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**Licensing Act 2003 – Application for a new Premises Licence at:  
Tesco Express, 1-5 Warners Parade, South Farm Road, Worthing, BN14 7GA**

**Report by the Director of Communities**

**1. Recommendation**

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

**Tesco Stores 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 on the junction of South Farm Road and Tarring Road in a parade of shops in a mixed commercial/residential area on a busy main road.
- 3.2 It currently trades as a Tesco Express store and is subject to a premises licence, LN/000001954, authorising the sale of alcohol, for consumption off the premise. The current trading hours authorised are 08.00hrs – 23.00hrs Monday to Sunday inclusive.
- 3.3 The current licence holders have elected to apply for a new premises licence instead of a variation to the existing licence. Officers’ understanding is that the current licence will be surrendered if /when a new licence is granted.
- 3.4 The application was made on behalf of Tesco Stores Ltd. to Worthing Borough Council on the 2 December 2014 for a new Premises Licence to authorise the sale of alcohol, for consumption off the premise, at the refurbished store.

3.5 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 current Premises Licence (Appendix D)
- A copy of the representation made by a Responsible Authority, namely Sussex Police(Appendix E)
- A copy of the representation made by a local ward councillor (Appendix F)
- A copy of the representation made by member of the public (Appendix G)
- Copies of the letters of mediation (Appendices H1 &2)

#### 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:  
06.00hrs and 23.00hrs Monday to Sunday incl.
- It is proposed that the store will open to the public between the hours of:  
06.00hrs and 23.00hrs 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 Darren Golds, who holds a personal licence issued by Worthing Borough Council and is named as DPS on the current licence.

#### 5. **Promotion of the Licensing Objectives**

5.1 The Licensing Act 2003 and regulations require that the Council, as local licensing authority, carries out its functions with a view to promoting the four licensing objectives:

- 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).*
- 6.18 *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 good reasons, based on the licensing objectives, for restricting those hours.*

- 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.*
- 7.6 *Over recent years problems associated with street drinking have been experienced across the borough but particularly in the town centre, on the promenade, the beach and Worthing's public parks & gardens. While there are some areas with recurring problems with regard to street drinking groups they also crop up in different areas at different times. These individuals and the shops that supply them can be a focus of antisocial behaviour, disorder and disturbance. The supply of alcohol to individuals involved in the day-long consumption of alcohol on the street and in open spaces can directly lead to these groups of drinkers causing various types of crime, public nuisance and anti-social behaviour.*
- 7.7 *Pre-loading and post-loading, the sale of alcohol to people who consume it on the way to or from venues licensed for the consumption of alcohol on the premises, gives rise to problems of drunkenness and disorderly behaviour. The proliferation of stores selling alcohol for consumption off the premises is of concern if it leads to drinking on the streets or alcohol being carried into premises such as pubs and nightclubs. The council is concerned that alcohol loading from off-licence sales is a significant problem in the town and adversely affects the licensing objectives.*
- 7.8 *Where the police or others make representations against the grant of a further licence for off sales, because of their serious concerns over any of the problems listed above and the disorder associated with the off sale of alcohol in the area, the council will give specific consideration to restricting the number, type, and the hours of premises selling alcohol exclusively for consumption off the premises. The council will want to be assured that the Operating Schedule of premises, and their overall management, training and levels of staffing, are appropriate to*

*ensure that the licensing objectives are promoted in what may be challenging circumstances. The earliest and latest hours of opening will be of particular concern. This is because problematic street drinkers and others who are seriously addicted to alcohol, may be drawn to shops that sell alcohol earlier in the morning and later in the evening than other premises and consequently create public nuisance. Where there are representations on problems of disorder the hours when alcohol may be sold for consumption off the premises may be conditioned to be less than the generally granted hours issued to public houses and restaurants in the area.*

