



WORTHING BOROUGH COUNCIL

27 February 2019

Licensing and Control Sub Committee

| | |
|---------------|--|
| Date: | 7 March 2019 |
| Time: | 6.30pm |
| Venue: | Council Chamber, Worthing Town Hall |

Committee Membership: Councillors Paul High (Chairman), Mike Barrett, Joshua High

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 new Premises Licence at: Broadwater Deli & Wine Bar 64 Broadwater Road, Worthing, BN14 8AG

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Part B - Not for publication - Exempt Information Reports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 | Louise Mathie Senior Lawyer & Deputy Monitoring Officer 01903 221050 louise.mathie@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 new Premises Licence at:

**Broadwater Deli & Wine Bar
64 Broadwater Road, Worthing, BN14 8AG**

Report by the Director for Communities

1. Recommendation

- 1.1 That a Sub Committee of Licensing & Control Committee “B” consider and determine the application made by :
Mr Gopalan Ketheeswaran
for a new Premises Licence to authorise the sale of alcohol, the provision of regulated entertainment and the sale of late night refreshment.

2. Reasons for Hearing

- 2.1 The application has been the subject of formal representation by a responsible authority and 14 members of the public and it therefore falls to this sub-committee to determine.

3. Background

- 3.1 An application was made on behalf of Mr Ketheeswaran to the Licensing Authority, Worthing Borough Council, on the 14 January 2019 for the grant of a new premises licence.
- 3.2 The shop unit is situated in Broadwater Road, a main thoroughfare into the town centre. It was previously a licensed store known as Hartley’s. It is in a parade of shops, cafes and restaurants in a mixed commercial & residential area with some residential premises in the vicinity. The proposed deli & wine bar is located mid terrace on the ground floor of a terrace containing multiple commercial units. There is living accommodation directly above most of these units.
- 3.3 The business is intending to operate as a delicatessen and wine bar but also providing entertainment and late night refreshment.
- 3.4 Attached to the report are:
- A plan of the area (Appendix A)
 - A plan of the café/takeaway (Appendix B)
 - A copy of the application (Appendix C)

- A representation made by a Responsible Authority (Appendix D)
- The representations received from local residents.(Appendix E 1 - 14)

4. **The Application**

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

- Sale of alcohol for consumption on & off the premises between the hours of:
 - 11:00hrs to 01:00hrs (of the following morning) Monday - Sunday incl.
- Sale of late night refreshment for consumption on the premises between the hours of:
 - 23:00hrs to 01:00hrs (of the following morning) Monday -Sunday
- Provision of regulated entertainment in the form of live music and recorded music between the hours of:
 - 23:00hrs to 01;00hrs (of the following morning) Monday - Sunday
- Open to the public between the hours of:
 - 11:00hrs to 01:00hrs (of the following morning) Monday - Sunday

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 the applicant, Mr Gopalan Ketheeswaran, who holds a personal licence issued by Harrow Council. Mr Ketheeswaran is currently the licence holder and DPS at South Farm Food & Wine and licence holder at Favourite Chicken & Ribs in Tarring Road.

5. **Promotion of the Licensing Objectives**

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

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

5.2 In carrying out its licensing functions, the licensing authority must also have regard to the Guidance issued by the Secretary of State and its own Statement of Licensing Policy. Members are advised that the following sections of the Worthing Borough Council's Policy may be particularly relevant to consideration of this matter, though of course the Policy in its entirety must be considered. Sections indicated relate to paragraph numbers in the Policy itself:

Prevention of Crime & Disorder

- 4.8 *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.*
- 4.10 *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.*
- 4.11 *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.*
- 4.16 *The Licensing Authority 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

- 4.24 *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.*
- 4.25 *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.*

- 4.26 *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.*
- 4.27 *Anti-social behaviour such as excessive noise from access and egress or patrons littering should also be addressed in the Operating Schedule.*

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.*
- 6.4 *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).*

SPECIFIC CONSIDERATIONS

Alcohol – On & Off Sales

- 7.1 *It is now a mandatory condition that all licence holders selling alcohol put in place an age verification policy for the premises. In some circumstances the Licensing Authority 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.*
- 7.2 *Licence holders need to have sufficient day to day control of operations at their premises. 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.*

Alcohol Public Houses and Bars – On Sales

- 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 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.*

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:

Responsible Authorities - 1 X Representation (Sussex Police)
Other Persons – 14X Representations (Residents)

7. Relevant Representations

7.1 Detail of the relevant representations received is reproduced at Appendices D and E. They 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 made a number of comments and listed 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.

7.3 Members of the public have expressed concerns regarding possible crime & disorder, public nuisance and child protection that can be associated with alcohol sales, entertainment and late night refreshment in the vicinity of residential properties.

7.5 The applicant and all those that made relevant representations have been formally notified of this hearing and invited to attend.

8. Mediation

8.1 The Licensing Act 2003 encourages mediation.

- 8.2 Sussex Police have successfully mediated with Mr Ketheeswaran and have agreed that if a licence were granted the following conditions would be placed in the Operating Schedule as enforceable conditions of licence.

There is some discrepancy regarding off sales in that the alcohol sales in section 15 indicate both ON & OFF. The operating schedule section D states that "No patrons shall be allowed to leave the premises with alcohol..." Sussex Police assume that this is an error in section 15 of the application, however if off sales are sought, then Sussex Police request that:

- *No open vessels shall be allowed off the premises*
1. *All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training shall be conducted thereafter at intervals of no more than eight (8) weeks. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.*
 2. *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 Number 09/05), 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.*
 - *Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.*
 3. *Security Industry Authority (SIA) door supervisors shall be deployed at the premises from 21:00 hours until 30 minutes after closing time (or until patrons have left the immediate area) every Friday and Saturday evenings, Christmas Eve, Christmas Day, Boxing Day, New Year's Eve, New Year's Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday and all other bank holidays, plus the day preceding a bank holiday and on any occasion when live music is being played.*
 4. *Those performing the role of SIA Door Supervisor will not perform any other role when engaged for the purpose of Door Supervision activities*
 5. *SIA door supervisors shall complete incident logs prior to the end of their shift*

6. *After 21:00 hours all children under 18 years must be accompanied by a responsible adult and may only remain on the premises if partaking in a sit down meal or attending a pre-booked function or event. (such private functions must be booked at least 24 hours in advance and a risk assessment must be performed by the premises staff, with the promotion of the licensing objectives to be addressed.)*
7. *The sale/supply of alcohol will cease 20 minutes prior to the closure of the premises*
8. *Food must be offered for consumption up until at least 40 minutes before closing each day.*
9. *The premises will operate as a deli/wine bar and any promotions and advertising will refer to it as such.*
10. *No customer shall be admitted or readmitted to the premises at any time after 23:59 hours each day, with the exception only of persons using the external smoking area.*
11. *The Premises will be an active member of a Pubwatch Scheme or similar Group where there is one in operation. The premises shall be represented at 75% of all meetings as a minimum. The premises shall comply with all decisions collectively made by the group.*

As a result Sussex Police have withdrawn their objections.

