



Communities Directorate

11 November 2015

Licensing and Control Sub Committee

Date:	19 November 2015
Time:	6:30pm
Venue:	Council Chamber, Worthing Town Hall

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

Agenda

Part A

1. Declarations of Interest / Substitute Members

Members and officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

2. Public Question Time

To receive any questions from Members of the public in accordance with Standing Order 11.2

(Note: Public Question Time will operate for a maximum of 30 minutes.)

3. Licensing Act 2003 - Application for a Variation of a Premises Licence under Section 34 - Gala Clubs Bingo, the Plaza, Rowlands Road

To consider a report by the Director for Communities, copy attached as item 3

Part B - Not for publication - Exempt Information Reports

None

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Chris Cadman-Dando Democratic Services Officer 01903 221364 chris.cadman-dando@adur-worthing.gov.uk	Caroline Perry Solicitor 01903 221086 caroline.perry@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

**Licensing Act 2003
Application for a Variation of a Premises Licence under Section 34**

**Gala Clubs Bingo, the Plaza
Rowlands Road, Worthing
BN11 3JS**

Report by the Director for Communities

1. Recommendation

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

Gala Leisure Ltd

for a variation of the above Premises Licence (No. LN/100001268) which currently authorises the sale of alcohol and the provision of regulated entertainment at the above venue.

2. Reasons for the Hearing

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

3. Background

- 3.1 An application was made on behalf of Gala Leisure Ltd. to the Licensing Authority, Worthing Borough Council, on the 1 October 2015 for grant of a full variation to their existing Premises Licence.
- 3.2 This premise had been operated for many years as a bingo & social club operating under the authority of a Gambling act 2005 Bingo Premises Licence together with a Licensing act 2003 Premises Licence. It is situated in a parade of shops in a mixed residential and commercial area known as ‘the West End’. Within the vicinity are two public houses, many restaurants and various small retail outlets.
- 3.4 The bingo club is located in a large four storey converted cinema with customer parking to the rear.

- 3.5 Mr Mark Watts has been the Designated Premises Supervisor for the club since September 2015. He holds a Personal Licence granted by Guildford BC.
- 3.6 The club is currently authorised to provide alcohol & entertainment from 10.00hrs until 23.00hrs Monday to Saturday and from 12.00hrs until 22.30hrs on Sunday. These hours match those originally granted under the Licensing Act 1964 Justices' 'Club' licence.
- 3.7 The current licence contains a number of conditions to promote the licensing objectives in addition to the mandatory conditions set out in the Licensing Act 2003.
- 3.8 Attached to the report are:
- A plan of the area & photo of building (Appendix A)
 - A plan of the club (Appendix B)
 - A copy of the application (Appendix C)
 - A copy of the current premises licence (Appendix D)
 - A copy of the representation from the responsible authority (Appendix E)

4. The Application

- 4.1 The application is attached at Appendix C. However, in summary, Gala Leisure Ltd. is seeking to:
- Extend the hours for the sale of alcohol to:
 - 10.00hrs to 00.00hrs (midnight) Monday – Saturday
 - 12.00hrs to 00.00hrs (midnight) Sunday
 - Extend the hours for the provision of regulated entertainment to:
 - 10.00hrs to 00.00hrs (midnight) Monday – Saturday
 - 12.00hrs to 00.00hrs (midnight) Sunday
 - Authorise the provision of late night refreshment:
 - 23.00hrs to 00.00hrs (midnight) Monday – Sunday incl.
 - Extend the clubs opening hours to:
 - 10.00hrs to 00.30hrs (of the following morning) Mon. – Saturday
 - 12.00hrs to 00.30hrs (of the following morning) Sunday

No further changes to the licence are proposed by this application.

- 4.2 The applicant has not completed an operating schedule as to how it is intended to address the Licensing Objectives if this application were granted but has not sought to remove any of the current licence's conditions.

