very regularly because we don't have garden. It's bad enough as it is and who would know better than police, they have to visit this area very regularly. It will get even worse and increase public nuisance, there will be drunks just outside our flats since 7am till late night, for our kids safety and comfort we hope that this application will be rejected and we hope sussex police and licensing authority will understand our concern and respect our opinion.

We hope for positive response.

Thank you very much.

Name : [Redacted]
Address [Redacted]
Chapel Road [Redacted]
Worthing.

Sign : [Redacted]