- 8.3 No details have been received regarding the mediation between the applicants and the other members of the public that had made relevant representation at the time of drafting this report, but members will be informed of any further developments.

9. Consideration

- 9.1 Members must take into consideration the following when determining this application:
 - The four statutory licensing objectives
 - Worthing Borough Council's Statement of Licensing Policy
 - Guidance issued by the Home Secretary
 - The relevant representations from all parties and any mediated agreement reached.
- 9.2 These are the only matters to be addressed by the authority when considering this application. The statutory Licensing objectives are the only grounds on which representations can be made, and the only grounds on which an authority will be able to refuse an application or impose conditions in addition to statutory conditions and those proposed by the applicant in the Operating Schedule.
- 9.3 When considering this application for a premises licence the following options are available to the Sub-Committee:
 - a. Grant the licence, as requested,
 - b. Grant the licence, as requested, with additional conditions appropriate to the promotion of the specific licensing objectives on which relevant representations have been received.
 - c. Reject the whole or part of the application.

Members may also:

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

9.4 Members are required to give reasons for their decision.

10. Legal Implications

10.1 Under Section 181 and Schedule 5 of the Act, the following rights of appeal to the Magistrates' Court in respect of applications for a premises licence includes:

- (1) The applicant may appeal against any decision to modify the conditions of the licence.
- (2) The applicant may appeal against a rejection in whole or part of an application.
- (3) A person who has made relevant representations may appeal against a licence being granted, or against the modification or lack of modification of any conditions.

10.2 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 party, 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 licensing objectives are occurring after the grant or variation of a premises licence.

At any stage, following the grant of a premises licence, a responsible authority, or any other person, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

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. There are no significant direct race relations or equal opportunity implications that have been identified.

12. Recommendation

- 12.1 **Members are requested to determine the application for a new Premises Licence made on behalf of Mr Gopalan Ketheeswaran for a delicatessen & bar to be known as 'Broadwater Deli & Wine Bar' situated at 64 Broadwater Road, Worthing and give reasons for that determination.**

Director for Communities

Principal Author and Contact Officer:

Simon Jones

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

Background Papers:

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

Appendices:

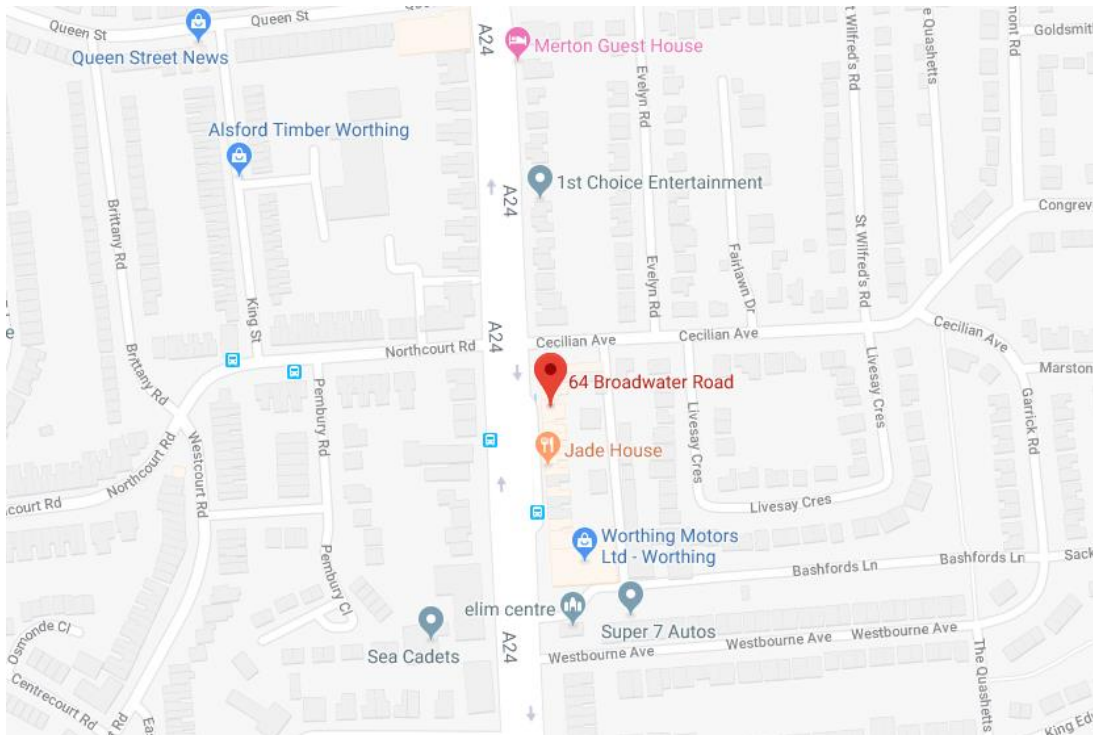
- Appendix A - Plan of area.
- Appendix B - Plan of the building.
- Appendix C - The Application Form.
- Appendix D – Representation received from Sussex Police
- Appendix E1-14 - Representations received from public

Portland House, Worthing

Ref: SJ/Lic.U/LA03/NEW – Broadwater Deli & Wine Bar

Date: 25 February 2019.

Plan of Area





Application



Worthing
Application for a premises licence
Licensing Act 2003

For help contact
licensing.unit@adur-worthing.gov.uk
Telephone: 01273 263331

* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

554

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

GOPALAN

* Family name

KETHEESWARAN

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

☐ Yes

☒ No

Is the applicant's business registered outside the UK?

☐ Yes

☒ No

Note: completing the Applicant Business section is optional in this form.

Business name

BROADWATER DELI & WINE BAR

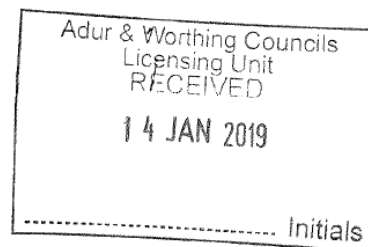
If the applicant's business is registered, use its registered name.

VAT number

-

NONE

Put "none" if the applicant is not registered for VAT.



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Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

☐ A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

| | | |
|---------------------------------|--|---|
| Your position in the business | <input type="text" value="Licensing Agent"/> | |
| Home country | <input type="text" value="United Kingdom"/> | The country where the headquarters of your business is located. |
| Agent Registered Address | | Address registered with Companies House. |
| Building number or name | <input type="text" value="Trident Business Centre"/> | |
| Street | <input type="text" value="89 Bickersteth Road"/> | |
| District | <input type="text"/> | |
| City or town | <input type="text" value="London"/> | |
| County or administrative area | <input type="text"/> | |
| Postcode | <input type="text" value="SW17 9SH"/> | |
| Country | <input type="text" value="United Kingdom"/> | |

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

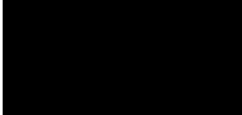
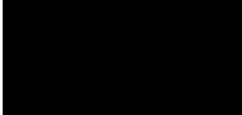
Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

| | |
|-------------------------------|--|
| Building number or name | <input type="text" value="64"/> |
| Street | <input type="text" value="BROADWATER ROAD"/> |
| District | <input type="text"/> |
| City or town | <input type="text" value="Worthing"/> |
| County or administrative area | <input type="text"/> |
| Postcode | <input type="text" value="BN14 8AG"/> |
| Country | <input type="text" value="United Kingdom"/> |

Further Details

| | |
|---|---|
| Telephone number | <div></div> <input type="text"/> |
| Non-domestic rateable value of premises (£) | <div></div> <input type="text"/> |

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company
- ☐ A partnership
- ☐ An unincorporated association
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales
- ☐ Other (for example a statutory corporation)

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

GOPALAN

Family name

KETHEESWARAN

Is the applicant 18 years of age or older?