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 Guidance issued by the Home Secretary and its own Statement of Licensing Policy. Members are advised that the following sections of the Worthing Borough Council's Policy may be particularly relevant to consideration of this matter, though of course the Policy in its entirety must be considered. Sections indicated relate to paragraph numbers in the Policy itself:

3. LICENSABLE ACTIVITIES & MAIN PRINCIPLES

3.8 *Where the responsible authorities and other persons do not raise any relevant representations about an application made to the Licensing Authority, it is the duty of the Council to grant the licence or certificate subject only to conditions that are consistent with the Operating Schedule and any mandatory conditions prescribed in the 2003 Act itself.*

3.9 *The Council may not impose any additional conditions unless its discretion has been engaged by a relevant representation and it has been satisfied, at a hearing, that it is appropriate to impose conditions due to the representations raised. It may then only impose conditions it considers appropriate to promote the licensing objectives arising out of the consideration of the representations.*

Prevention of Crime & Disorder

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 the public and the responsible authorities, particularly the Police.*

4.8 *In addition to the requirements for the Council to promote the licensing objectives, it also has a duty, as detailed in paragraph 4.3, under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough. The Council will consider attaching conditions to licences and permissions to deter and prevent crime and disorder within the vicinity if relevant representations are received. Whether or not incidents can be regarded as being in the vicinity of licensed premises is a question of fact and will depend on the particular circumstances of the case.*

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.

Licensing Hours

- 6.13 *The Government has acknowledged that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement. The guidance recognises that local licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, the Council will always consider each application and will not impose pre-determined licensed opening hours, without giving individual consideration to the merits of each application.*
- 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).*

7. SPECIFIC CONSIDERATIONS

On sales of alcohol - Public Houses and Bars

- 7.14 *Worthing contains a wide variety of pubs and bars that contribute to the town's appeal and its character. They provide food and refreshment for residents and for people working in and visiting the borough. They also provide venues for live music which, aside from its cultural benefits and its enjoyment by customers, often has a positive effect on licensing objectives. However, premises that primarily serve alcohol, with or without the provision of any ancillary playing of music, can give rise to public nuisance for residents and other businesses, particularly where there is a concentration of such premises. This is principally due to noise from the premises and from patrons when they leave. In addition pubs and bars present opportunities for crime and they can also give rise to disorder.*
- 7.15 *The Licensing Act 2003 details a number of mandatory conditions where a licence authorises the supply of alcohol: these cover: a designated premises supervisor for the premises who holds a personal licence whenever alcohol is sold, sales of alcohol to be authorised by a personal licence holder, no irresponsible alcoholic drink promotions, free tap water to be available, set measures for the sale of alcohol and age verification measures.*
- 7.16 *The Council as the Licensing Authority regards these as the minimum required and will expect applicants to have regard to additional measures appropriate for their premise, area and character of business to demonstrate his/her promotion of the licensing*

objectives. If the proposals are inadequate and representation has been received the council may impose conditions as it deems appropriate or even refuse an application.

- 7.17 *The Council will work closely with its partners, including Sussex Police and the borough's relevant Pubwatch groups, and will consult the recognised SIA approved organisations providing door supervisors and taxi marshals in the town centre to identify potential problems and minimise the crime, disorder and public nuisance that can sometimes be associated with public houses, nightclubs and taxi ranks.*

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 a representation has been received from the following:

- Members of the public – No representations
- Responsible Authorities – One representation from Sussex Police.

7. Relevant Representations

- 7.1 Details of the representation received are reproduced in full at Appendix E. The comments made objecting are considered to relate to the statutory licensing objectives as follows:

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

- 7.2 Sussex Police have stated that:

the application is seeking an additional hour without offering any additional measures. The operating schedule fails to satisfy Sussex Police that sufficient measures have been proffered. In order to effectively promote the licensing objectives and have suggested:

- *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 recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID 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.*
- *A list of staff members who are authorised to sell alcohol on the premises shall be kept. This shall be endorsed by the DPS with the date such authorisation commences. Each of these staff members shall receive full training pertinent to the Licensing Act, specifically in regard to age-restricted sale and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed and refresher training thereafter at intervals of no more than twelve (12) weeks. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. These records shall be*

kept for a minimum of twenty four (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.

