



WORTHING BOROUGH
C O U N C I L

8 May 2024

Worthing Licensing and Control Sub-Committee B

Date:	8 May 2024
Time:	6.30 pm
Venue:	The Committee Rooms, Worthing Town Hall

Committee Membership: Councillors Cathy Glynn-Davies (Chair), Kevin Jenkins and Dale Overton

Agenda

Part A

4. Licensing Act 2003 – Application for the Review of a Premises Licence under Section 51 (Pages 3 - 22)

To consider a report by the Director for Sustainability & Resources, copy attached as item 4.

Recording of this meeting

Please note that this meeting is being audio live streamed and a recording of the meeting will be available on the Council's website. This meeting will remain on our website for one year and will be deleted after that period. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Katy McMullan Democratic Services Officer 01903 221006 katy.mcmullan@adur-worthing.gov.uk	Shelley-Ann Flanagan Lawyer 01903 221095 shelley-ann.flanagan@adur-worthing.gov.uk

Duration of the Meeting: Three 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.

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Agenda Item 4

Statement of Truth

My name is Tom Payne and am a resident of Worthing since birth. I work as technician at Freedom Leisure in Littlehampton which is managed by South Somerset District Council. My role as a technician involves (among other things) noise management and control. Making sure the events are well controlled and within the parameters of the licence. Further I manage various events both inside and out managing and monitoring noise

I started working at Angels Bar and Club limited in Jan 2024. My specific task is to make sure the noise levels are within the parameters of the any current licence in place.

I am informed that the current active licence is 50db outside the club. I have also been involved in the guidance and active role in making efforts to reduce the level in both the main club and side bar.

Please find the readings I recorded below.

Index

Front – High Street Worthing

Back – Elm Road

N/L Noise Level

Equipment Used to Measure

Mengshen Digital Sound Level Meter, Handheld Audio Noise Meter Tester with LCD Display Measuring 30-130dB

Manufacturer Mengshen

Product Dimensions 23 x 13 x 5 cm; 180 g

Batteries 1 9V batteries required.

Item model number MS-M80A

Voltage 9 Volts

Day	Checker	Time	Front/Back	N/L
Fri 12th Jan	Tom	11pm	Front	35.2
Fri 12th Jan	Tom	11pm	Back	28.1
Fri 12th Jan	Tom	12am	Front	36.5
Fri 12th Jan	Tom	12am	Back	29.4

Fri 12th Jan	Tom	1am	Front	37.2
Fri 12th Jan	Tom	1am	Back	30.4
Fri 12th Jan	Tom	2am	Front	38.9
Fri 12th Jan	Tom	2am	Back	31.9
Sat 13th Jan	Tom	11pm	Front	36.1
Sat 13th Jan	Tom	11pm	Back	29.8
Sat 13th Jan	Tom	12am	Front	38.2
Sat 13th Jan	Tom	12am	Back	36.4
Sat 13th Jan	Tom	1am	Front	42.9
Sat 13th Jan	Tom	1am	Back	40.7
Sat 13th Jan	Tom	2am	Front	46.9
Sat 13th Jan	Tom	2am	Back	43.7

Day	Checker	Time	Front/Back	N/L
Fri 19th Jan	Tom	11pm	Front	36.2
Fri 19th Jan	Tom	11pm	Back	32.6
Fri 19th Jan	Tom	12am	Front	37.4
Fri 19th Jan	Tom	12am	Back	30.4
Fri 19th Jan	Tom	1am	Front	37.6
Fri 19th Jan	Tom	1am	Back	30.8
Fri 19th Jan	Tom	2am	Front	39.1
Fri 19th Jan	Tom	2am	Back	32.6
Sat 20th Jan	Tom	11pm	Front	36.2
Sat 20th Jan	Tom	11pm	Back	34.4
Sat 20th Jan	Tom	12am	Front	38.4
Sat 20th Jan	Tom	12am	Back	36.2
Sat 20th Jan	Tom	1am	Front	40.4
Sat 20th Jan	Tom	1am	Back	38.3
Sat 20th Jan	Tom	2am	Front	42.6