☒ Yes ☐ No

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Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

| | |
|-------------------------------|--|
| Building number or name | <input type="text" value="64"/> |
| Street | <input type="text" value="BROADWATER ROAD"/> |
| District | <input type="text"/> |
| City or town | <input type="text" value="WORTHING"/> |
| County or administrative area | <input type="text"/> |
| Postcode | <input type="text" value="BN14 8AG"/> |
| Country | <input type="text" value="United Kingdom"/> |

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

| | |
|------------------------|---|
| E-mail | <input type="text" value="[REDACTED]"/> |
| Telephone number | <input type="text" value="[REDACTED]"/> |
| Other telephone number | <input type="text"/> |

[Add another applicant](#)

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

THIS PREMISES HAD BEEN A SPECIALIST WINE SHOP, CLOSED RECENTLY. NOW IT WILL BE REOPENED BY A LOCAL BUSINESS MAN TO RUN AS A NEW BUSINESS. IT WILL BE RENOVATED AND IT WILL OPERATE AS LOCAL WINE BAR AND DELI. IT IS TO PROVIDE LOCAL PEOPLE, A PLACE TO GET TOGETHER, AS AN ALTERNATIVE TO PUB. THIS WOULD OFFER SPECIALIST WINE AND BEERS (FROM ALL OVER THE WORLD) TO HAVE IT ON THE PREMISES. THE STORE ALSO WILL OFFER SELECTED SPECIALIST WINES TO BE PURCHASED BY CUSTOMERS. IT WILL ALSO OFFER SOME SPECIALIST FOOD AND SNACKS. THE

Continued from previous page...

FOOD WOULD BE COLD OR WARM UP OR TOASTED FOOD. FOOD CAN BE TAKE AWAY OR EAT IN.

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

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

☐ Yes

☒ No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing Indoor sporting events?

☐ Yes

☒ No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

THURSDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="23:00"/> | End | <input type="text" value="01:00"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

FRIDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="23:00"/> | End | <input type="text" value="01:00"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

SATURDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="23:00"/> | End | <input type="text" value="01:00"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

SUNDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="23:00"/> | End | <input type="text" value="01:00"/> |
| Start | <input type="text"/> | End | <input type="text"/> |

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors
 ☐ Outdoors
 ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

LIVE MUSIC IS TO OFFER LOCAL CUSTOMERS TO COME AND SING IF THEY CAN. THERE WILL BE A SMALL KARAOKE EQUIPMENT AVAILABLE. IT WILL BE AN OCCASIONAL EVENT SUCH AS VALENTINES DAY, NEWS DAY ETC

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Continued from previous page...

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

☐ Yes

☒ No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes

☒ No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

FRIDAY

Start 23:00

End 01:00

Start

End

SATURDAY

Start 23:00

End 01:00

Start

End

SUNDAY

Start 23:00

End 01:00

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Continued from previous page...

Standard Days And Timings

MONDAY

Start 11:00

End 01:00

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start 11:00

End 01:00

Start

End

WEDNESDAY

Start 11:00

End 01:00

Start

End

THURSDAY

Start 11:00

End 01:00

Start

End

FRIDAY

Start 11:00

End 01:00

Start

End

SATURDAY

Start 11:00

End 01:00

Start

End

SUNDAY

Start 11:00

End 01:00

Start

End

Will the sale of alcohol be for consumption:

- ☐ On the premises ☐ Off the premises ☒ Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

| |
|----------------------|
| |
|----------------------|

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

| |
|------------------|
| |
|------------------|

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☒ Electronically, by the proposed designated premises supervisor
- ☐ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 19

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

THE APPLICANT HAS EXPERIENCE WORKING IN A SIMILAR OPERATION IN FRANCE AND HE ALSO HAS BEEN WORKING OVER 10 YEARS IN UK IN LICENSED PREMISES. HE WILL IMPLEMENT ALL STEPS NECESSARY TO PROMOTE THE LICENSING OBJECTIVES. IT IS A LOCAL BAR FOR LOCAL PEOPLE AND APPLICANT WILL GIVE TOTAL CONSIDERTATION LOCAL AREA.

b) The prevention of crime and disorder

1. A CCTV recording system shall be installed that is compliant with, and capable of, capturing an image of evidential standard.
2. All CCTV recordings shall be maintained for a minimum of thirty-one (31) days with date & time-stamping. Cameras shall be installed so as to cover both internal and external areas of the premises. At least one camera shall cover ingress/egress points and at least one other camera shall cover the alcohol display area.
3. Notices shall be displayed advising that CCTV is in operation.
4. Staff shall be fully trained in the operation of the CCTV system and there shall be at least one member of staff on duty during trading hours who is able to provide copies of CCTV recordings to the Police and authorised officers of the Local Authority. Such copies shall, in any event, be provided within three (3) days.
5. When CCTV is not operating, no supply of alcohol shall be made on the premises. If a fault develops with the CCTV system, the duration and nature shall be recorded in a log to be made available for inspection by Police and authorised officers of the Local Authority upon demand.
6. All staff shall be instructed to record in an incident book/register all incidents of crime and disorder occurring at the premises, and details of any occasion when the police are called. These records shall include the time and date of any incident and the identities of staff members involved. The incident book/register shall be made available for inspection by Police and authorised officers of the Local Authority upon demand.

c) Public safety

Premises will operate with current legal requirement for fire safety, health and safety including periodic risk assessment.

Continued from previous page...

d) The prevention of public nuisance

Management/staff shall robustly monitor alcohol consumption and promote responsible drinking at all times. The sale of alcohol shall be prohibited/restricted where deemed necessary to ensure customers do not become inebriated. No patrons shall be allowed to leave the premises with alcoholic beverages or to consume alcohol on the public highway.

The Premises Licence Holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are proactively supervised by staff so as to ensure no public nuisance or obstruction of the public highway.

Implement a dispersal policy at the terminal hour of licensable activities to ensure all patrons leave the premises and vicinity as quietly and speedily as possible. Ensure that patrons are verbally advised by management/staff upon leaving to be mindful of residents and noise sensitive properties within the vicinity.