- *The premises shall at all times maintain and operate a sales refusals log and an incident log will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty four (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff*
- *No open vessels shall be allowed off the premises.*
- *SIA trained and licensed door supervisors shall be employed on occasions when a requirement is identified by the licence holder's risk assessment or requested by Sussex Police. (A minimum of 48 hours written notice required from the Police Licensing Team).*

7.4 Both parties have been invited to attend the Sub-Committee and included in this report is the letter of representation reproduced in full.

8. Mediation

8.1 The Licensing Act 2003 encourages mediation.

8.2 The applicant's legal representative has been contacted by the Licensing Unit regarding the outstanding representation and officers were informed that they would consider the matter. However, at the time of the drafting of this report no further information was available. Members will be updated in due course.

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
- Relevant representations made by all the parties

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 variation to the premises licence, pursuant to section 35 of the Act the following options are available to the Sub-Committee:

- a. Grant the variation, as requested,
- b. Grant the variation 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.

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, rights of appeal to the Magistrates' Court in respect of applications for variation of an existing licence include:

- (1) The applicant / licence holder 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) Those that have made relevant representations may appeal against a variation being granted, rejected, 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 the public and the responsible authorities particularly the Police.

11. Other implications

11.1 Any decision taken will have regard for the local environment and, in particular, any conditions attached for the purposes of preventing public nuisance will take this principle into account.

12. Recommendation

12.1 Members are requested to determine the application made on behalf of Gala Leisure Ltd. for a variation to the Premises Licence at 'Gala Clubs Bingo', the Plaza, Rowlands Road, Worthing and give reasons for that determination.

John Mitchell
Director for Communities

Principal Author and Contact Officer:

Simon Jones
Senior Licensing Officer - Telephone: 01273 263191

Background Papers:

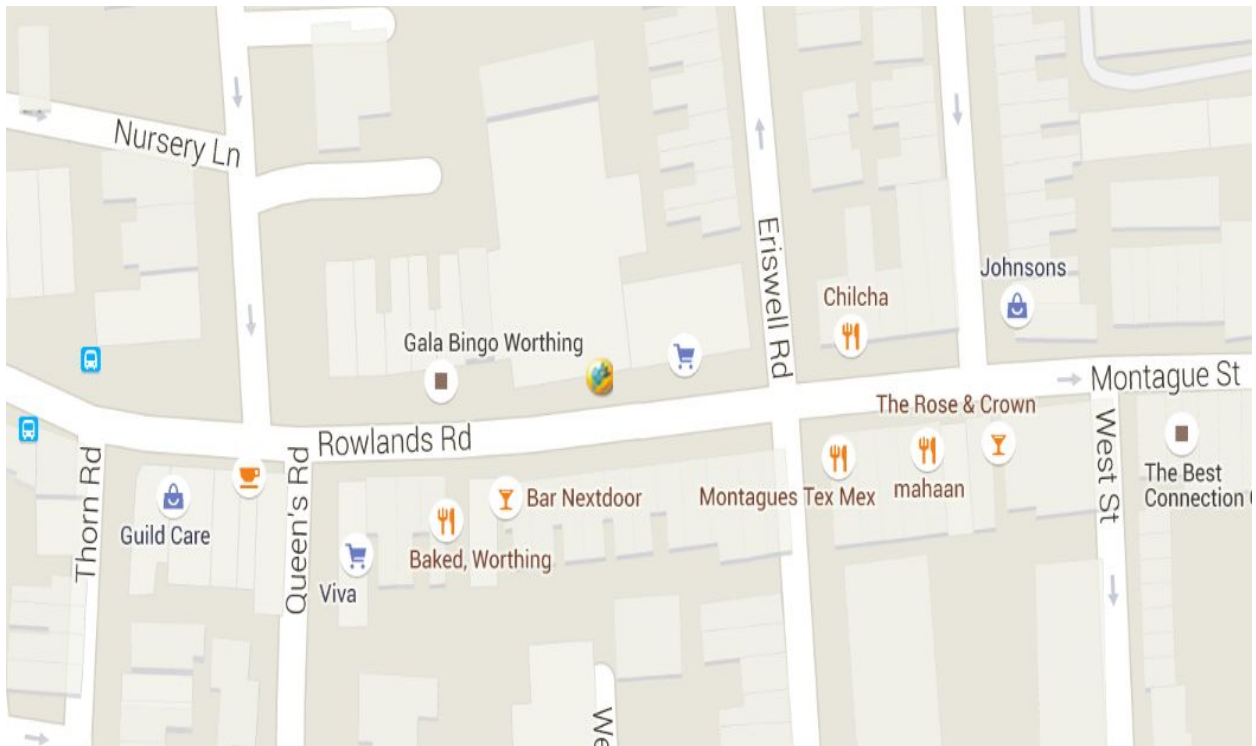
- Licensing Act 2003
- Guidance issued under section 182 of the Licensing Act 2003
<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing>
- Worthing Borough Council's Statement of Licensing Policy
<http://www.adur-worthing.gov.uk/media/media.98561.en.pdf>

