



WORTHING BOROUGH  
C O U N C I L

24 November 2020

**Worthing Licensing and Control Sub-Committee**

<b>Date:</b>	<b>2 December 2020</b>
<b>Time:</b>	<b>6.30 pm</b>
<b>Venue:</b>	<b>Remote Meeting</b>

**Committee Membership:** Councillors Sean McDonald (Chairman), Roy Barraclough and Richard Mulholland

**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 an interest becomes apparent during the meeting.

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

**2. Public Question Time**

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

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

**3. Licensing Act 2003 – Application for a Variation to the Premises Licence at: Worthing Football Club**

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

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	Shelley-Ann Flanagan Lawyer 01903 221095 shelley-ann.flanagan@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.



WORTHING BOROUGH  
COUNCIL

Licensing & Control Committee B  
Sub-Committee  
Date of Hearing: 2 December 2020

Ward: Gaisford

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## Licensing Act 2003 – Application for a Variation to the Premises Licence at:

**Worthing Football Club  
Woodside Road  
Worthing  
BN14 7HQ**

### 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 on behalf of :
- Worthing Football Centre Ltd.**
- for a Variation to their Premises Licence which authorises the sale of Alcohol and provision of Regulated Entertainment at the above venue.

#### 2. Reasons for Hearing

- 2.1 The application has been the subject of formal representation by a responsible authority and two 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 Worthing Football Centre Ltd. to the Licensing Authority, Worthing Borough Council, on the 14 January 2020 for the grant of a variation to the premises licence. However, the application was initially delayed by the failure of the applicant to advertise the application in accordance with the Licensing Act regulations and then at the request of the applicant suspended due to Covid-19 restrictions. An amended application was eventually submitted on 2 October 2020.
- 3.2 The Worthing Football Ground is an Isthmian League Premier Division Football Stadium with a capacity of 4,000 spectators occupying a substantial site situated in a residential area in Gaisford Ward. The club has been located here since 1903. This part of Worthing is mainly residential but contains a Bowls Club and a Working Men’s Club in the vicinity.
- 3.3 Worthing Football Club’s site contains substantial terraced stands, changing facilities, two licensed bars (Rebels Tavern & Main Bar), office accommodation,

gym and a car park. They run in addition to the senior men's sides both women's and youth teams.

3.4 Attached to the report are:

- A plan & photos of the area (Appendix A)
- A plan of the stadium (Appendix B)
- A copy of the application (Appendix C)
- A copy of the current Premises Licence (Appendix D)
- The representation made by the Responsible Authority (Appendix E)
- The representations received from local residents (Appendix F1 & F2)
- Details of the mediation conducted (Appendix G)

3.5 The application is for a variation to the Premises Licence to extend the timings for licensable activity on Friday & Saturday evenings and authorise the use of 2 Pop Up Bars & 2 Kiosks sited within the ground for alcohol sales on match days to reduce congestion at the two permanent bars on site in light of Covid restrictions. **(Appendix C)**

3.6 The current premises licence authorises licensable activity in the two bars on the site known as the Main Bar and Rebels Bar. The current Licence allows the:

- Sale of alcohol between the hours of:
  - 12:00hrs to 22:30hrs Sunday
  - 10:00hrs to 23:00hrs Monday – Saturday
- Provision of Regulated Entertainment in the form of Film & Indoor Sports Events:
  - 12:00hrs to 22:30hrs Sunday
  - 10:00hrs to 23:00hrs Monday – Saturday
- Provision of Regulated Entertainment in the form of Live Music, Recorded Music, Dance:
  - 12:00hrs to 22:30 hrs Sunday
  - 19:00hrs to 23:00hrs Thursday & Friday
  - 12:00hrs to 23:00hrs Saturday
- Opening hours of the business:
  - 12:00hrs to 23:00hrs Sunday
  - 10:00hrs to 23:30hrs Monday - Saturday.

**(Appendix D)**

3.7 Members should note that the deregulation of Licensing Act 2003 with regard to regulated entertainment means that as a premises licensed for the sale of alcohol for consumption on the premises no licence is required for the provision of live music or recorded music between 08:00hrs and 23:00hrs on any day if the audience is less than 500 persons. In addition any conditions on the licence related to the provision of entertainment are suspended during these hours.