Routine litter picks shall be undertaken (and at the terminal hour) to the external frontage of the premises to remove all discarded litter, drinking vessels, food waste/packaging and cigarette butts.

e) The protection of children from harm

1. The "Challenge 21"/"Think 21" proof of age scheme shall be operated at the premises. All customers who appear under the age of 21 will be challenged to prove that they are over 18 when attempting to purchase alcohol. Acceptable forms of ID include a photo driving licence, passport, or home office approved identity card bearing the holographic 'PASS' mark. If the person seeking alcohol is unable to produce an acceptable form of identification, no sale or supply of alcohol shall be made to or for that person.

2. A refusals log must be kept at the premises and made immediately available on request to the police or an authorised person. The refusals log shall be inspected on a monthly basis by the DPS and noted in the log, and a record made in the log of any actions that appear to be needed to protect young people from harm. The log must record all refused sales of alcohol and include the following:

- a) the identity of the member of staff who refused the sale;
- b) the date and time of the refusal;
- c) the alcohol requested and reason for refusal;
- d) description of the person refused alcohol.

3. All staff shall be trained in the law about the sale of alcohol. Such training will include challenging every individual who appears to be under 21 years of age and to refuse service where individuals cannot produce acceptable means of identification, acceptable forms of ID and using the refusal register.

DECLARATION

* I/we understand 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.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/worthing/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

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

Licensing Unit,
Adur and Worthing Councils
Portland House,
Richmond Road,
Worthing,
BN11 1LF



**West Sussex Division
Neighbourhood Licensing Team**

24th January 2019

**RE: APPLICATION FOR GRANT OF A NEW PREMISES LICENCE UNDER THE LICENSING ACT
2003 FOR BROADWATER DELI & WINE BAR BN14 8AG**

Dear Mr Jones,

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 the licensing objective of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and the Protection of Children from Harm.

Sussex Police have no objection to the principal of the application, however while the operating schedule provided identifies a number steps to address the licensing objectives, it is considered that some clarification and additional measures are necessary.

The premises offers an age verification policy set as Challenge 21; Sussex Police advise this to be set as Challenge 25.

There is some discrepancy regarding off sales in that the alcohol sales in section 15 indicate both ON & OFF. The operating schedule section D states that "No patrons shall be allowed to leave the premises with alcohol..." Sussex Police assume that this is an error in section 15 of the application, however if off sales are sought, then Sussex Police request that:

- No open vessels shall be allowed off the premises

Regarding the conditions proffered in the operating schedule it is welcomed that CCTV is to be present and functioning during licensable activity. It is requested that where a copy of footage is required as a matter of urgency, that it be provided within 24 hours (see below). This is in order that a live investigation may be properly and effectively progressed.

The staff training condition offered is also welcomed but additional wording is sought (see below)

Sussex Police propose the following additional conditions which should not prove onerous on the day-to-day operation of the premises:

Sussex Police, Neighbourhood Licensing Team
Centenary House, Durrington Lane, Worthing,
West Sussex. BN13 2PQ
Telephone: 01273 404030

1. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training shall be conducted thereafter at intervals of no more than eight (8) weeks. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
2. 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 Number 09/05), 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.
 - Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
3. Security Industry Authority (SIA) door supervisors shall be deployed at the premises from 21:00 hours until 30 minutes after closing time (or until patrons have left the immediate area) every Friday and Saturday evenings, Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday and all other bank holidays, plus the day preceding a bank holiday and on any occasion when live music is being played.
4. Those performing the role of SIA Door Supervisor will not perform any other role when engaged for the purpose of Door Supervision activities
5. SIA door supervisors shall complete incident logs prior to the end of their shift
6. After 21:00 hours all children under 18 years must be accompanied by a responsible adult and may only remain on the premises if partaking in a sit down meal or attending a pre-booked function or event. (such private functions must be booked at least 24 hours in advance and a risk assessment must be performed by the premises staff, with the promotion of the licensing objectives to be addressed.)
7. The sale/supply of alcohol will cease 20 minutes prior to the closure of the premises
8. Food must be offered for consumption up until at least 40 minutes before closing each day.
9. The premises will operate as a deli/wine bar and any promotions and advertising will refer to it as such.
10. No customer shall be admitted or **readmitted** to the premises at any time after 23:59 hours each day, with the exception only of persons using the external smoking area.

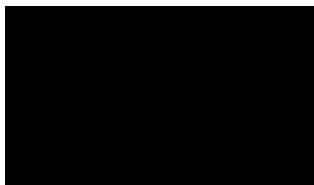
Sussex Police, Neighbourhood Licensing Team
 Centenary House, Durrington Lane, Worthing,
 West Sussex. BN13 2PQ
 Telephone: 01273 404030

11. The Premises will be an active member of a Pubwatch Scheme or similar Group where there is one in operation. The premises shall be represented at 75% of all meetings as a minimum. The premises shall comply with all decisions collectively made by the group.

If the applicant is agreeable to the proposed conditions, Sussex Police can resolve this representation subject to these conditions being attached to the premises licence.

Please contact this office on the number below or via email to ws_licensing_wor@sussex.pnn.police.uk should you wish to discuss this representation.

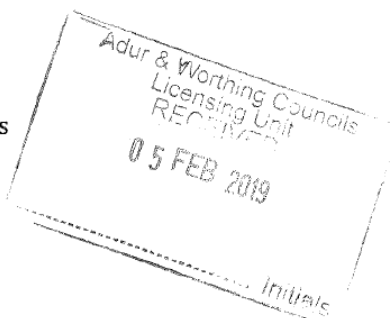
Yours sincerely



Chief Inspector Ockwell

District Commander

The Licensing Unit
Adur & Worthing Councils
Portland House
44 Richmond Road
Worthing
West Sussex BN11 1HS



Dear Sirs

**RE: Objection to the application for a new premises licence for a new delicatessen & wine bar to be known as 'Broadwater Deli & Wine Bar'.
The venue is situated at 64 Broadwater Road, Worthing, BN14 8AG**

Please accept this letter as our formal representation to the above application.

The current application proposes that the business will operate each day until well into the next day and we feel that this is very likely to cause disturbance to us as we live in a flat above the premises and have young children.

Customers entering and leaving the premises will create noise, the noise level will be significantly increased by the addition of late night / early morning sales of alcohol. It follows that this level of noise will spill onto the streets and again interfere with all of us neighbouring residents as well as the local community and constitute a significant nuisance.

We the immediate neighbours have young children and will be harmed by 7 days a week of late night music, karaoke, live bands, laughter, drinking, bottles being discarded or even when recycled outside and also other possible detrimental events and feel that these will constitute harm to children as well as the disturbance to us.

We ask that the Licensing Committee take into consideration our representation and either reject the application in its current form or is made to include a number of significant conditions to control and measure the noise and disturbance and harm to ourselves and our children such that we are still able to easily sleep from late afternoon into the night.