Appendices:

- Appendix A - Plan of area
- Appendix B – Plan of premise.
- Appendix C - Application Form
- Appendix D - Current Premises Licence
- Appendix E – Representation from a Responsible Authority.

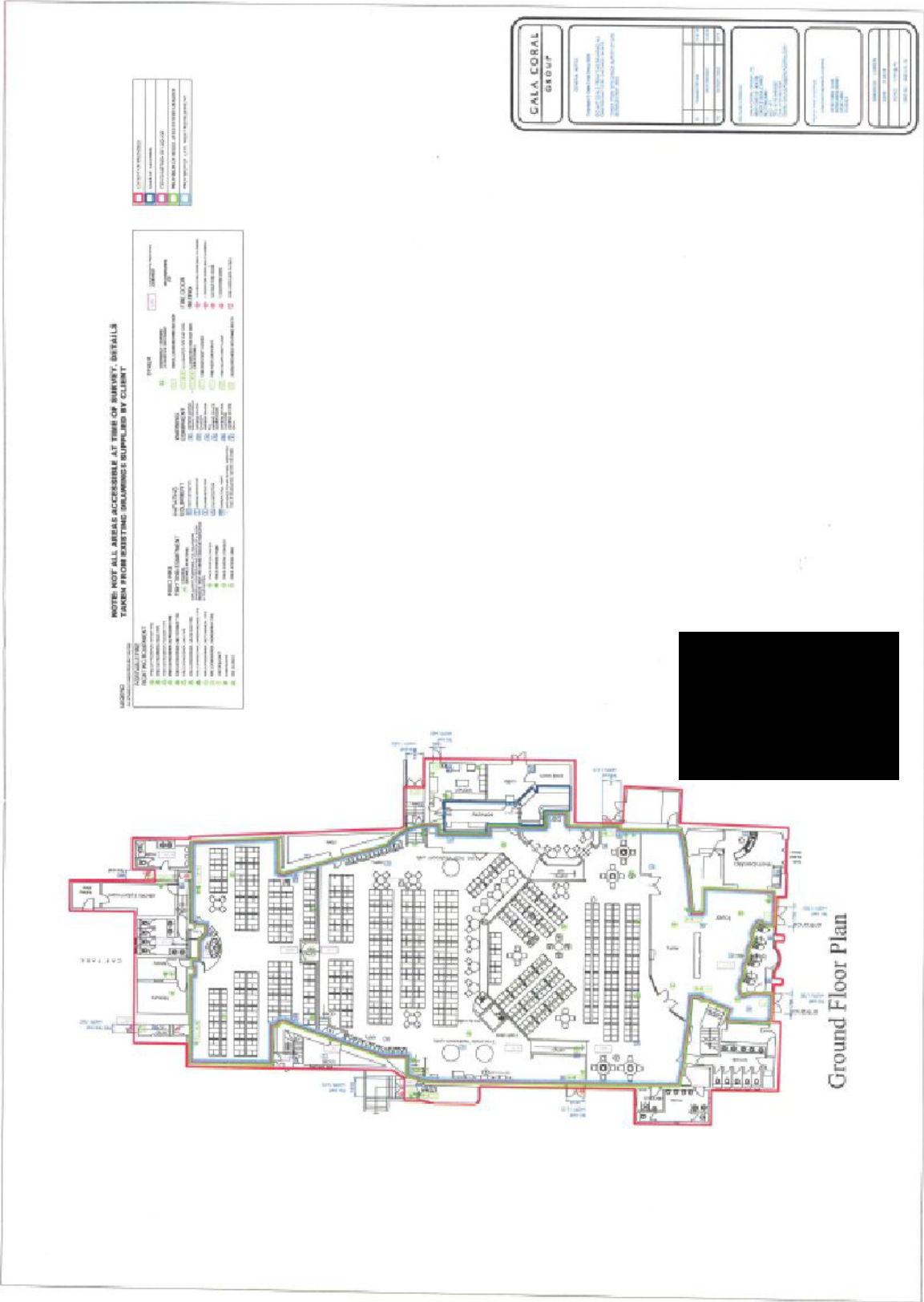
The Licensing Unit, 9 Commerce Way, Lancing
Ref: SJ/Lic.U/LA03/Variation – Gala Bingo
Date: 6 November 2015.