## 4. The Application

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

- Extend the hours for licensable activity on Friday & Saturday evenings by 1 hour:
  - Sale of Alcohol for consumption on & off the premises:
    - 10:00hrs to 00:00hrs (midnight) Friday & Saturday
  - Provision of Regulated Entertainment in the form of Live Music, Recorded Music, Dance:
    - 10:00hrs to 00:00hrs (midnight) Friday & Saturday
  - Opening to the Public:
    - 10:00hrs to 00:30hrs (of the following morning) Friday & Saturday
- Authorise the use of 2 Pop-Up Bars and 2 Kiosks sited within the ground for alcohol sales on match days.

4.2 There are a number of conditions currently present on the Club's premises licence and the licence holder considers these to have been successful in promoting all the licensing objectives. However, the application does propose to update these to include CCTV provision and a Challenge 25 age verification policy.

## 5. Promotion of the Licensing Objectives

5.1 The Licensing Act 2003 and regulations require that the Council, as the local licensing authority, to carry 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**

- 6.4 *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
  - 2 X Letters objecting to the application from local residents

## 7. Relevant Representations

7.1 Detail of the relevant representations received is reproduced at Appendices E and F. 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 the variation.

7.3 Two representations were received from local residents expressing concerns regarding possible crime & disorder, anti-social behaviour and public nuisance implications related to the extended hours sought for alcohol sales. The representations have been provided in full but also contain complaints regarding the state of the roads, the pavements, congestion, parking etc. which whilst serious matters are not issues this committee can consider. The representations did not object to the provision of the Pop-Up Bars/Kiosks.

7.4 The applicant, the responsible authority and those that have made representation 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 sought some conditions to address the licensing objectives and these have now been successfully mediated with the applicant. The Club agreeing that if the variation were granted the following conditions would be placed on the licence as enforceable conditions of licence in addition to those included in the operating schedule:

- *The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage*



- advertising the “Challenge” policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum.*
- *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 twelve (12) weeks. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.*
  - *The premises shall maintain and operate a sales refusals log and an incident log which shall be kept to record all refusals and incidents of crime or disorder. These records shall be kept for a minimum of twenty four (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.*
  - *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 and all bar areas as a minimum. 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 GDPR 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 (or other electronic portable device acceptable to Sussex Police) 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.*
    - *In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.*
  - *Use of the pop up bars & kiosks for licensable activity shall cease by 18:00 hours for afternoon matches; between 19:00 hours and 21:30 hours for evening matches.*
  - *Use of the pop up bars & kiosks for licensable activities such family fun days shall be risk assessed but shall cease no later than 21:30 hours and shall be limited to a maximum of 12 per calendar year*
  - *Sale of alcohol shall cease 30 minutes before the premises closes to members of the public.*
  - *A minimum of two members of trained bar staff shall be located at each pop up bar & kiosk while in use for licensable activity.*

As a result Sussex Police have withdrawn their objections. **(Appendix E)**

8.3 Mediation between the applicant and the local residents that made representation has been ongoing but no agreement reached. Members will be informed if there are any further developments. **(Appendix F)**

## **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 variation, pursuant to s 35 of the Act the following options available to the Sub-Committee:

- a. To grant the variation, as requested,
- b. To grant the variation as requested but with additional conditions appropriate to the promotion of the specific licensing objectives on which relevant representations have been received.
- c. Reject the whole or part of the application.

9.4 Members are required to give reasons for their decision.

## **10. Legal Implications**

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

- a. The applicant may appeal against any decision to modify the conditions of the licence.
- b. The applicant may appeal against a rejection in whole or part of an application.
- c. 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, trading standards or the fire authority etc., 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 Variation to the Premises Licence at Worthing Football Club situated at Woodside Road, Worthing and give reasons for that determination.**

**Director for Communities**

**Catherine Howe**

**Principal Author and Contact Officer:**

Simon Jones

Senior Licensing Officer - Tel: 01273 263191 or [simon.jones@adur-worthing.gov.uk](mailto: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 – Premises Licence
- Appendix E - Representation received from a Responsible Authority
- Appendices F1 & 2 - Representations received from members of the public
- Appendix G - Mediation

Portland House, Worthing

Ref: SJ/Lic.U/LA03/VAR – Worthing Football Club

Date: 9 November 2020.