- 7.9 *Due to these concerns and their link to crime, disorder and disturbance, the Council will not, as a general rule, grant applications for the 24-hour sale of alcohol for consumption off the premises. It will consider very seriously any representation made by Sussex Police, other responsible authorities, and relevant representations from the public before determining such applications.*
- 7.10 *To address the problems of street drinkers, underage drinkers and pre/post-loaders the council has introduced a controlled drinking zone across the whole borough giving the police powers to stop street drinking and seize alcohol and receptacles under the powers of the Criminal Justice and Police Act 2001. In addition short term Dispersal Zones have and will be used in parts of the town where the break-up of street drinking groups is required to disrupt any emerging patterns of street drinking.*
- 7.11 *When requested by the police, or other authorities, the Licensing Authority may impose on new applications, or on existing licences at review, conditions requiring:*
- No sales of alcoholic beverages (beers, lagers & ciders) over a specified limit of alcohol by volume or of specified quantities (e.g. of beers, lagers and ciders over 6.0% alcoholic content by volume).*
  - No sales of single cans or bottles of beer, lager and cider in containers containing less than 500ml.*
  - No sales of miniature bottles of wine or spirit in units of less than 35cl.*
  - Other conditions may be imposed directed at reducing problematic street drinking.*
  - Conditions stopping irresponsible drink promotions that do not follow best practice, that would appeal to underage drinkers or street drinkers or encourage excessive consumption.*
  - Conditions relating to the positioning of alcohol within the shop and the types of displays of alcohol within the store. Particularly those displays that might appeal to younger consumers.*
- 7.12 *From October 2010 it became a mandatory condition that all licence holders selling alcohol put in place an age verification policy for the premises. In some circumstances the Council will impose, where necessary to promote the licensing objectives, implicit conditions on the checking of the age of those who appear under 21 or 25 to ensure that alcohol is not sold to those under 18 years of age.*
- 7.13 *Licence holders need to have sufficient day to day control of operations at their premise. They will be held responsible for breaches of the licence and ensuring there is adequate staffing and training. The authorities will continue to use young*

*people for the 'test purchasing' of alcohol and CCTV evidence, which has proved its usefulness in prosecutions for unlawful sales of alcohol. The likely consequences of a review of licence for underage sales include the imposition of additional conditions such as the attendance of a personal licence holder, licence suspensions and in some cases revocation to act as deterrence.*

## **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 Representation  
Ward Councillor – 1 X Representation  
Responsible Authorities – 1 X Representation from Sussex Police

## **7. Relevant Representations**

- 7.1 Detail regarding the relevant representations received is reproduced at **Appendices E, F & G**. 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 listing a number of conditions that they consider required to enable this premise to meet the licensing objectives if members were of a mind to grant a licence. These being:

- *The premises will operate an age verification policy set at a minimum of 25 years, whereby all staff will be trained to request ID from any person attempting to buy alcohol who appears to be under 25 (or the age set by the policy) will be asked for photographic ID to prove their age. 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, or military ID. The list of approved ID may be amended or revised subject to prior written agreement with Sussex Police. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum.*
- *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 alcohol, and the refusal of sales to persons believed to be under the influence of alcohol. 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.*

- *A written record of those authorised to make sales of alcohol shall be kept. This shall be endorsed by the DPS with the date such authorisation commences. This shall be made available immediately upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers*
- *A till prompt will appear on the initial sale of alcohol that will remind the seller of their responsibilities including not to sell alcohol to anyone under the age of 18.*
- *Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number09/05), 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 31 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.*
  - *Action will be taken to rectify any breakdown or system failure. A full log of that action taken shall be maintained and This shall be made available immediately upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers*
- *Spirits will be stored and displayed behind the servery, or out of the reach of the public.*
- *Alcohol products will not be displayed within a 3 metre radius of the front entrance other than behind the servery out of reach of the public.*

7.3 Councillor Roberts 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 Roberts 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. These conditions being:

- *No sales of alcoholic beverages over 6.0% ABV (alcohol by volume) in containers (cans or bottles) containing less than 500ml.*
- *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.*
- *No sales of strong ciders over 6% alcohol by volume.*
- *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.*
- *Alcohol sales from 07.00hrs to 23.00hrs seven days a week.*

7.4 One letter of representation was received from a member 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 with the applicant volunteering all the conditions requested by Sussex Police (listed at 7.2). These would become enforceable conditions of any licence granted and therefore Sussex Police have withdrawn their representation.

