

Minutes of a meeting of the
Worthing Licensing and Control Sub-Committee
2 December 2020
at 6.30 pm

Councillor Sean McDonald (Chairman)

Councillor Roy Barraclough

Councillor Richard Mulholland

LCSC/1/20-21 Declarations of Interest / Substitute Members

There were no declarations of interest

LCSC/2/20-21 Public Question Time

There were no questions from the public

**LCSC/3/20-21 Licensing Act 2003 – Application for a Variation to the Premises
Licence at: Worthing Football Club**

Before the Committee was a report by the Director for Communities, a copy of which is attached to the signed copy of these minutes as item 3. The application had been the subject of formal representation by a responsible authority and two members of the public and it therefore fell to the sub-committee to determine.

The Licensing officer provided background to the application and update member on attempts at mediation. Members were told that the police had suggested conditions and that the premises had agreed to include those conditions, the police had therefore withdrawn their representation.

The Licensing Officer introduced the report to the Committee and confirmed with the applicant that it was an accurate outline of the application. There were no questions for the officer

A Member of the public made a representation which is summarised as follows:

- Surprised was expressed that only two representations had been sent in given the strength of feeling expressed via a Whatsapp group;
- There were concerns about many people being invited for an extended period of time;
- There were concerns about what happened outside of the ground as there was currently an effect on match days;
- There would be noise nuisance and there were concerns that this noise nuisance would be worse late at night;
- There was concern about the late night licence as there were children living in close proximity;
- In the past bottles and litter had been thrown into nearby gardens and there were worries that this would get worse

Members questioned the member of the public about reports to the Police and Environmental Health and the Licensing Officer confirmed that there had been six noise complaints and five of those had been in relation to construction noise. There had been nothing since 2016 although it was stressed that complaints may have gone to different departments.

The applicant's representative made a representation which is summarised as follows:

- The premises had received feedback from the police and had accepted their recommendations which would be added as conditions should the licence be granted;
- The premises was confident that the conditions of the licence would be complied with.

A Member asked how many functions the premises had held in a year and were told that there was currently about one event a month. There were further questions about the frequency of bar use and the capacity of the premises. There were no questions for the applicant from the member of the public.

The Committee retired to make it's decision

In reaching its decision the Licensing Sub-Committee has given due regard to the following:

- The statutory licensing objectives
- Worthing Borough Councils Statement of Licensing Policy
- Guidance under section 182 by the Home Secretary and Licensing Act 2003.
- The application, written/oral representations made at the hearing and in writing.
- The Committee also gave regard to human rights legislation and the rules of natural justice.

In discharging its functions the Committee did so with a view to promoting the Licensing objectives, the relevant objectives here were the prevention of crime and disorder, the prevention of public nuisance and prevention of children from harm.

Resolved: that the variation of premises licence should be granted:

The licence will contain all the conditions that are detailed at Appendix E of the Committee report. These have been agreed with the applicant prior to the hearing.

Reason for the decision: That the Committee considered the representations that were made but believe that the additional conditions agreed with police and the licence holder ensure that the licensing objectives will be upheld.

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

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

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

The applicant is reminded that it is a criminal offence under the Licensing Act 2003 to carry on licensable activities from any premises when you do not have a licence in place and you may be prosecuted.

The meeting ended at 7.45 pm