Appendix A – Map of Area





Appendix B –Plan of Club



Appendix C - Application

Adur & Worthing Councils Licensing Unit RECEIVED 11/01/2011	Initials
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Application to vary a premises licence 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 Gala Leisure Limited
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LN/100001268

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Gala Club The Plaza Rowlands Road			
Post town	Worthing	Post code	BN11 3JS

Telephone number at premises (if any)	01903 202392
Non-domestic rateable value of premises	

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post Town	
Postcode	

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

☒

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To amend the finish time for the sale of alcohol and regulated entertainment to 12 midnight Monday to Sunday and to add Late Night Refreshment.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

☒

Sale by retail of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
	1000	0000			
Tue					
	1000	0000			
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
	1000	0000			
Thur					
	1000	0000			
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
	1000	0000			
Sat					
	1000	0000			
Sun					
	1200	0000			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
	1000	0000			
Tue					
	1000	0000			
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
	1000	0000			
Thur					
	1000	0000			
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
	1000	0000			
Sat					
	1000	0000			
Sun					
	1200	0000			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1000	0000			
Tue	1000	0000	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	1000	0000			
Thur	1000	0000	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	1000	0000			
Sat	1000	0000			
Sun	1200	0000			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1000	0000			
Tue	1000	0000	State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	1000	0000			
Thur	1000	0000	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	1000	0000			
Sat	1000	0000			
Sun	1200	0000			

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	2300	0000	<u>Please give further details here</u> (please read guidance note 3)		
Tue	2300	0000			
Wed	2300	0000	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	2300	0000			
Fri	2300	0000	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	2300	0000			
Sun	2300	0000			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption (Please tick box)</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	1000	0000	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Tue	1000	0000			
Wed	1000	0000			
Thur	1000	0000	<u>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</u> (please read guidance note 5)		
Fri	1000	0000			
Sat	1000	0000			
Sun	1200	0000			

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)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	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 (please read guidance note 5)
Mon	1000	2359	
	0000	0030	
Tue	1000	2359	
	0000	0030	
Wed	1000	2359	
	0000	0030	
Thur	1000	2359	
	0000	0030	
Fri	1000	2359	
	0000	0030	
Sat	1000	2359	
	0000	0030	
Sun	1200	2359	
	0000	0030	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

☒
☐

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

As existing

b) The prevention of crime and disorder

As existing

c) Public safety

As existing

d) The prevention of public nuisance

As existing

e) The protection of children from harm

As existing

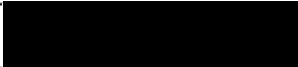
Please tick yes

- I have made or enclosed payment of the fee ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	30 September 2015
Capacity	Bond Dickinson LLP Solicitors and Authorised Agents

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)



Post town	Bristol	Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
joanne.brown@bonddickinson.com			

Appendix D - Premises Licence Summary



Licensing Act 2003 – Sections 16 and 18
Premises Licence – Part B
Premises Licence Number - LN/100001268

Gala Clubs Bingo
The Plaza
Rowlands Road
Worthing
BN11 3JS

Opening hours of the premises		
Location : Bingo & Social Club		
Day	Start	Finish
Sunday	12:00	23:00
Monday	10:00	23:30
Tuesday	10:00	23:30
Wednesday	10:00	23:30
Thursday	10:00	23:30
Friday	10:00	23:30
Saturday	10:00	23:30
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none">New Year's Eve the premise may remain open from normal closing time until the normal opening time New Year's Day.		