8.3 Officers are aware of further mediation between the applicant and Cllr. Roberts but at the time this report was drafted they had only reached a partial agreement. If mediation is successful it will be reported to members prior to or 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:

- Grant the licence, as requested,
- Grant the licence, as requested, with additional conditions appropriate to the promotion of the specific licensing objectives on which relevant representations have been received.
- 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 Tesco Stores Ltd. for their store known as Tesco Express situated in South Farm Road, Worthing and give reasons for that determination.**

**John Mitchell**  
**Director of Communities**

### **Principal Author and Contact Officer:**

Simon Jones

Senior Licensing Officer - Tel: 01273 263191 or [simon.jones@adur-worthing.gov.uk](mailto: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 – Current Licence
- Appendix E - Representation received from Sussex Police
- Appendix F – Representation from Cllr. Clive Roberts
- Appendix G – Representation from a member of public.
- Appendix H – Mediation correspondents

Commerce Way, Lancing

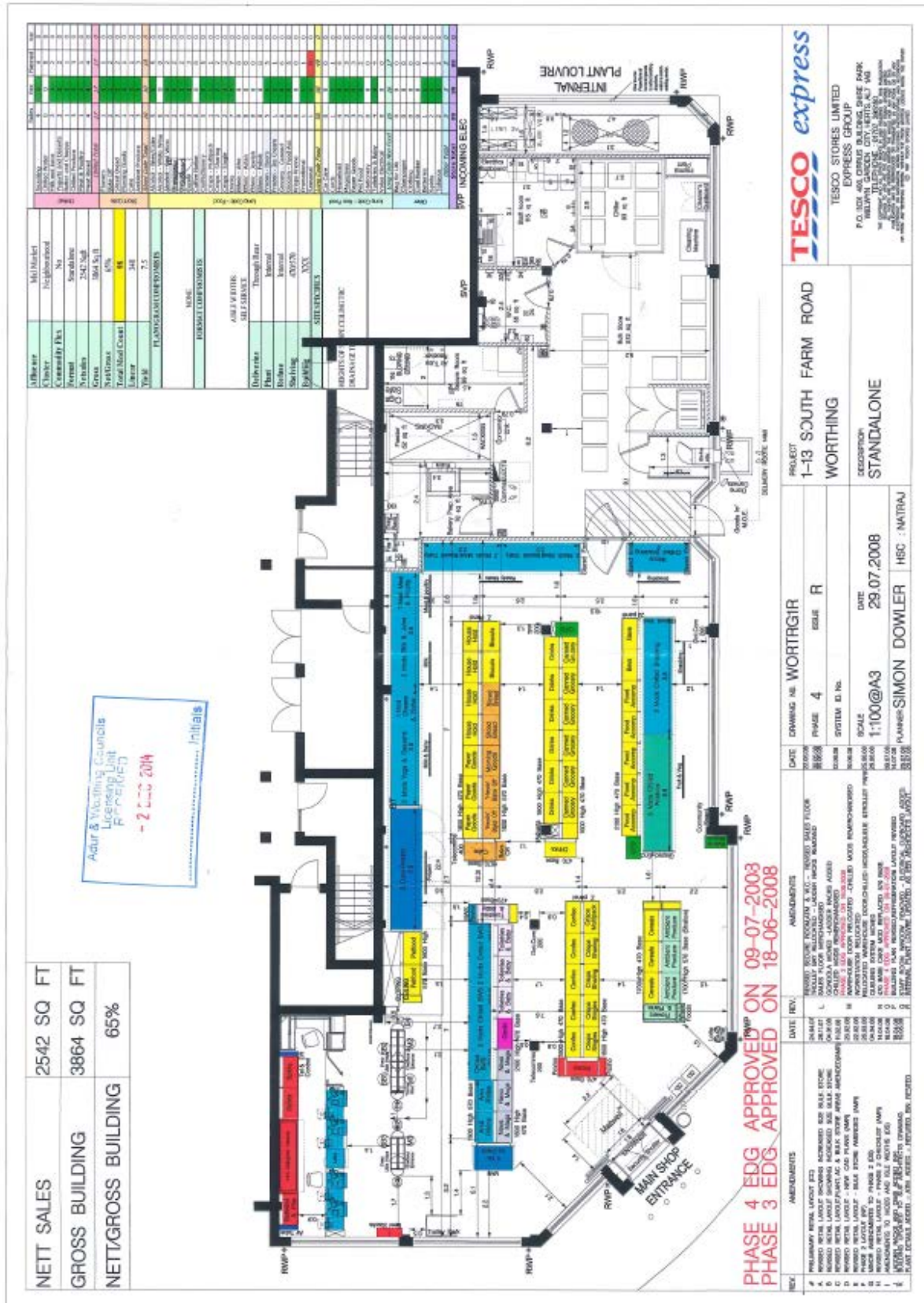
Ref: SJ/Lic.U/LA03/NEW – Tesco Express

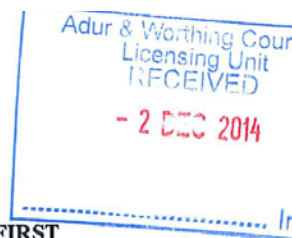
Date: 6 December 2015.

Appendix A  
Plan of Area



Appendix B  
Plan of Premises





**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 Tesco Stores Ltd

**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 Sth Farm Worthing Exp 1-5 South Farm Road Warners Parade Worthing			
<b>Post town</b>	West Sussex	<b>Postcode</b>	BN14 7GA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£39500

**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.**

<b>Name</b> Tesco Stores Ltd
<b>Address</b> Tesco House, Delamare Road Cheshunt Herts EN8 9SL
<b>Registered number (where applicable)</b> 519500
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Ltd company
<b>Telephone number (if any)</b> 01707 634 837
<b>E-mail address (optional)</b> Licensing.team@uk.tesco.com

**Part 3 Operating Schedule**

When do you want the premises licence to start?

ASAP

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

Retail premises (supermarket) selling a range of goods and services. This includes the sale of alcohol for consumption off the premises. Sales of alcohol for consumption off the premises are made from the supermarket sales floor as shown on the enclosed plan

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

N/A