Yours Faithfully,

[Redacted signature block]

BROADWATER RD.
WORTHING BN14 8AG
03/02/2019

[Redacted signature block]

Re: Planning for 64 Broadwater Road

1 message

7 February 2019 at 10:46

[REDACTED]
to: licensing.unit@adur-worthing.gov.uk

I would like to register my objection to the application for 'Broadwater Deli & Wine Bar'. The venue to be situated at 64 Broadwater Road, [Worthing, BN14 8A](#) to:

- sell alcohol 11:00hrs to 01:00hrs for consumption on and off the premises
- play live music 7 days a week 01:00hrs

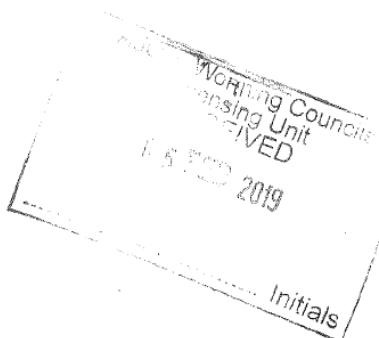
I feel this would raise the following issues for residents within the this localised area.

- high noise levels from live music within the premises;
- antisocial, alcohol related, behaviour within the surrounding area;
- increased demands on already limited car parking in the surrounding roads.
- A residential area, certainly not suitable for loud music and extra late at night footfall.
- increased noise levels in the evening and early hours of the morning from customers entering and exiting the premises.

Kindest regards,

[REDACTED]
[Northcourt Road](#)
Broadwater
[Worthing](#)
[BN14 7DR](#)
Sent from my iPad

The Licensing Unit
Adur & Worthing Councils
Portland House
44 Richmond Road
Worthing
West Sussex BN11 1HS



Dear Sirs

RE: Objection to the application for a new premises licence for a new delicatessen & wine bar to be known as 'Broadwater Deli & Wine Bar'. The venue is situated at 64 Broadwater Road, Worthing, BN14 8AG

Please accept this letter as our formal representation to the above application.

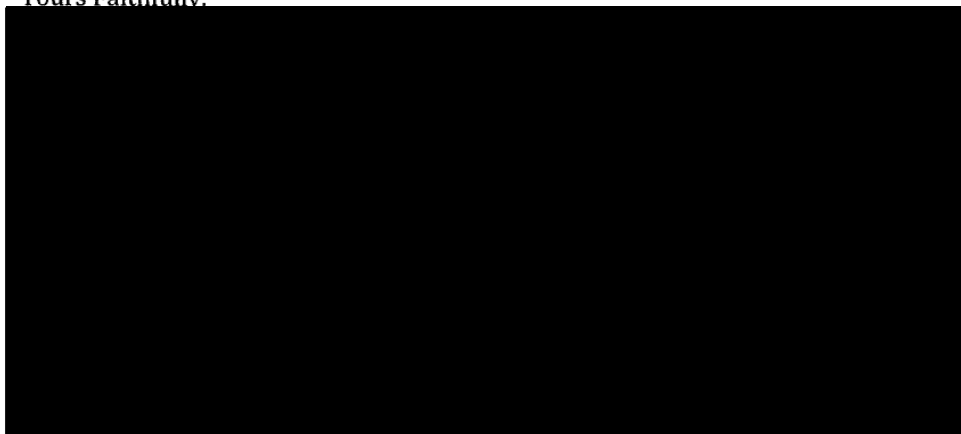
The current application proposes that the business will operate each day until well into the next day and we feel that this is very likely to cause disturbance to us as we live in a flat above the premises and have young children.

Customers entering and leaving the premises will create noise, the noise level will be significantly increased by the addition of late night / early morning sales of alcohol. It follows that this level of noise will spill onto the streets and again interfere with all of us neighbouring residents as well as the local community and constitute a significant nuisance.

We the immediate neighbours have young children and will be harmed by 7 days a week of late night music, karaoke, live bands, laughter, drinking, bottles being discarded or even when recycled outside and also other possible detrimental events and feel that these will constitute harm to children as well as the disturbance to us.

We ask that the Licensing Committee take into consideration our representation and either reject the application in its current form or is made to include a number of significant conditions to control and measure the noise and disturbance and harm to ourselves and our children such that we are still able to easily sleep from late afternoon into the night.

Yours Faithfully,



Livesay Crescent

Worthing BN14 8AS

05 Feb 2019

Re: 64 Broadwater Road - licensing application

Broadwater Little Deli and Bar BN14 8AG

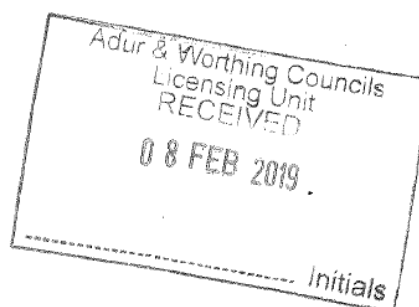
I am objecting to the above deli and bar because I don't think that a shop in Broadwater Road is a suitable place for it. Parking is already an issue in the area and there is no additional parking provision in the application.

The opening hours are also unacceptable, Livesay Crescent is a quiet residential neighbourhood and I do not want loud live and recorded music blaring away at the rear of my home until 01.00 in the morning, and certainly not the associated nuisance and disorder when the customers depart at that time.

I am also concerned about any food waste and litter likely to be left lying around encouraging rats to the area and my garden, as well as all the noise when they dispose of the rubbish and empty bottles after closing time in the early hours of the morning while I and my neighbours and their children are trying to sleep.

Please refuse this application on the grounds of public nuisance and of anti-social behaviour.

A very concerned resident





04 FEB 2019

Livesay Crescent

Worthing

West Sussex

BN14 8AS

4.2.19

Dear Sir/Madam

Re: licensing application for 64 Broadwater Road Worthing BN14 8AG

The addition of a deli/wine bar in the area could be a welcome addition to the row of shops.

There are some concerns as the business backs on to a residential properties and a private road.

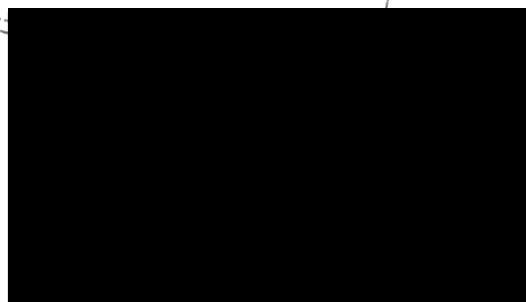
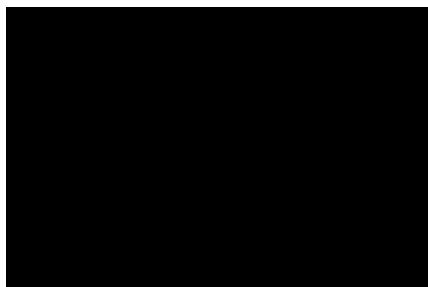
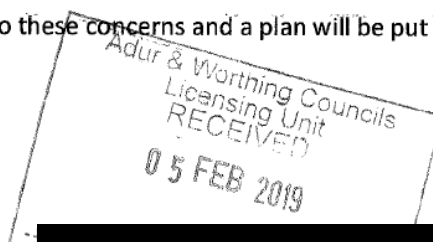
These concerns are around the application for live and recorded music from 23.00 – 1.00 on 7 days of the week. This could cause noise late at night every day of the week to the properties in the area. This could become a public nuisance, especially in the summer when doors and windows are open.