## Appendix A Plan of Area







Adur & Worthing  
Councils

02 OCT 2020

Business Support

**ADUR & WORTHING  
COUNCILS**

Public Health & Regulation, Portland House, 44 Richmond Road, Worthing, BN11 1HS

**Application for a full variation of a premises licence  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

I/We WORTHING FC .....(insert name(s) of applicant)  
being the premises licence holder, apply to vary a premises licence under section 34 of the  
Licensing Act 2003 for the premises described in Part 1 below.

Premises licence number LN100001513

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description <u>BAL HQ, WORTHING FC WOODSIDE ROAD</u>	
Post town <u>WORTHING</u>	Post code <u>BN14 7HQ</u>

Telephone number at premises (if any) 01903 234795

Non domestic rateable value of premises E BAND B

**Part 2 – Applicant Details**

Daytime contact telephone number [REDACTED]

Email address (optional) [REDACTED]

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

Surname DOWELL First names DAVID

Current postal address if different from premises address [REDACTED]

Post Town [REDACTED] Postcode [REDACTED]



**Part 3 - Variation**

Please tick ✓

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

If not do when do you want the variation to take effect from?

Day	Month	Year

If your proposed variation would mean that 5000 or more people are expected attend the premises at any one time please state the number expected to attend

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

EXTENSION OF LICENSED HOURS ON  
FRIDAY & SATURDAY AND PERMISSION  
TO SELL <sup>ALCOHOL</sup> FROM 2 KIOSKS AND 2  
POD UP BARS

#### Part 4 - Operating Schedule

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

##### Provision of regulated entertainment

Please tick ✓

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

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

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

In all cases complete boxes K, L and M

# E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur						
Fri	23.00	00.00			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 5)	
Sat	23.00	00.00				
Sun						

# F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur						
Fri	23.00	00.00			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5)	
Sat	23.00	00.00				
Sun						

# G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur						
Fri	23.00	00.00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 5)			
Sat	23.00	00.00				
Sun						

# J

Sale of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises		
Day	Start	Finish		Off the premises		
Mon			State any seasonal variations for the sale of alcohol (please read guidance note 4)	Both		
Tue						
Wed				Non standard timings. Where you intend to use the premises for the sale of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Thur						
Fri	19.00	20.00				
Sat	19.00	00.00				
Sun						

# K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

# L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			<p>Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5)</p>
Tue			
Wed			
Thur			
Fri	10.00	10.30	
Sat	10.00	10.30	
Sun			

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

Please tick ✓

I have enclosed the premises licence

✓

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of the premises licence

# M

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

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

b) The prevention of crime and disorder

CCTV IS PROVIDED

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

CHALLENGED 25 POLICY IMPLEMENTATION

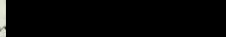
Please tick ✓

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


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

**Part 5 – Signatures** (please read guidance note 10)

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

Signature .....  .....

Date ..... 29/9/20 .....  
.....

Capacity ..... D.P.S .....  
.....





WORTHING BOROUGH  
COUNCIL

Licensing Act 2003 – Sections 16 and 18  
Premises Licence – Part A

Public Health & Regulation  
Portland House  
44 Richmond Road  
Worthing  
BN11 1HS

## Premises Licence Number - LN/100001513

### Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
Worthing Football Club Woodside Road Worthing BN14 7HQ	
<b>Telephone number</b>	01903 234795

<b>Licensable activities authorised by the licence</b>
See attached Schedule

<b>The times the licence authorises the carrying out of the licensable activities</b>
See attached Schedule