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)




**In all cases complete boxes K, L and M**



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) N/A		
Mon	06:00	23:00			
Tue	06:00	23:00			
Wed	06:00	23:00			
Thur	06:00	23:00			
Fri	06:00	23:00			
Sat	06:00	23:00			
Sun	06:00	23:00			
			<b>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</b> (please read guidance note 5) N/A		

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

Name Darren John Golds	
Address 	
Postcode	
Personal licence number (if known) 	
Issuing licensing authority (if known) Worthing 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).**  
 N/A

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	06:00	23:00	
Tue	06:00	23:00	
Wed	06:00	23:00	
Thur	06:00	23:00	<b><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></b> (please read guidance note 5)
Fri	06:00	23:00	
Sat	06:00	23:00	
Sun	06:00	23:00	

**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)**

We are a national retailer that sells alcohol as part of a broad offering of goods and services. We have held off-licences in our stores for many years and are an approved British Institute of Inn-keeping examination centre. We have written training policies and formal training programmes are in place, which have been approved by our Primary Authority and ensure our people are equipped to meet all licensing objectives. All training and revision/refresher materials are reviewed regularly. All stores currently comply with our 'Think 25' policy; this is brought to customer's attention through point of sale material within the store. We take legal compliance very seriously and in addition to local training we employ a central alcohol licensing compliance manager and have a compliance committee.

**b) The prevention of crime and disorder**

The premises will have digital CCTV system that covers many areas of the shop floor, including the proposed area which will be used for beer and wine, should we be successful with our application. Images will be retained for a minimum of 21 days and made available on enforcement request. Ordinarily, a member of the Management team will be on the premises all the time the store is open. A person will have responsibility for the premises whilst the premises are open.

**c) Public safety**

A person will have responsibility for the premises whilst the premises are open. Management will be trained to support the running of the premises, including looking after our customers and staff. The store will adhere to all rules and regulations relating to public safety.