Sat 20th Jan	Tom	2am	Back	40.8
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Day	Checker	Time	Front/Back	N/L
Fri 26th Jan	Tom	11pm	Front	36.3
Fri 26th Jan	Tom	11pm	Back	31.7
Fri 26th Jan	Tom	12am	Front	38.4
Fri 26th Jan	Tom	12am	Back	31.4
Fri 26th Jan	Tom	1am	Front	42.3
Fri 26th Jan	Tom	1am	Back	39.8
Fri 26th Jan	Tom	2am	Front	44.7
Fri 26th Jan	Tom	2am	Back	41.3
Sat 27th Jan	Tom	11pm	Front	37.1
Sat 27th Jan	Tom	11pm	Back	35.4
Sat 27th Jan	Tom	12am	Front	39.7
Sat 27th Jan	Tom	12am	Back	37.3
Sat 27th Jan	Tom	1am	Front	43.7
Sat 27th Jan	Tom	1am	Back	41.5
Sat 27th Jan	Tom	2am	Front	46.9
Sat 27th Jan	Tom	2am	Back	44.2

Day	Checker	Time	Front/Back	N/L
Fri 2nd Feb	Tom	11pm	Front	34.4
Fri 2nd Feb	Tom	11pm	Back	30.4
Fri 2nd Feb	Tom	12am	Front	36.7
Fri 2nd Feb	Tom	12am	Back	30.1
Fri 2nd Feb	Tom	1am	Front	43.9
Fri 2nd Feb	Tom	1am	Back	39.1
Fri 2nd Feb	Tom	2am	Front	44.2
Fri 2nd Feb	Tom	2am	Back	40.9

Sat 3rd Feb	Tom	11pm	Front	39.1
Sat 3rd Feb	Tom	11pm	Back	36.3
Sat 3rd Feb	Tom	12am	Front	40.7
Sat 3rd Feb	Tom	12am	Back	38.1
Sat 3rd Feb	Tom	1am	Front	44.9
Sat 3rd Feb	Tom	1am	Back	40.8
Sat 3rd Feb	Tom	2am	Front	42.7
Sat 3rd Feb	Tom	2am	Back	38.5

Day	Checker	Time	Front/Back	N/L
Fri 9th Feb	Tom	11pm	Front	35.2
Fri 9th Feb	Tom	11pm	Back	33.4
Fri 9th Feb	Tom	12am	Front	37.2
Fri 9th Feb	Tom	12am	Back	34.9
Fri 9th Feb	Tom	1am	Front	41.2
Fri 9th Feb	Tom	1am	Back	37.1
Fri 9th Feb	Tom	2am	Front	43.5
Fri 9th Feb	Tom	2am	Back	38.2
Sat 10th Feb	Tom	11pm	Front	37.7
Sat 10th Feb	Tom	11pm	Back	33.6
Sat 10th Feb	Tom	12am	Front	38.9
Sat 10th Feb	Tom	12am	Back	36.6
Sat 10th Feb	Tom	1am	Front	40.7
Sat 10th Feb	Tom	1am	Back	37.9
Sat 10th Feb	Tom	2am	Front	42.5
Sat 10th Feb	Tom	2am	Back	38.9

Day	Checker	Time	Front/Back	N/L
Fri 16th Feb	Tom	11pm	Front	34.3

Fri 16th Feb	Tom	11pm	Back	33.1
Fri 16th Feb	Tom	12am	Front	36.5
Fri 16th Feb	Tom	12am	Back	34.9
Fri 16th Feb	Tom	1am	Front	42.1
Fri 16th Feb	Tom	1am	Back	38.1
Fri 16th Feb	Tom	2am	Front	42.9
Fri 16th Feb	Tom	2am	Back	39.1
Sat 17th Feb	Tom	11pm	Front	36.7
Sat 17th Feb	Tom	11pm	Back	33.7
Sat 17th Feb	Tom	12am	Front	38.1
Sat 17th Feb	Tom	12am	Back	36.9
Sat 17th Feb	Tom	1am	Front	41.6
Sat 17th Feb	Tom	1am	Back	38.4
Sat 17th Feb	Tom	2am	Front	44.9
Sat 17th Feb	Tom	2am	Back	39.8