<b>Opening hours of the premises</b>		
<b>Location :</b> Rebels Tavern & Main Bar		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
<b>Sunday</b>	12:00	23:00
<b>Monday</b>	10:00	23:30
<b>Tuesday</b>	10:00	23:30
<b>Wednesday</b>	10:00	23:30
<b>Thursday</b>	10:00	23:30
<b>Friday</b>	10:00	23:30
<b>Saturday</b>	10:00	23:30
<b>Non Standard Timings &amp; Seasonal Variations</b>		
<ul style="list-style-type: none"> <li>New Year's Eve the premise may remain open from normal closing time through to normal opening time New Year's Day</li> </ul>		

<b>Where the licence authorises alcohol whether these are on and/or off supplies</b>
ON & OFF

## Part 2 – Premises Licence Holder Details

<b>Name</b>
Worthing Football Centre Ltd

<b>Registered Address</b>
Worthing Football Centre Woodside Road Worthing BN14 7HQ
<b>Telephone Numbers :</b> 01903 239575

<b>Registered number of holder</b>
[REDACTED]

### Designated Premises Supervisor Details (Where the premises licence authorises for the supply of alcohol)

<b>Name</b>
Mr David Dowell

<b>Registered Address</b>
[REDACTED] [REDACTED] [REDACTED] [REDACTED]

<b>Personal licence number and issuing authority of personal licence held by Designated Premises Supervisor where the premises licence authorises the supply of alcohol</b>
<b>Personal Licence Number :</b> [REDACTED]
<b>Licensing Authority :</b> Arun District Council

**Schedule 1 – Licensable Activities authorised by this Licence**

**Times the licence authorises the carrying out of the licensable activities**

<b>Location :</b> Rebels Tavern & Main Bar		
<b>Activities :</b> Alcohol Sales		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
<b>Sunday</b>	12:00	22:30
<b>Monday</b>	10:00	23:00
<b>Tuesday</b>	10:00	23:00
<b>Wednesday</b>	10:00	23:00
<b>Thursday</b>	10:00	23:00
<b>Friday</b>	10:00	23:00
<b>Saturday</b>	10:00	23:00
<b>Non Standard Timings &amp; Seasonal Variations</b>		
<ul style="list-style-type: none"> <li>• Good Friday 12.00 to 22.30hrs.</li> <li>• Christmas Day 12.00 to 15.00hrs &amp; 19.00 to 22.30hrs.</li> <li>• New Year's Eve from the end of permitted hours to the start of permitted hours New Year's Day</li> </ul>		

<b>Location :</b> Rebels Tavern & Main Bar		
<b>Activities :</b> Exhibit Film, Indoor Sports Event		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
<b>Sunday</b>	12:00	22:30
<b>Monday</b>	10:00	23:00
<b>Tuesday</b>	10:00	23:00
<b>Wednesday</b>	10:00	23:00
<b>Thursday</b>	10:00	23:00
<b>Friday</b>	10:00	23:00
<b>Saturday</b>	10:00	23:00

<b>Location :</b> Rebels Tavern & Main Bar		
<b>Activities :</b> Live Music, Recorded Music, Perform Dance, Anything similar		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
<b>Sunday</b>	12:00	22:30
<b>Thursday</b>	19:00	23:00
<b>Friday</b>	19:00	23:00
<b>Saturday</b>	12:00	23:00

**Signed on behalf of the issuing licensing authority**

**Senior Licensing Officer**

**Date : 12 February 2020**

## **Annexe 1 : Mandatory Conditions**

### **A. Mandatory conditions: Supply of Alcohol**

1. No supply of alcohol may be made under the premises licence:-
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### **B. Mandatory conditions: Door Supervision**

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

### **C. Mandatory conditions: Irresponsible Promotions**

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

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

### **D. Mandatory conditions: Free Drinking Water**

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

## **E. Mandatory conditions: Age Verification**

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

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

- a holographic mark, or
- an ultraviolet feature.

## **F. Mandatory conditions: Small Alcohol Measures**

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

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

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

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

## **G. Mandatory conditions: Permitted Price**

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

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

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

Where —

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

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

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

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

## **H. Mandatory conditions: Exhibition of Films**

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

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

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

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

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

### **1. Permitted Hours**

Alcohol shall not be sold or supplied except during permitted hours.