**d) The prevention of public nuisance**

We intend to be an active member of the community. We welcome the opportunity to liaise with Police and enforcement authorities should the need arise.

e) The protection of children from harm

All staff will be trained and regularly refreshed in the corporate 'Think 25' Policy. Staff will be trained to look at the customer and 'Think 25' when selling alcohol.  
 A till prompt will appear on the initial sale of alcohol that will remind the seller of their responsibilities including not to sell alcohol to anyone under the age of 18.  
 The store will display signage around the premises informing both staff and customers of our 'Think 25' policy on alcohol.

**Checklist:**

**Please tick to indicate agreement**

- 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 designated 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 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	02/12/2014
Capacity	Licensing Manager

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)  
 Licensing Team  
 Cirrus C  
 Shire Park

Post town	Welwyn Garden City	Postcode	AL7 122
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Licensing.team@uk.tesco.com			



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

Housing, Health & Community Safety  
9 Commerce Way  
Lancing  
BN15 8TA

## Premises Licence Number - LN/000001954

### Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>
Tesco Express 1-5 Warners Parade South Farm Road Worthing BN14 7GA
<b>Telephone number</b>

<b>Licensable activities authorised by the licence</b>
See attached Schedule

<b>The times the licence authorises the carrying out of the licensable activities</b>
See attached Schedule

<b>Opening hours of the premises</b>		
Location : Supermarket		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Sunday	08:00	23:00
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
<b>Non Standard Timings &amp; Seasonal Variations</b>		

<b>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</b>
OFF

**Part 2 – Premises Licence Holder Details**


<b>Name</b>
Tesco Stores Ltd


<b>Registered Address</b>
Tesco House Delamare Road Cheshunt Herts. EN8 9SL
<b>Telephone Numbers :</b> 01707 298345
<b>E-mail :</b> <a href="mailto:licensing.team@uk.tesco.com">licensing.team@uk.tesco.com</a>

<b>Registered number of holder, for example company number, charity number (where applicable)</b>
00519500

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

<b>Name</b>
Mr Darren G Golds

<b>Registered Address</b>

<b>Telephone Numbers :</b>

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

**Schedule 1 – Licensable Activities authorised by this Licence**

**Times the licence authorises the carrying out of the licensable activities**

<b>Location :</b>	Supermarket	
<b>Activities :</b>	Alcohol OFF Sales/Supply (M)	
<b>Day</b>	<b>Start</b>	<b>Finish</b>
<b>Sunday</b>	08:00	23:00
<b>Monday</b>	08:00	23:00
<b>Tuesday</b>	08:00	23:00
<b>Wednesday</b>	08:00	23:00
<b>Thursday</b>	08:00	23:00
<b>Friday</b>	08:00	23:00
<b>Saturday</b>	08:00	23:00
<b>Non Standard Timings &amp; Seasonal Variations</b>		

**Signed on behalf of the issuing licensing authority**

**Senior Licensing Officer**

**Date : 22 April 2013**

**Annexe 1 : Mandatory Conditions**

**A. Mandatory conditions where licence authorises supply of alcohol**

1. No supply of alcohol may be made under the premises licence:-
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

**B. Mandatory conditions: door supervision**

When employed each such individual must be licensed by the Security Industry Authority.

**C. Mandatory conditions: Age Verification**

An age verification policy for the premises must be produced, implemented and details made available to authorised officers upon request.

**D. Permitted Hours**

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

**Annexe 2 : Conditions Consistent with the Operating Schedule**

1. All alcohol sold or supplied is to be consumed off the premises.
2. That the premise ceases alcohol sales by 23.00 hours on any night.
3. Sufficient CCTV cameras to be fitted to cover the alcohol display, shop entrance and till area – with image storage for a minimum of 31 days and those images to be supplied to police upon request.
4. All staff will be trained and regularly refreshed in the challenge 21 policy, Persons looking under 21 will be required to produce recognised proof that they are over 18 before a sale of alcohol will be authorised. Signage informing staff and customers of the think 21 policy will be displayed.
5. A refusals recording mechanism, book or computer, will be maintained at the premises. And that these records are made available for inspection by police officers, PCSOs and the police and local authority licensing officers.
6. All staff will be subjected to training and regular retraining regarding the prevention of sales of alcohol to or on behalf of underage persons and drunk persons. That these training inputs are recorded and signed for by the trainee and records made available to police, PCSOs and licensing officers.