Day	Checker	Time	Front/Back	N/L
Fri 23rd Feb	Tom	11pm	Front	33.7
Fri 23rd Feb	Tom	11pm	Back	33.2
Fri 23rd Feb	Tom	12am	Front	35.8
Fri 23rd Feb	Tom	12am	Back	33.7
Fri 23rd Feb	Tom	1am	Front	43.7
Fri 23rd Feb	Tom	1am	Back	40.3
Fri 23rd Feb	Tom	2am	Front	43.8
Fri 23rd Feb	Tom	2am	Back	40.7
Sat 24th Feb	Tom	11pm	Front	35.2
Sat 24th Feb	Tom	11pm	Back	33.7
Sat 24th Feb	Tom	12am	Front	37.1
Sat 24th Feb	Tom	12am	Back	33.9

Sat 24th Feb	Tom	1am	Front	44.7
Sat 24th Feb	Tom	1am	Back	40.8
Sat 24th Feb	Tom	2am	Front	45.5
Sat 24th Feb	Tom	2am	Back	41.2

Day	Checker	Time	Front/Back	N/L
Fri 1st March	Tom	11pm	Front	33.2
Fri 1st March	Tom	11pm	Back	33.1
Fri 1st March	Tom	12am	Front	37.7
Fri 1st March	Tom	12am	Back	33.6
Fri 1st March	Tom	1am	Front	40.2
Fri 1st March	Tom	1am	Back	38.1
Fri 1st March	Tom	2am	Front	42.7
Fri 1st March	Tom	2am	Back	40.1
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Sat 2nd March	Tom	12am	Front	37.1
Sat 2nd March	Tom	12am	Back	33.8
Sat 2nd March	Tom	1am	Front	41.8
Sat 2nd March	Tom	1am	Back	39.4
Sat 2nd March	Tom	2am	Front	43.5
Sat 2nd March	Tom	2am	Back	40.6

Day	Checker	Time	Front/Back	N/L
Fri 8th March	Tom	11pm	Front	33.9
Fri 8th March	Tom	11pm	Back	33.1
Fri 8th March	Tom	12am	Front	36.7
Fri 8th March	Tom	12am	Back	33.4
Fri 8th March	Tom	1am	Front	39.6

Fri 8th March	Tom	1am	Back	37.1
Fri 8th March	Tom	2am	Front	41.2
Fri 8th March	Tom	2am	Back	39.7
Sat 9th March	Tom	11pm	Front	35.7
Sat 9th March	Tom	11pm	Back	33.4
Sat 9th March	Tom	12am	Front	37.2
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Sat 9th March	Tom	1am	Front	42.3
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Sat 9th March	Tom	2am	Front	45.1
Sat 9th March	Tom	2am	Back	42.1

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Fri 15th March	Tom	11pm	Front	32.6
Fri 15th March	Tom	11pm	Back	32.3
Fri 15th March	Tom	12am	Front	37.7
Fri 15th March	Tom	12am	Back	36.4
Fri 15th March	Tom	1am	Front	38.9
Fri 15th March	Tom	1am	Back	37.5
Fri 15th March	Tom	2am	Front	40.8
Fri 15th March	Tom	2am	Back	39.5
Sat 16th March	Tom	11pm	Front	34.8
Sat 16th March	Tom	11pm	Back	33.2
Sat 16th March	Tom	12am	Front	37.8
Sat 16th March	Tom	12am	Back	35.6
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Fri 22nd March	Tom	2am	Back	39.4
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Fri 29th March	Tom	11pm	Front	36.3
Fri 29th March	Tom	11pm	Back	31.7
Fri 29th March	Tom	12am	Front	38.4
Fri 29th March	Tom	12am	Back	31.4
Fri 29th March	Tom	1am	Front	42.3
Fri 29th March	Tom	1am	Back	39.8
Fri 29th March	Tom	2am	Front	44.7
Fri 29th March	Tom	2am	Back	41.3
Sat 30th March	Tom	11pm	Front	37.1