#### **Restrictions**

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours the consumption of alcohol on the premises;
- b) during the first twenty minutes after the above hours, the taking of alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- c) during the first thirty minutes after the above hours the consumption of alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- d) consumption of alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
- f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty’s naval, military or air forces;
- h) the taking of alcohol from the premises by a person residing there; or
- i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

## **2. Late Night Refreshment**

The Licence may also provide and permit the consumption of late night refreshment for a period of 30 minutes after the permitted hours set out above, and on New Years Eve until 05.00hrs on New Years Day.

## **3. Recorded Music**

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

*Source Section 182 Licensing Act 1964*

**Annexe 2: Conditions consistent with the Operating Schedule**

1. No birthday party bookings to be knowingly accepted by the Club celebrating birthdays under 21 years.
2. There is to be full compliance with Health & Safety and Fire regulations.
3. All fire fighting equipment, emergency lighting and alarm system to be serviced by specialist contractor annually and/or when necessary.
4. First Aid kits kept and fully maintained and a qualified first aider to be on premises during all functions.
5. Doors and windows are to be kept closed during regulated entertainment.
6. Signage displayed near exits requesting the public, residents and guests to respect the needs of local residents by quietly leaving the premises.
7. All exterior doors to be self closing.
8. Regulated Entertainment to take place indoors only.
9. Policy of staff assisting and encouraging customers to vacate the premises quickly and quietly at closing time.
10. Children will be required to be supervised by an accompanying adult at all times.
11. There will be no adult entertainment or services, activities, other entertainments or matters ancillary to the use of the premises that may give rise to concern in respect to children.

**Annexe 3 : Conditions attached after hearing by the Licensing Authority**

Not applicable

**Annexe 4 : Plans**

Attached Plans dated Dec 98.



## Appendix E Police Representation



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

### West Sussex Division Neighbourhood Licensing Team

6<sup>TH</sup> October 2020

#### **RE: APPLICATION FOR VARIATION OF A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003 FOR WORTHING FOOTBALL CLUB**

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 and the Protection of Children from Harm.

Sussex Police have consulted the applicant regarding this application and while the extension of hours was not a cause for serious concern the use of pop up bars/ kiosks needed to be addressed. Measures demonstrating how the licensing objectives would be promoted needed to be provided and the hours the bars were to be used confirmed. As a result of this consultation it is clear that these concerns have been considered by the applicant but were unfortunately not included on the application form itself.

Sussex Police therefore propose the following conditions be attached to the premises licence in order that the extension of hours and the use of additional bars may be achieved, while promotion of the licensing objectives is maintained. It is anticipated that these reflect the measures the club either already have in place or are to be adopted should this application be granted:

1. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale.
2. 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 six (6) months (this may be in-house training). All restricted sales training undertaken by staff members shall be documented and signed by the employee

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

and the DPS. Training records shall be made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.

3. The premises shall maintain and operate a sales refusals log and an incident log which shall be kept to record all refusals and incidents of crime or disorder. These records shall be kept for a minimum of twenty four (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
4. Digital CCTV and appropriate recording equipment operated and maintained at the premises internally 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.
  - o The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
  - o CCTV footage will be stored for a minimum of 31 days.
  - o 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.
  - o The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
  - o Subject to GDPR 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 (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.
5. Use of the pop up bars & kiosks for licensable activity shall cease by 18:00 hours for afternoon matches; between 19:00 hours and 21:30 hours for evening matches.
6. Use of the pop up bars & kiosks for licensable activities such family fun days shall be risk assessed but shall cease no later than 21:30 hours and shall be limited to a maximum of 12 per calendar year
7. Sale of alcohol shall cease 30 minutes before the premises closes to members of the public.
8. A minimum of two members of trained bar staff shall be located at each pop up bar & kiosk while in use for licensable activity.

Therefore Sussex Police invite the licensing committee to grant with conditions this variation application.

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](mailto:ws_licensing_wor@sussex.pnn.police.uk) should you wish to discuss this representation.