There are also concerns around the rear of the property which backs on to a residential area and a private road Bashford Lane. Access to and use of the rear of the property for drinking, smoking and socialising would increase noise and disturbance and the potential increase of crime and disorder in Bashford Road.

The management and disposal of rubbish at the rear of the property is a concern as there has been problem's with rubbish building up in Bashford lane which has led to an infestation of rats.

I hope the licensing department will look into these concerns and a plan will be put in place to manage the local resident's concerns.

Yours sincerely



64 Broadwater Road

1 message

To: licensing.unit@adur-worthing.gov.uk

28 January 2019 at 15:56

We would like to register my objection to the application for 'Broadwater Deli & Wine Bar'. The venue to be situated at 64 Broadwater Road, [Worthing, BN14 8A](#) to:

- sell alcohol 11:00hrs to 01:00hrs for consumption on and off the premises
- play live music 7 days a week 01:00hrs

We feel this would raise the following issues for residents within the immediate area

- increased noise levels in the evening and early hours of the morning from customers entering and exiting the premises;
- high noise levels from live music within the premises;
- antisocial, alcohol related, behaviour within the surrounding area;
- increased demands on already limited car parking in the surrounding roads.

[Northcourt Road](#)

[Worthing](#)

[BN14 7DR](#)

BCA BROADWATER COMMUNITY ASSOCIATION

Fundraising For A Community Centre



Broadwater Street West
Worthing West Sussex BN14 9DE
Telephone 01903 522376
Registered Charity No. 1086517

From

BROAD WATER,
WORTHING,
WEST SUSSEX
BN 14 7RN

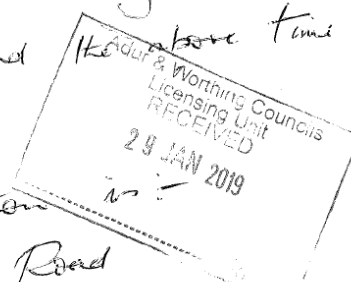
Dear Sir or Madam,

We wish to register the objection of
Broadwater Community Association to the licensing
application for music to be allowed beyond
the hours of local pub/closing hours.
We consider music beyond the above time
anti social.

The address in question
64, Broadwater Road
BN14 8HG

Yours sincerely,

PRESIDENT & CHAIRMAN BROADWATER COMMUNITY ASSN.



Sponsored by



Broadwater Rd.

WORTHING

W. Sussex

BN14 8AD

14-2-2019

Licensing
Public Health & Regulation
Adur & Worthing Councils
Portland House
44 Richmond Rd
Worthing
W. Sussex

| |
|--|
| Adur & Worthing Councils Licensing Unit RECEIVED 06 FEB 2019 BN 11 1HS Initials |
|--|

Dear Saj/ Ratam

I am writing concerning the application for a licence for the "Broadwater Deli & Wine Bar".

I live almost opposite this property & feel having live & recorded music played between 23hrs to 01hrs, will be very disturbing to those who want to sleep.

The sale of alcohol could lead to anti-social behaviour.

Where will people park who wish to attend this property? Down the side roads, thereby further disturbing the peace?

Yours sincerely

Application for 64 Broadwater Road, former off-licence.

1 message

16 January 2019 at 20:16

To: Simon Jones <Simon.Jones@adur-worthing.gov.uk>

Dear Sirs

I am writing on behalf of the South Broadwater Residents' Association, which covers some 1500 residences in an area in which the property is situated.

We are not happy about the application and wish to lodge objections regarding:

The late night sale of alcohol until 1am.
The recorded or live music

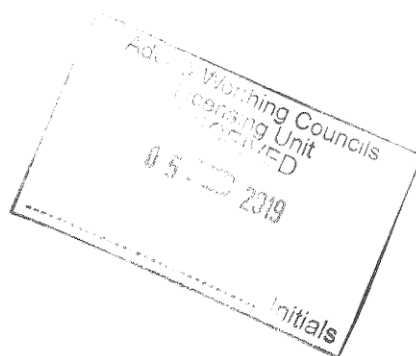
The latter will particularly affect not only the residents in the flats above but also those in Livesay Crescent who back on to the property. We have a committee member living exactly opposite the property. The concept of having live music in such a small area means that it is bound to be heard outside which we regard is antisocial and will disturb the sleep of children for example.

As regards the late night sale of alcohol, given the size once again and also the proximity of other take-aways in the area, groups of people possibly worse for wear will inevitably gather in the street with the potential for anti-social behaviour and noise. This is quite a quiet parade and such an establishment is inevitably going to lead to disturbance, spilling into neighbouring streets. We obviously have no issue with it being a Deli and providing warmed up food.

--
Regards

Chairman

The Licensing Unit
Adur & Worthing Councils
Portland House
44 Richmond Road
Worthing
West Sussex BN11 1HS



Dear Sirs

RE: Objection to the application for a new premises licence for a new delicatessen & wine bar to be known as 'Broadwater Deli & Wine Bar'. The venue is situated at 64 Broadwater Road, Worthing, BN14 8AG

Please accept this letter as our formal representation to the above application.

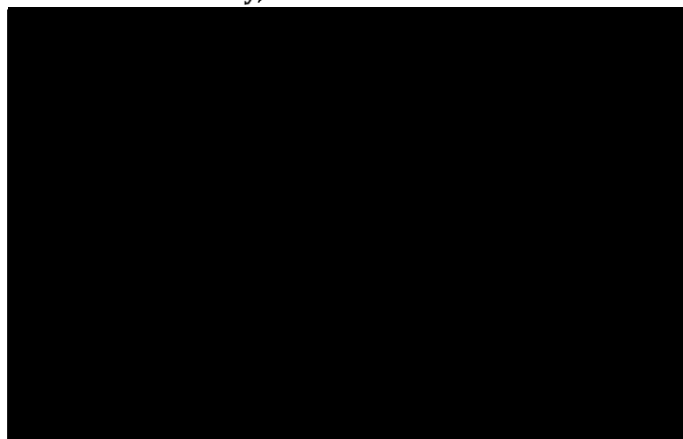
The current application proposes that the business will operate each day until well into the next day and we feel that this is very likely to cause disturbance to us as we live in a flat above the premises and have young children.

Customers entering and leaving the premises will create noise, the noise level will be significantly increased by the addition of late night / early morning sales of alcohol. It follows that this level of noise will spill onto the streets and again interfere with all of us neighbouring residents as well as the local community and constitute a significant nuisance.

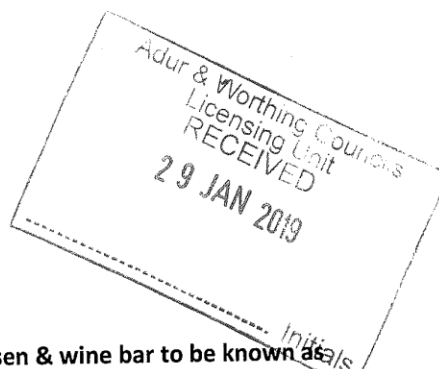
We the immediate neighbours have young children and will be harmed by 7 days a week of late night music, karaoke, live bands, laughter, drinking, bottles being discarded or even when recycled outside and also other possible detrimental events and feel that these will constitute harm to children as well as the disturbance to us.