Sat 30th March	Tom	11pm	Back	35.4
Sat 30th March	Tom	12am	Front	39.7
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Fri 5th April	Tom	11pm	Back	28.1
Fri 5th April	Tom	12am	Front	36.5
Fri 5th April	Tom	12am	Back	29.4
Fri 5th April	Tom	1am	Front	37.2
Fri 5th April	Tom	1am	Back	30.4
Fri 5th April	Tom	2am	Front	38.9
Fri 5th April	Tom	2am	Back	31.9
Sat 6th April	Tom	11pm	Front	36.1
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Sat 27th April	Tom	1am	Front	40.4
Sat 27th April	Tom	1am	Back	38.3
Sat 27th April	Tom	2am	Front	42.6
Sat 27th April	Tom	2am	Back	40.8

Day	Checker	Time	Front/Back	N/L
Fri 3rd May	Tom	11pm	Front	32.6
Fri 3rd May	Tom	11pm	Back	32.3
Fri 3rd May	Tom	12am	Front	37.7
Fri 3rd May	Tom	12am	Back	36.4

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Fri 3rd May	Tom	1am	Back	37.5
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Sat 4th May	Tom	1am	Back	37.8
Sat 4th May	Tom	2am	Front	41.4
Sat 4th May	Tom	2am	Back	40.2

Further work has been carried out by Joshua Travers and his team prior to me being involved, my involvement has been.

Adding extra sound proofing to the wall adjacent to number 8 – tested by West Sussex Fire Service -

Removing 2 x 250 wats speakers from the adjacent wall

Removed a sub speaker near the main double door exit

Replaced SX 300 (capacity 300rms peak 500peak) speakers with SX100 z 2 (capacity 200rms 300peak)

Reconfigured the positioning of all the speakers from the walls and hung away from the adjacent walls this has helped because the sound is reflecting downwards and is being absorbed by customers.

Closing the upstairs part of the club

further soundproofing to the side wall – adjacent to 8 high Street. Has been undertaken and testes by Fire and Rescue to be fore complaint.

I have among other duties been manging the guest DJ's in making sue they don't interfere with the setting i placed on the equipment.

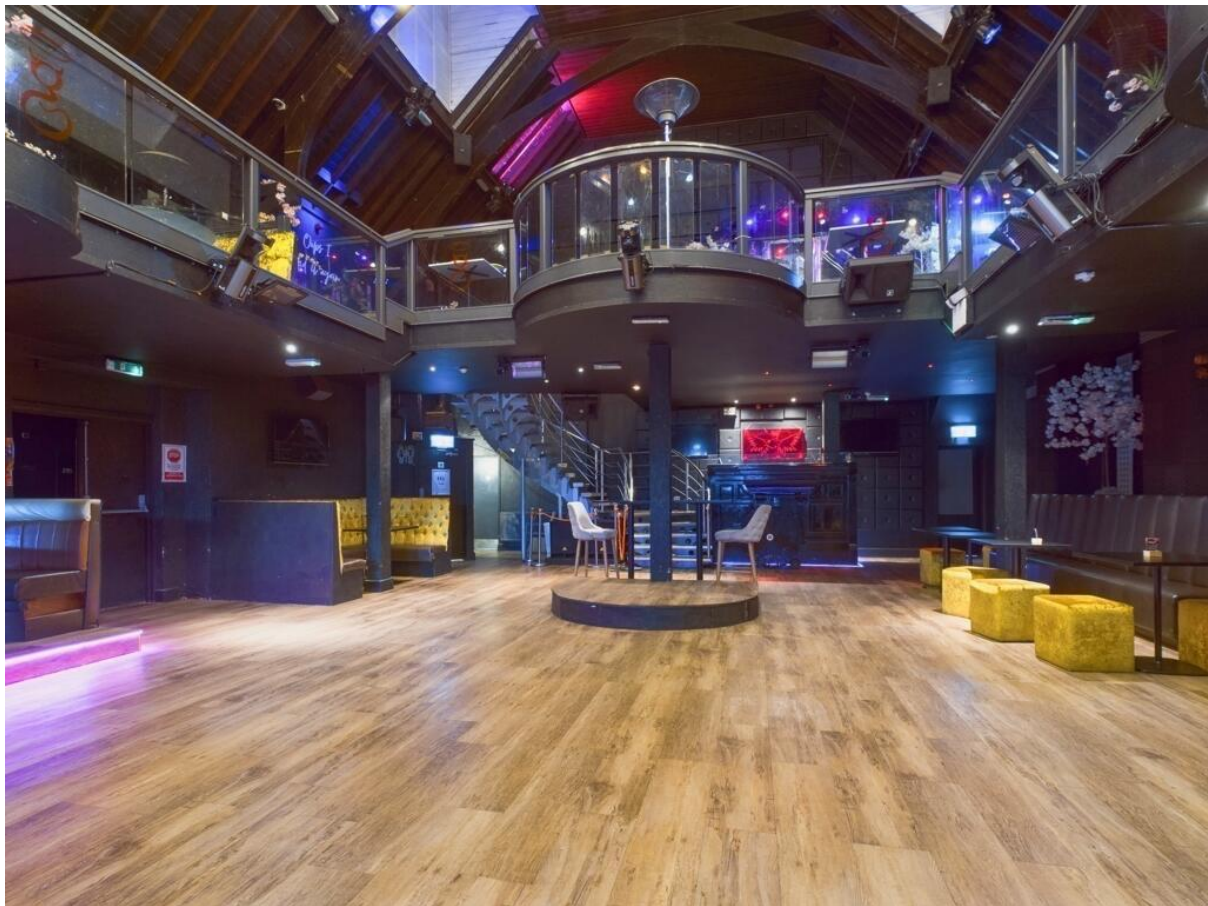
I have personally witnessed aggressive and unreasonable behaviour from a neighbour.