**Annexe 3 : Conditions attached after a hearing by the Licensing Authority**

None.

**Annexe 4 : Plans**

See attached plan dated 8.08.08.



## MEMORANDUM

To: **Simon Jones, Adur District and Worthing Borough Council.**

From: **West Sussex Neighbourhood Licensing Team**

Extension: **101 x581179**

Date: **16<sup>nd</sup> December 2014**

Dear Mr Jones

**APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 FOR  
TESCO, 1-5 SOUTH FARM, WORTHING, BN14 7GA**

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, the Prevention of Public Nuisance and the Protection of Children from Harm.

Sussex Police deem the operating schedule provided insufficient, while it identifies a few basic steps, it fails to satisfy Sussex Police that sufficient measures have been proffered in order to effectively promote the licensing objectives. Sussex Police propose the below conditions which we believe are enforceable, clear and concise and ensure all four licensing objectives are promoted.

If the applicant is agreeable to the proposed conditions Sussex Police can resolve this representation.

- The premises will operate an age verification policy set at a minimum of 25 years, whereby all staff will be trained to request ID from any person attempting to buy alcohol who appears to be under 25 (or the age set by the policy) will be asked for photographic ID to prove their age.
- 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, or military ID. The list of approved ID may be amended or revised subject to prior written agreement with Sussex Police.
- Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum.
- 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 alcohol, and the refusal of sales to persons believed to be under the influence of alcohol. 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.
- A written record of those authorised to make sales of alcohol shall be kept. This shall be endorsed by the DPS with the date such authorisation commences. This shall be made available immediately upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers
- A till prompt will appear on the initial sale of alcohol that will remind the seller of their responsibilities

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**Listen Inspire confidence Support with information Take ownership Explain Notify people**



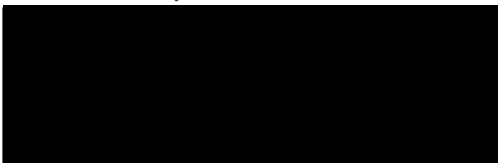
**Sussex Police**  
Serving Sussex

[www.sussex.police.uk](http://www.sussex.police.uk)

- including not to sell alcohol to anyone under the age of 18.
- Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number09/05), 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 31 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 of 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.
  - Action will be taken to rectify any breakdown or system failure. A full log of that action taken shall be maintained and This shall be made available immediately upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers
  - Spirits will be stored and displayed behind the servery, or out of the reach of the public.
  - Alcohol products will not be displayed within a 3 metre radius of the front entrance other than behind the servery out of reach of the public.

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

Yours sincerely



T Chief Inspector Rolls  
District Commander  
Sussex Police.

## **6 Shelley Road, Worthing, BN11 1TR**

22 December 2014

Dear Mr Jones

### **Ref: Premise License of Tesco Express, South Farm Road, Worthing**

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

I am Councillor for Central Ward. This new store is situated within my ward in an area containing a large number of similar stores selling alcohol which is causing concern to a large number of my residents and businesses. Worthing town centre suffers from a high level of crime & disorder associated with street drinkers & drunks. I am in support of 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 License of the Tesco Express to act as a deterrent to street drinkers from using the store:

***1. No sales of alcoholic beverages (beer, lager & cider) over 6.0% ABV (alcohol by volume) in containers (cans or bottles) containing less than 500ml.***

***2. 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:

***3. 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:

***4. 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.***

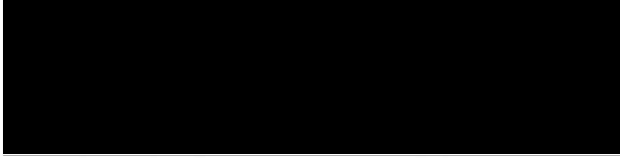
***5. All staff involved in serving alcohol to receive on-going training that covers licensing law and responsible sales***