We ask that the Licensing Committee take into consideration our representation and either reject the application in its current form or is made to include a number of significant conditions to control and measure the noise and disturbance and harm to ourselves and our children such that we are still able to easily sleep from late afternoon into the night.

Yours Faithfully,



Licensing,
Public Health & Regulation,
Adur & Worthing Councils,
Portland House,
44 Richmond Road,
Worthing,
West Sussex,
BN11 1HS



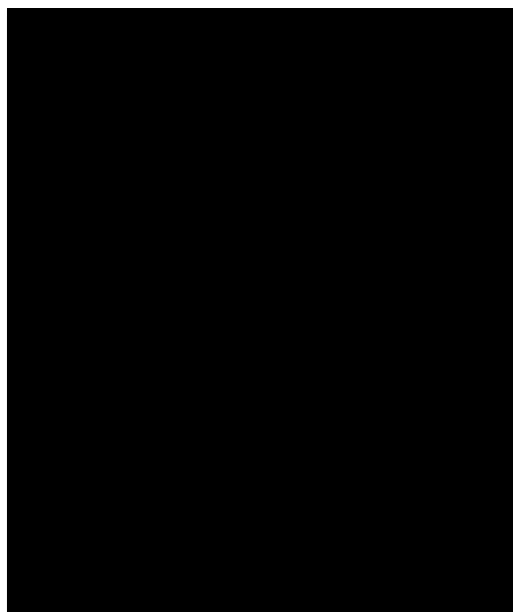
RE: application for a new premises licence for a new delicatessen & wine bar to be known as 'Broadwater Deli & Wine Bar'. The venue is situated at 64 Broadwater Road, Worthing, BN14 8AG.

Dear Sirs,

Raising an objection to the above license application.

The reasons for making this representation is based around the late night noise and alcohol sales. It is felt that this could well lead to an increase in the local crime and disorder, affect public safety, cause a public nuisance especially to neighbours wanting to sleep and increase the availability of alcohol to young people.

Safeguards would have to be put in place and monitored in order to prevent any noise or light from disturbing any neighbour during the hours in this application and to prevent this from becoming a magnet for other activities such as crime or obnoxious behaviour.



It would seem that this raises the question of the judgement of officials to allow this to reach this stage considering the position and opening hours (up to 19:00 in the morning) of the proposed establishment and the effect on the families in the flats above.

24 January 2019

The Licensing Unit
Adur & Worthing Councils
Portland House
44 Richmond Road
Worthing
West Sussex BN11 1HS



Dear Sir / Madam

RE: Objection to the application for a new premises licence for a new delicatessen & wine bar to be known as 'Broadwater Deli & Wine Bar'. The venue is situated at 64 Broadwater Road, Worthing, BN14 8AG

Please accept this letter as our formal representation to the above application.

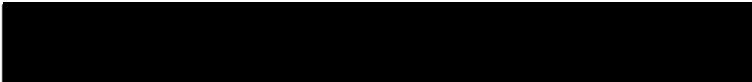
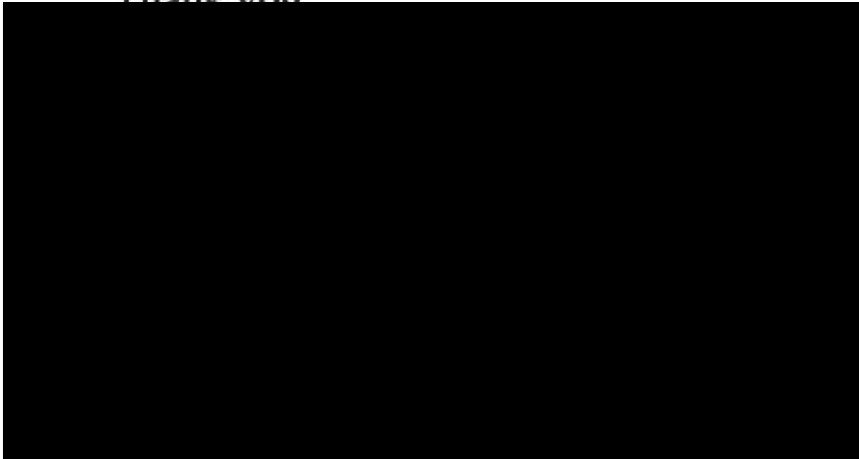
64 Broadwater Road is situated among a small parade of commercial outlets in a densely populated residential area. The commercial outlets are predominantly takeaway food shops that close around 10pm.

The current application proposes that the business will operate until 5am, with live music and alcohol sold until 1am. It is inevitable that these operating hours that go on into the early morning will cause some degree of disturbance to the local residents regardless of measures taken to mitigate the disturbance.

Customers entering and leaving the premises will create noise, the noise level will be significantly increased by the addition of late night / early morning sales of alcohol. It follows that this level of noise will interfere with neighbouring residents and the local community and constitute a nuisance. Given that the Licensing

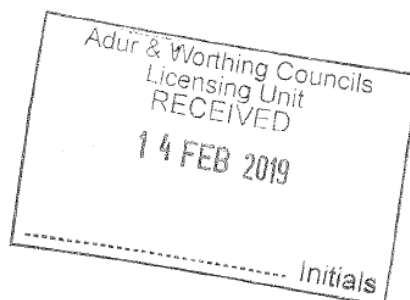
consideration our representation and reject the application in its current form.

Thank you



Broadwater Road
Worthing
West Sussex BN14 8AG

Licensing,
Public Health & Regulation,
Adur & Worthing Councils,
Portland House,
44 Richmond Road,
Worthing,
West Sussex,
BN11 1HS



██████████ Livesay Crescent
Worthing
BN14 8AS
28 January 2019

RE: application for a new premises licence for a new delicatessen & wine bar to be known as 'Broadwater Deli & Wine Bar'. The venue is situated at 64 Broadwater Road, Worthing, BN14 8AG.

Dear Sirs,

Raising an objection to the above license application.

A deli and wine bar could be a welcome addition to the parade, the reasons for making this representation are because it is felt by some of the neighbours including ourselves that the conditions proposed by the applicant in conjunction of those proposed by the police do not go far enough to protect against public safety, public nuisance and harm to children especially the disturbance to neighbours caused by such an activity.

In order to mitigate these concerns, the following additional conditions are proposed, and are felt to be necessary, reasonable and proportionate.

Proposed additional conditions:

The premises shall not be permitted to be used for 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, which prohibited uses include, among other things, nudity or semi-nudity, films for restricted age groups or any relevant entertainment (with the meaning of the third schedule to the Local Government (Miscellaneous Provisions) Act 1982 except where that is expressly permitted under a licence or waiver granted or given under that legislation.

A clear notice shall be displayed at any exit to the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.

Activities relating to the on site disposal (including placing into external receptacles) and collection of refuse, bottles and recyclable materials shall only take place between 08:00 and 18:00.