Alcohol - whether these are on and/or off supplies
ON & OFF

Premises Licence Holder Details

Gala Clubs
New Castle House
Castle Boulevard, Nottingham

Designated Premises Supervisor Details

Mr Mark Watts

Schedule 1 – Licensable Activities authorised by this Licence

Times the licence authorises the carrying out of the licensable activities

Location: Club Bars		
Activities: Alcohol Sales		
Day	Start	Finish
Sunday	12:00	22:30
Monday	10:00	23:00
Tuesday	10:00	23:00
Wednesday	10:00	23:00
Thursday	10:00	23:00
Friday	10:00	23:00
Saturday	10:00	23:00
Non Standard Timings & Seasonal Variations <ul style="list-style-type: none"> New Year's Eve from the end of normal permitted hours to the start of permitted hours New Year's Day. 		

Location: Bingo & Social Club		
Activities: Music Making Facilities, Dance Facilities, Anything similar, Exhibit Film		
Day	Start	Finish
Sunday	12:00	22:30
Monday	10:00	23:00
Tuesday	10:00	23:00
Wednesday	10:00	23:00
Thursday	10:00	23:00
Friday	10:00	23:00
Saturday	10:00	23:00
Non Standard Timings & Seasonal Variations <ul style="list-style-type: none"> From closing hour on New Year's Eve until opening hour on New Year's Day. 		

Location: Bingo & Social Club		
Activities: Live Music, Recorded Music, Perform Dance, Anything similar		
Day	Start	Finish
Sunday	12:00	22:30
Monday	10:00	23:00
Tuesday	10:00	23:00
Wednesday	10:00	23:00
Thursday	10:00	23:00
Friday	10:00	23:00
Saturday	10:00	23:00
Non Standard Timings & Seasonal Variations <ul style="list-style-type: none"> From closing hour on New Year's Eve until opening hour on New Year's Day. 		

Issued on behalf of the issuing licensing authority
Date : 28 September 2015

Annexe 1 : Mandatory Conditions

A. Mandatory conditions: 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,
 - (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

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

C. Mandatory conditions: Irresponsible Promotions

The responsible person must ensure that staff do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. An irresponsible promotion is any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises

- Drinking Games including any game or activity that requires or encourages (or is designed to require or encourage) individuals to drink a quantity of alcohol within a time limit, or to drink as much as possible. This does not include “drinking up time”, shortly before the end of licensed hours.
- Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective.
- Promotional posters or promotional material on, or in the vicinity of, the premises which can be reasonably considered to condone, encourage or glamorise antisocial behaviour or refer to drunkenness favourably.
- Dispensing alcohol directly into the mouth of a customer by a member of staff. This includes activities such as the “dentist’s chair”. This prohibition does not apply where a person is not able to drink without assistance because of a disability.

D. Mandatory conditions: Free Drinking Water

Free potable water must be provided on request to customers where it is reasonably available on the premises.

E. Mandatory conditions: Age Verification

An age verification policy for the premises must be produced, implemented and details made available to authorised officers upon request. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- a holographic mark, or
- an ultraviolet feature.

F. Mandatory conditions: Small Alcohol Measures

The responsible person must ensure that where any of the following alcoholic drinks are sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

These measures must be displayed in a menu, price list or other printed material which is available to customers on the premises. Customers must be made aware that these measures are available.

Where a customer orders a drink listed above but does not specify the alcohol measure, the customer must be made aware of the range of measures available. This can be either verbally or by ensuring they have seen the printed materials on which their availability is listed. If the responsible person is satisfied that the customer has been made, and continues to be, aware of the range of measures available, the responsible person does not need to repeat that information in relation to each sale.

G. Mandatory conditions: Permitted Price

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

Where —

- I. *P is the permitted price*
- II. *D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and*
- III. *V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;*

“relevant person” means, in relation to premises in respect of which there is in force a premises licence —

- I. *the holder of the premises licence*
- II. *the designated premises supervisor (if any) in respect of such a licence, or*
- III. *the personal licence holder who makes or authorises a supply of alcohol under such a licence;*

Full details regarding this condition can be found in the Home office Guidance on banning the sale of alcohol below the cost of duty plus VAT for suppliers of alcohol and enforcement authorities in England & Wales dated May 2014.