In conclusion i have made it my mission to make sure the best i can reduce the noise coming from the club, its impact on others. I have to say that it is a nightclub and to try and reduce the noise to zero – which is what i believe is being asked for – is impossible.

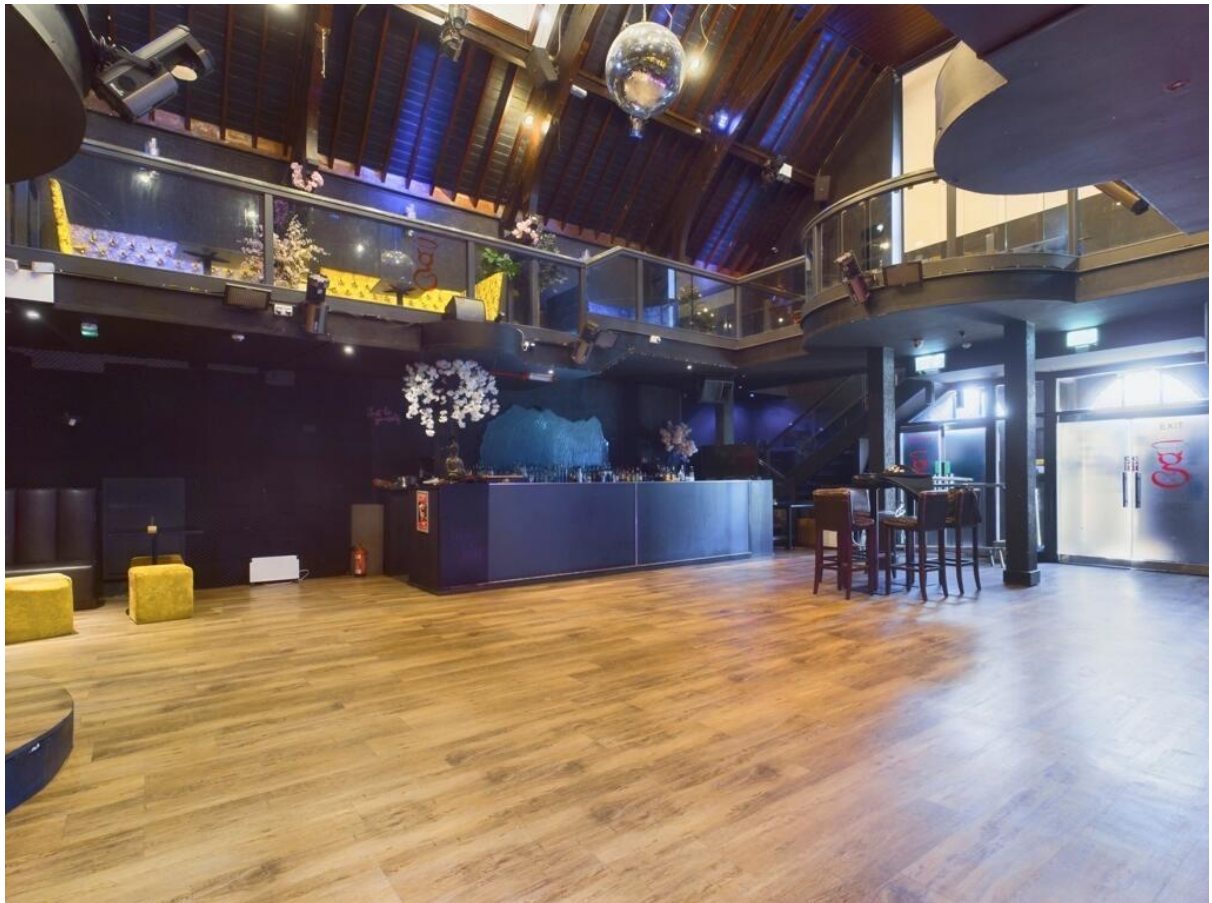
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Omar Rafique
10 High Street
Worthing
BN11 1NU