Where the premises is part of a shared property and members of the public may require access through areas not under the direct control of the premises licence holder (such as an escape route via Bashfords Lane), the premises licence holder must ensure that he has liaised with the appropriate persons and has in place such arrangements as are necessary to ensure that the safety of members of the public is not compromised by the use of these shared areas and that none of the other licensing conditions may be breached.

It shall not be lawful to seek to obtain custom for the refreshment house by means of personal solicitation outside or in the vicinity of the refreshment house.

Amplified music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity

Except for access and egress all doors and windows shall be kept closed during periods of entertainment associated with the Premises Licence.

No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.

Noise Limiting devices: If officers of the local authority witness noise at a level that causes unreasonable disturbance to the occupants of any properties in the vicinity then a noise-limiting device shall be used in relation to all sound amplification equipment used in conjunction with the premises.

Sound Insulation Works: A detailed scheme of sound insulation works shall be submitted to and approved in writing by the Licensing Authority. The approved details shall be implemented in full prior to the commencement of the premises licence.

All speakers are mounted on speaker brackets that incorporate isolating rubber mounts.

Monitoring: (i) The manager, licensee or other competent person shall carry out observations in the vicinity of the properties at [insert], on at least [insert] intervals between [insert] and [insert] whilst live music, karaoke or DJ's playing recorded music is taking place to establish whether there is a noise breakout from the premises. (ii) If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance. (iii) A record of such observations shall be kept in a book for that purpose, such a book shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise break out and any action taken to reduce noise breakout. (iv) Such book to be made available at all times upon request to a police officer or an officer of the local authority

The [garden / patio] must not be used by customers after the hours of 9pm.
The premises supervisor, manager or other competent person shall manage any outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner

Noise from plant & equipment: Noise from any ventilation, refrigeration or air conditioning plant or equipment shall not cause nuisance to the occupants of any properties in the vicinity.

Recommendation: (a) The Rating Level of any noise from any fixed plant shall not exceed the background noise level by more than 0dB at the nearest noise sensitive property as determined by BS 4142: 1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas at any time. (b) Anti vibration mounts should be used to isolate plant from fixed structures and a flexible connector used to connect the flue to the fan if there is a potential to transmit vibration to any noise sensitive property. Any systems will also need regular maintenance so as to reduce mechanical noise. Guidance on the above can be gained at 'Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust System' Published electronically by Department for Environment, Food and Rural Affairs. Product Code PB10527.

Outdoor lighting shall be positioned, so far as is reasonably practicable, so as to limit its intrusion into residential accommodation in the vicinity of the licensed premises whilst maintaining an

adequate level of lighting for the safe access and egress of customers and persons employed at the premises

No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.

The premises licence holder, premises supervisor or event manager, shall ensure that measures shall be put in place to remove litter or waste arising from customers and to prevent such litter from accumulating in the immediate vicinity of the premises or neighbouring premises.

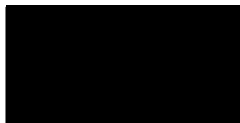
The last condition above is suggested because the similar condition proposed by the applicant does not go far enough as to cover the neighbouring properties affected by his customer's possible bad waste disposal habits.

The proposed sound insulation is in part to protect the occupier of the flat directly above whom has a number of very young children.

The "rubbish" aspect is because we do get quite a rat problem in and around Bashfords Lane when rubbish is left about.

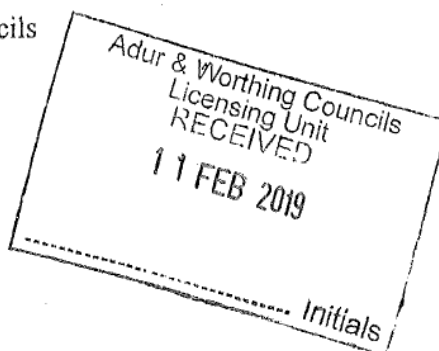
In addition we feel it would be prudent if a condition could be added preventing the purchase of food and drink for delivery outside of the premises. The proposal is a Deli and Wine bar and any such activity would be a material change to a take away / delivery service and should therefore be the subject of further consultation as it could well have an effect on other businesses in the locale and also to immediate neighbours with the increase in traffic and associated noise.

Yours Sincerely

A solid black rectangular box used to redact the signature of the sender.

The Licensing Unit
Adur & Worthing District Councils
Portland House
44, Richmond Road
Worthing
West Sussex
BN11 1HS

[REDACTED]
Livesay Crescent
Worthing,
West Sussex
BN14 8AS



4th February 2019

Dears Sirs

Re: Objection to the application for a new premises licence for a new delicatessen & wine bar to be known as 'Broadwater Deli & Wine Bar'. The venue is situated at 64 Broadwater Road, Worthing, BN14 8AG

Please accept this letter as a formal representation and objection to the proposed application.

The application proposes disturbance into the early hours of the morning 7 days of the week. The noise generated through the coming and going of clientele, the increased road traffic to and from the wine bar, as well as the general chatter and music which comes with an entertainment venue will be detriment to the mental health of my child. My son suffers from ADHD, Anxiety and Depression Mental Health Disorders which causes sleep deprivation, he is currently under the management from CAHM's as well as 'Yes' Counselling Service. His bedroom backs onto the parade of shops where the wine bar will be situated. Due to his inability to sleep he is currently taking Melatonin, this allows him to get to sleep when quiet but not remain asleep as excess noise will be override the medication. He was prescribed this due to constantly suffering from insomnia, which in turn caused migraines resulting in nearly a year off school because of sleep deprivation and all the illnesses associated with it. He is now into the first year of his GCSE, so ensuring he has a good night's sleep is of the top priority. This is to ensure he is able to engage in his studies and prevent further mental health issues through low performance, which will result in low self esteem and self worth if his sleep pattern is affected.

With any premises selling alcohol they will need to entice customers in with entertainment including; late night music incorporating bands, karaoke, juke box music, also general chatter and laughter which tends to carry into the night. There is also the sounds from the waste generated from bottles and glasses being placed into the recycling units at the back of the bar. The added rubbish especially from a delicatessen food outlet will increase the already problematic increasing rat population. I have already had rats in the walls and eaves of my property due to the rubbish at the back of the shops, this encourages them to scavenge closer to the homes when the scraps have run out. The diseases carried by the rats can be devastating with the probability of fatal consequences due to their faeces and urine left by the vermin. My son plays foot ball and does working projects in the garage and back garden of the house.

In closing the Mental Health and Physical Health of a child is of the utmost important and needs to be taken into serious consideration, my son has suffered for years with a roller coaster of emotions due to the delay in being diagnosed, because of our strapped health service. He at last finds some inner peace from the prescribed medications and the hope that at last he can live a near normal life. However, with the threat of disturbance that will come with the above proposal this will leave him open to anxiety, stress, worry, the spiralling back into depression and sleep deprivation that will affect his mental health.

I ask that the Licensing Committee take into consideration the concerns of not only a mother but someone who is a qualified Counsellor and Psychotherapist. That this application is either rejected in its current form or has significant time limitations, rubbish management and control measures for the noise and disturbance that will cause harm to my child and I, ensuring that he will be able to sleep easy at night.

Yours faithfully