***6. Maintain suitable records that demonstrate that such training has been given to each member of staff.***

***7. Alcohol sales from 7am to 11pm seven days a week***

I ask for these conditions to be imposed as we have a known problem with Street Drinkers within the ward. I believe these conditions will help 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 Faithfully,



Cllr. Clive B Roberts  
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

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Simon Jones

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**From:** [REDACTED]  
**Sent:** 13 December 2014 10:16  
**To:** Licensing Unit

Dear sir/madam

I am writing again as my submission through your web form, that is said to go straight to the licensing email, hasn't arrived!. Thank you to the lady I spoke with who was following that up.

we, my husband and I, are writing to submit representations about the following:

Tesco express, south farm road, application to vary license to sell alcohol to new time of 6.00-23.00 hrs.

our objections are:

1. The area already has issues with social deprivation, including alcohol misuse, and this would only exacerbate these issues. In broad terms, the people who would be likely to purchase alcohol at 6 in the morning are more likely to be people with misuse issues.
2. The shop is in a block of flats, with bedrooms above the doorway, and it is inappropriate to sell alcohol so early and late within this residential context.
3. We know supermarkets are here to make a profit, they are a business, but they also have a social responsibility and operate within each local context. we submit that in this context extending licensing hours would not fulfill that social responsibility.
4. Tesco often run promotions and discounts on all products including alcohol and this makes it more likely that extended licensing hours will create more problems.
5. Simply....is it necessary? Who would be buying and who needs to buy alcohol at 6 am!?!?

Thank you for your time

Regards  
[REDACTED]

Sent from my HTC

**Simon Jones**

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**From:** Bartley, Greg <Greg.Bartley@uk.tesco.com>  
**Sent:** 17 December 2014 17:36  
**To:** Simon Jones; 'Helen.Manley@sussex.pnn.police.uk'  
**Cc:** Middleton, Lucy  
**Subject:** FW: Tesco 1-5 South Farm Road, Worthing  
**Attachments:** Tesco Worthing.pdf

Tesco agree to the attached being imposed on the licence.

Many thanks

Greg

PS I hope you have a great Christmas

**Greg Bartley** | Licensing Manager | Group Legal  
Tesco Stores Limited, Cirrus Building, Shire Park, Welwyn Garden City, AL7 1ZR  
M: +44 (0) 7841602827  
E: [greg.bartley@uk.tesco.com](mailto:greg.bartley@uk.tesco.com)

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**From:** [Helen.Manley@sussex.pnn.police.uk](mailto:Helen.Manley@sussex.pnn.police.uk) [<mailto:Helen.Manley@sussex.pnn.police.uk>]  
**Sent:** 17 December 2014 15:01  
**To:** [Simon.Jones@adur-worthing.gov.uk](mailto:Simon.Jones@adur-worthing.gov.uk)  
**Cc:** Team, Licensing; [WS\\_Licensing\\_WOR@sussex.pnn.police.uk](mailto:WS_Licensing_WOR@sussex.pnn.police.uk); [David.Whitcombe@sussex.pnn.police.uk](mailto:David.Whitcombe@sussex.pnn.police.uk)  
**Subject:** Tesco 1-5 South Farm Road, Worthing

Afternoon,

Please find attached Sussex Police representation regarding Tesco 1-5 South Farm Road, Worthing.

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

Kind Regards

Helen

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

Tel: 101 Ext. 581179  
Mobile: 07771807982  
Direct Dial: 01273 404030



## Simon Jones

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**From:** Bartley, Greg <Greg.Bartley@uk.tesco.com>  
**Sent:** 05 January 2015 13:31  
**To:** Simon Jones  
**Cc:** [REDACTED]  
**Subject:** RE: LA 2003 Application for a Premises Licence - Tesco Express, South Farm Road, Worthing

To try and further address the concerns raised against our Premises Licence application we would request the following additional conditions be imposed on the licence, if granted

- No sales of beer, lager or cider over 5.5%abv unless approved by the Local Police
- No single cans of beer, lager or cider where the single can is 440ml or less
- If provided, the store will display notices provide by the Local Authority or Police

To address the conditions requested by Cllr Roberts

By offering the above proposed conditions we believe we have addressed requested conditions 1, 2, 3.