Yours sincerely

  
Insp R Lovell CL740  
Force Licensing Lead  
Sussex Police

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



## Appendix F2 Public Representation

Enzio Arbisi [REDACTED]  
To: "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>

26 October 2020 at 07:36

To whom it may concern,

I am writing to voice my deepest concerns about the manner in which this application to extend the licencing hours at Worthing Football Club (situated at Woodside Road, Worthing, BN14 7HQ) has been communicated. In my opinion completely underhanded, and in this act demonstrating the utter lack of consideration your office has for the residence of Woodside Road and the surrounding community of the Football Club.

The applicant clearly does not act in the best interest of the community, rather is seeking every opportunity to increase revenue at whatever cost to that community. Nothing is being ploughed back into the local infrastructure as is clearly demonstrable by simply driving down our roads where multiple potholes exist or walking along uneven pathing where trip hazards are plentiful.

I want to lodge a COMPLAINT in respect of the way in which this and other grouped applications have been communicated. Your office, In acting in this way, assures a low participation rate and by default fewer objections. Such an act goes against the spirit of community and wellbeing, with the authority (your office) bypassing the community in favour of a business; in this instance Worthing Football Club.

I am vehemently opposed to this application being approved.

The community of Woodside Road and surrounding areas already endure heavy traffic and footfall on match days. Parking is always an issue for us. At times causing extreme difficulty in entering and exiting our driveways in fear of causing damage to our cars and those of others and or endangerment to ourselves and or other road and pavement users. At times, it is also extremely difficult to drive down the roads in this area due to both sides of the roads being jam packed with parked cars, many of which block access to side roads and making it very difficult to manoeuvre directly to the intended destination.

I must also advise of my and multiple neighbourhood issues raised with Environmental Health regarding excessive noise from the stadium and buildings, and on many occasions occurring on Non-Match days. Am I will not mention the light pollution that occurs both on match days and multiple training events that take place.

A further consideration needs to be highlighted and that is the increased nuisance activities of people transiting this area, with cars being broken into. Police records will no doubt verify this.

Extending the licencing hours therefore will only exacerbate the problems already suffered, and with every extension to the use of the Worthing Football Club's grounds, buildings and now licencing application the situation will deteriorate further.

All of the above contribute to heightened stress levels not only for me and my family, but also my neighbours.

I STRONGLY OBJECT to this application.

Please acknowledge my objection and complaint.

[REDACTED]

Worthing

West Sussex

BN14 7HH

## Appendix G1 – Police Mediation

Dave Dowell <dave@worthingfc.com>

7 October 2020 at 18:21

To: Pauline.Giddings@sussex.pnn.police.uk

Cc: Simon Jones <simon.jones@adur-worthing.gov.uk>, ws\_licensing\_wor@sussex.pnn.police.uk

Hi Pauline

We are happy to accept these conditions in relation to our application

Thanks, Dave

On Tue, 6 Oct 2020, 16:03 , <Pauline.Giddings@sussex.pnn.police.uk> wrote:

Good Afternoon David,

I have now considered the additional information you have provided and have emended the attached representation accordingly. (highlighted in yellow)

As before, please do not hesitate to contact this office either via email or the 'phone number below if you wish to discuss this further.

If however you are able to agree to these conditions being attached to the premises licence please could you "reply all" confirming this to be the case.

Either way I look forward to hearing from you.

Kind regards

Pauline Giddings

Divisional Licensing Officer

Prevention Licensing Team

West Sussex

101 x 581443

01273 404030

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**Re: Worthing Football Club Licence variation - OBJECTION**

1 message

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

22 October 2020 at 10:47

To: [REDACTED]

Cc: Licensing Unit <licensing.unit@adur-worthing.gov.uk>, sandra.crawford19@gmail.com

Dear [REDACTED]

**Re: LA 2003 Premises Licence Variation Application - Licence LN/100001513  
Worthing Football Club, Woodside Road, Worthing, BN14 7HQ**

Your representation objecting to the above application has been duly logged and will be considered after 29 October when the consultation on this application closes and you will be invited to attend any hearing to determine the application if it cannot be mediated. Hearings are currently being held online due to Covid.