H. Mandatory conditions: Exhibition of Films

No film shall be exhibited unless it has received a “U”, “PG”, “12A”, “15” or “18” certificate from the British Board of Film Censors or the British Board of Film Classification or has been approved, in writing, by the Licensing Authority, Worthing Borough Council.

Where a programme includes a film in an age limited category no person appearing to be under that age shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms —

PERSONS UNDER THE AGE OF (INSERT APPROPRIATE AGE) CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person’s parents or legal guardian has first been obtained.

**I. Conditions consistent with the Embedded Restrictions of the Justices’
‘Club’ Licence (Licensing Act 1964)***

1. Permitted Hours

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

2. Late Night Refreshment

The Licence may also provide and permit the consumption of late night refreshment for a period of 30 minutes after the permitted hours set out above, and on New Year’s Eve until 5am on New Year’s Day.

3. Recorded Music

Premises licensed for the sale and supply of alcohol may provide, at any time, regulated entertainment by the reproduction of wireless, including television broadcast and of public entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound.

Source Section 182 Licensing Act 1964

Annexe 2 : Conditions consistent with the Operating Schedule

1. A 30 minute period after the terminal hour for the sale of alcohol to allow the premises to be cleared of the public.
2. Noise from regulated entertainment and ancillary fixed plant and equipment shall not exceed 50dBA measured as a 10 minute LAeq at the site boundary.
3. The maximum number of persons, including members of staff, to be permitted at any one time in that part of the premises to which the Licence/Certificate applies to be limited to 980 persons during the provision of regulated entertainment.
4. No persons under 18 to be admitted to the premises.

Annexe 3 : Conditions attached at hearing by the Licensing Authority

None

Annexe 4 : Plans

See attached plan certified & dated 20 February 2012.

Appendix E – Police Representation



West Sussex Division Neighbourhood Licensing Team

Thursday 08th October 2015

Dear Mr Jones

**APPLICATION FOR A PREMISES LICENCE VARIATION TO BE GRANTED UNDER THE
LICENSING ACT 2003 FOR GALA CLUB, THE PLAZA, ROWLANDS ROAD, WORTHING**

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.

In principle Sussex Police have no objections to the application and what it is proposing. However, the application is seeking an additional hour without offering any additional measures. The operating schedule 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, which should not prove onerous as conditions on the licence.

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

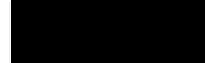
- The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID 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.
- A list of staff members who are authorised to sell alcohol on the premises shall be kept. Each of these staff members shall receive full training pertinent to the Licensing Act, specifically in regard to age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed and refresher training thereafter at intervals of no more than twelve (12) weeks. All restricted sales training undertaken by staff members shall be fully documented and signed by the

employee and the DPS. All training records shall be kept for a minimum of twenty four (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.

- After 21:00 hours, all children (18 years of age) must be accompanied by a responsible adult.
- The premises shall at all times maintain and operate a sales refusals log and an incident log will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty four (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff
- No open vessels shall be allowed off the premises.
- SIA trained and licensed door supervisors shall be employed on occasions when a requirement is identified by the licence holder's risk assessment or requested by Sussex Police. (A minimum of 48 hours written notice required from the Police Licensing Team).

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

Yours sincerely



Chief Inspector Rolls
District Commander



Simon Jones <simon.jones@adur-worthing.gov.uk>

Gala Club Bingo variation

1 message

WS_Licensing_WOR@sussex.pnn.police.uk
<WS_Licensing_WOR@sussex.pnn.police.uk>
To: simon.jones@adur-worthing.gov.uk

2 November 2015 at
15:33

Good afternoon Mr Jones

Further to our earlier conversation I can confirm that the condition pertaining to 'access to children under 18 years of age after 21:00 hours', is unnecessary in relation to this variation application as it repeats a condition previously attached to the premises licence.

Kind regards

Pauline Giddings
Divisional Licensing Officer
101 x 581443

01273 404030

Sussex Police – Serving Sussex