Condition 4, we believe we are already a responsible retailer of alcohol and have national processes and practises in place to allow us to demonstrate this.

We have already agreed conditions with the Police which address requested conditions 5 & 6

Regarding the request for the hours to be amended to 0700 to 2300 we would request the hours be maintained as applied for. As per 7.1 of your Licensing Policy. Supermarkets should be permitted 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'.

**Greg Bartley** | Licensing Manager | Group Legal

Tesco Stores Limited, Cirrus Building, Shire Park, Welwyn Garden City, AL7 1ZR

M: +44 (0) 7841602827

E: [greg.bartley@uk.tesco.com](mailto:greg.bartley@uk.tesco.com)

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**From:** Simon Jones [mailto:Simon.Jones@adur-worthing.gov.uk]  
**Sent:** 31 December 2014 13:55  
**To:** Bartley, Greg  
**Cc:** [REDACTED]  
**Subject:** LA 2003 Application for a Premises Licence - Tesco Express, South Farm Road, Worthing

Mr Greg Bartley  
Licensing Manager  
Tesco Stores Ltd.

Dear Greg

**Re: Licensing Act 2003 - Application for a New Premises Licence  
Tesco Express, 1-5 South Farm Road, Worthing**

Consultation on this application has closed and there were 3 representations against this application. One representation from the ward councillor, one from a member of the public and of course the representation from Sussex Police. The representations are linked to concerns regarding:

- Prevention of Crime & Disorder
- Prevention of Public Nuisance
- Protection of Children from Harm

The representation from Sussex Police requested the following:

- The premises will operate an age verification policy set at a minimum of 25 years, whereby all staff will be trained to request ID from any person attempting to buy alcohol who appears to be under 25 (or the age set by the policy) will be asked for photographic ID to prove their age. 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, or military ID. The list of approved ID may be amended or revised subject to prior written agreement with Sussex Police. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum.
- 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 alcohol, and the refusal of sales to persons believed to be under the influence of alcohol. 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.
- A written record of those authorised to make sales of alcohol shall be kept. This shall be endorsed by the DPS with the date such authorisation commences. This shall be made available immediately upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers
- A till prompt will appear on the initial sale of alcohol that will remind the seller of their responsibilities including not to sell alcohol to anyone under the age of 18.
- Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number09/05), 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 31 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 of 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. Action will be taken to rectify any breakdown or system failure. A full log of that action taken shall be maintained and This shall be made available immediately upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers
- Spirits will be stored and displayed behind the servery, or out of the reach of the public.
- Alcohol products will not be displayed within a 3 metre radius of the front entrance other than behind the servery out of reach of the public.

I am aware that you have been in mediation with Sussex Police and have now agreed that these will be added as enforceable conditions of licence to any licence that may be granted. Sussex Police have had their concerns addressed and as a result formally withdrawn their representation.

Councillor Roberts, the local ward councillor has made representation along with a resident and I enclose copies of these representations.

As you are aware the Licensing Act encourages mediation and if all representations are addressed during mediation a licence can be granted without need for a hearing. If you think mediation might satisfy the letters of objection you are welcome to contact the authors directly or I am prepared to do so on your behalf if you contact me.

If agreement cannot be reached the applicant and those making representation will be given the opportunity to put their arguments to members of the Licensing & Control Sub-Committee at a hearing scheduled for 18.30hrs at Worthing Town Hall on Monday 19 January 2015 and they will decide the application. The Legal Notices will be sent to you in due course.

If you want to discuss please do not hesitate to contact me on the number below.

2

Regards

Simon

**[Simon Jones - Senior Licensing Officer](#)**

**[Adur District & Worthing Borough Councils](#)**

Location: The Licensing Unit, 9 Commerce Way, Lancing, BN15 8TA  
Phone: 01273 263191 (Internal: 63191) E-mail: [simon.jones@adur-worthing.gov.uk](mailto:simon.jones@adur-worthing.gov.uk) Website: [www.adur-worthing.gov.uk/licensing-and-permits](http://www.adur-worthing.gov.uk/licensing-and-permits)