

**Minutes of a Meeting of the  
WBC Licensing and Control Sub-Committee 'B' of  
Worthing Borough Council**

**Council Chamber, Town Hall, Chapel Road, Worthing**

**Wednesday 20 April 2016**

Councillor Paul High (Chairman)

Joshua High

Susan Jelliss

\*Absent

<b>LCCB/15-16/08</b>	<b>Declarations of Interest</b>
There were no declarations of pecuniary interest	
<b>LCCB/15-16/09</b>	<b>Licensing Act 2003 - Application for a new Premises Licence at: A new micro-pub, 17 South Street Tarring, Worthing BN14 7LG</b>
<p>Before the Sub Committee was a report by the Director for Communities, a copy of which was circulated to all Members, a copy of which is attached to the signed copy of these minutes as item 3.</p> <p>The report before Members asked the Sub Committee to consider and determine the application for a new Premises Licence to authorise the sale of alcohol for consumption on &amp; off the premises. The application had been the subject of formal representation by a responsible authority and three local residents and it therefore falls to this sub-committee to determine. Mediation had been successful between the applicant and Sussex Police. However, given the nature of the public representations a mediated agreement was considered unlikely.</p> <p><b>Licensing Officer introduces report</b></p> <p>The Licensing Officer introduced the report to the Committee, she drew members' attention to an error in the report. Members were told that there was office accommodation above the premises and not residential as had been reported. The Licensing Officer set out the rest of the report and confirmed with the applicant that the presentation was an accurate outline of the application.</p> <p><b>Questions on the report from Members</b></p> <p>There were no questions</p> <p><b>Representation from Sarah Metcalfe</b></p> <p>The representation Sarah Metcalfe is summarised as follows</p> <ul style="list-style-type: none"><li>● There were disused alcohol bottles around the her property including in the access alleyway;</li><li>● Anti-social behaviour was already caused by the off-licences and pubs in the area and there was too much alcohol being sold in the area already;</li></ul>	

- There would be increased noise from talking and smoking;
- There would be concerns that the mess would not be cleaned up from the previous evening.

### **Members questions for Sarah Metcalfe**

There were no questions

### **Applicant's questions for Sarah Metcalfe**

There were no questions

### **Representation of the Applicant**

The applicant's representation is summarised as follows:

- Micro pubs were a new concept and operated differently from traditional pubs;
- Micro pubs mainly served real ale and cider and appealed to a more mature clientele;
- There would be no noise making from gambling machines, TV screens or amplified music;
- There would be a small smoking area outside with receptacles for cigarette butts;
- The applicant felt that the premises would enhance the area and increase footfall with pleasant people.

### **Questions for the applicant from Members**

The applicant was asked about his experience and he told members that he had worked in bars in the past.

The applicant was asked about the type of 'suitable' containers that would be used for off sales. Members were told that they would be similar to two pint milk cartons

The applicant was asked about the possibility of securing the entrance to the access alleyway. Members were told that it could be done depending on who owned the points to where a gate could be secured.

A Member asked what the applicant's policy would be in preventing selling to street drinkers. The applicant said that his business would be targeting a certain type of clientele and he doubted that street drinkers would not be able to afford the types of drinks that he would be selling. They were more likely to buy the types of drink available from the co-op.

A Member asked why there was no bar in the plans before Members. The applicant stated that he was intending to have a waiter table service.

### **Questions from those who made representations**

The applicant was asked why he had chosen the location to open the micropub. The Committee was told that the area was within walking distance of his home and was a busy thoroughfare. The building could be better but it was affordable for the applicant and in a potentially nice area.

The applicant was asked what the property would look like. The meeting was told that the property would not change but it was likely that the frosting on the glass would be raised to a higher level.

The applicant was asked how many customers would be present on any given night. The applicant told the meeting that the capacity would be set by the Fire and Rescue service although he illustrated the type and duration of trade that he would expect.

### **Summing up of the objectors**

Miss Metcalfe reiterated her concerns about increased noise and anti-social behaviour

### **Summing up of the Applicant**

The applicant stated that he did not have anything to add

*The meeting adjourned at 7:05pm to consider its decision*

*The meeting reconvened at 7.22pm*

The meeting was told that in reaching its decision, the Licensing Sub Committee had given due regard to the Home Office guidance, the Council's own Licensing Policy and relevant licensing legislation. The Committee also gave regard to Human Rights legislation and the rules of natural justice. Due consideration was given to all representations made at the hearing and in writing. In discharging its functions the Sub Committee did so with a view to promoting the Licensing Objectives, the relevant objectives being the Prevention of Crime and Disorder and Prevention of Public Nuisance.

**Resolved:** that the premises licence should be granted, as requested, for the sale of alcohol between the hours of:

1000 hours and 2200 hours Monday to Saturday

1000 hours and 1700 hours on Sunday

The licence will contain the conditions that were agreed between the applicant and Sussex Police. These conditions are detailed at paragraph 8.2 of the report, a copy of which is attached to the signed copy of these minutes.

**Reasons for decision:** The applicant has taken into account the concerns of the Police and conditions were agreed between the parties prior to this hearing. Concerns raised by residents included litter from local shops and parking issues, those concerns are irrelevant to this application and have been disregarded by the sub-committee. The residents also raised concerns of noise disturbance and an increase in anti-social behaviour. The licensing sub-committee has considered those representations but is satisfied that with the additional conditions agreed by the applicant the premises licence would not undermine the licensing objectives.

**Comments from the Committee:** The licensing sub-committee is encouraged that the applicant has engaged in dialogue with residents and would urge him to continue with that dialogue in the future.

**Advice to Parties:** Those who have made representations in connection with this application are reminded that they may appeal against this decision within 21 days by giving notice to the Magistrates Court

Interested parties are reminded that they may apply for a review of this licence 'after a reasonable interval' pursuant to section 51 of the Licensing Act

Any licence granted under the Licensing Act 2003 does not override any planning restrictions on the premises nor any restrictions that may be attached to the lease of these premises

The applicant is reminded that it is a criminal offence under the Licensing Act 2003 to carry on licensable activities from any premises in breach of a premises licence

The meeting was declared closed at by the Chairman at 7:25pm, it having commenced at 6.30pm.

**Chairman**