I am the current DPS for Angels bar and Nightclub in Worthing High Street. Angels nightclub sits on a site that has been used as a late night venue, in various names, for over 30 years. Currently it is divided into 2 sections – a side bar with 2 floors which is attached via double sealed doors to the main club – which has 2 floors.







I would like to address the committee on the following topics – i look forward to any questions.

1. We believe we have not breached any licence conditions that are currently in place.
2. The variation application does not have a timeline for implementation.
3. This review is the result of a vexatious vendetta by a resident neighbour, who has, personally racially abused me by saying ‘ turn that s..t off and go back to where you came from’ (Nov 2023 8.45pm during a FREE NHS EVENT) in front of door staff and others, manipulated, harassed, organised a petition with others with the sole aim of disrupting the business. Further this same neighbour has stormed in during the day screaming and shouting and banging on our windows and doors – witnessed by staff. I have been informed that some smell of marijuana ozzing from the neighbour can be smelt whenever there has been contact. The side effect of this disruption of linear memory and paranoia or anxiety are also typical. Anxiety is the most reported negative side effect of smoking marijuana. Up to 30 percent of recreational users experience intense anxiety and/or panic attacks after smoking cannabis. (Wikipedia 2024)
4. Environmental Health served me with a Noise Abatement Notice – alleged it had been breached, threatened legal action, interviewed me under caution and yet no action is taken. Perhaps it is because It is a defence to prove (on the balance of probability) that best practicable means were used to prevent or to counteract the effects of the nuisance (s. 80(7)).
5. I would also argue that under the Agent of Change principle, planning decisions should ensure any new development is appropriate for its location and that before planning permission is granted, any noise issues are mitigated and reduced to a minimum so as to avoid giving rise to significant adverse impacts on health and quality of life. In the context of existing businesses and community facilities, those facilities must not have unreasonable restrictions placed on them as a result of development that arrives after them. I believe this was not done when planning was granted to convert number 8 High Street

We have demonstrated the huge effort we have made in curbing noise from neighbours.

Conclusion and suggestion to remedy

Angels Bar and Club is a well-run and managed venue in the town. With little or no reports of any drugs, violence or any other issues which are prevalent in other venues. further we pride our self in making our venue a safe evenenomed for the disabled as well as women. We employ 23 local people and source most of products form, local suppliers rather that major companies.

I think it's clear that communication has broken down between the neighbours, myself, and environmental Health team. I am concerned at any spiralling legal costs that would be involved in any appeal but having invested more than £500,000 into the town already.

Suggestions to the committee

1. I voluntarily remove myself as DPS and appoint Tom – with his experience and knowledge of noise assessment would be helpful. Neighbours would have a new contact which may mitigate the need for an appeal and a lengthy costly court case.
2. The committee imposes a timeline to have the conditions in the variation application implemented.

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