In addition, I note you have asked for an explanation as to why you and your neighbours have not been written to?

Unlike Planning and some other Licensing Applications, under the terms of the Licensing Act 2003, there is no requirement for the applicant, or the Licensing Authority, to write to the residential or business addresses in the vicinity. Under the act the applicant is required to advertise the application in the legal section of a local newspaper (Herald or Argus) within 10 working days of lodging the application and is required to place a public notice outside the premises in clear view of the passing public for the duration of the 28 day consultation period.

The Licensing Authority is required to forward a copy of the application to the 'Responsible Authorities' including the Police, Fire Authority, Trading Standards, Environmental Health Teams etc. and advertise the application on its website. All Licensing Act 2003 applications that require public consultation can be found at: <https://www.adur-worthing.gov.uk/licensing-consultations/licensing-act-2003/#licence-app-Worthing-156289>

In addition to the legal requirements, the A&W Licensing Unit notifies all local Councillors and any residents' associations that request to go on the 'Licensing application notification list' also get an emailed list of applications.

I hope this clarifies the matter. If you have any queries please do not hesitate to contact me.

Regards

**Simon Jones**

Team Leader - Licensing, Adur & Worthing Councils

Phone: 01273 263191

Email: [simon.jones@adur-worthing.gov.uk](mailto:simon.jones@adur-worthing.gov.uk)

Website: <http://www.adur-worthing.gov.uk/licensing-and-permits/>

Address: Public Health & Regulation, Public Health & Regulation

Portland House

Worthing

BN11 1HS



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## Licensing Act 2003 Premises Licence Variation Application - Worthing Football Club

1 message

---

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

3 November 2020 at 16:31

To:

Cc:

Dear Ms [REDACTED]

Consultation on the above application has now closed. Three representations regarding the application were received during the consultation.

From Sussex Police and two from local residents. In such circumstances the Licensing Act encourages mediation and if agreement cannot be reached only then is the matter referred then to a Licensing & Control Sub-Committee to consider the application and representations at hearing.

For a letter of representation to be regarded as relevant to a Licensing application it has to tie any objections to the Licensing Objectives;

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

These are the only criteria which can be considered by the Licensing & Control Committee when they consider an application. Your representation mentions the potential for increased noise, litter and antisocial behaviour. This could be relevant to the application.

Mediation between the licence holder and Sussex Police has been taking place and I'm aware that a number of management conditions have been agreed with Sussex Police should a variation to the licence be granted. These would become enforceable conditions of any licence granted and I've enclosed the resultant conditions in full for your reference.

1. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for a photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale.
2. 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 six (6) months (this may be in-house training). All restricted sales training undertaken by staff members shall be documented and signed by the employee and the DPS. Training records shall be made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
3. The premises shall maintain and operate a sales refusals log and an incident log which shall be kept to record all refusals and incidents of crime or disorder. These records shall be kept for a minimum of twenty four (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
4. Digital CCTV and appropriate recording equipment operated and maintained at the premises internally 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 GDPR 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 (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.
5. Use of the pop up bars & kiosks for licensable activity shall cease by 18:00 hours.
  6. A minimum of two members of trained bar staff shall be located at each pop up bar & kiosk while in use for licensable activity.

Consequently, Sussex Police have withdrawn their objection and invited the licensing authority to grant the variation with these conditions.

As part of the mediation I am writing to ask whether the conditions the applicant has volunteered to address Sussex Police's concerns, address your concerns. If they do and you confirm this to me the new timings and conditions will become enforceable conditions of any licence granted.

If, however, the above changes to the application do not satisfy you then the application will be considered by the Sub-Committee at an online hearing which I will schedule shortly (if needed). If the conditions volunteered by the applicant during mediation, listed above, do not address your concerns and any further mediation is unsuccessful then the applicant and you will be able to put your views regarding noise and public nuisance related to this application to members at that hearing and they will decide the matter.

If these conditions do address your concerns and you confirm this to me in writing I will cancel any hearing and approve an amended licence with the above conditions. If they do not but there are any further conditions you feel would address your noise concerns I'll suggest, with your permission, the applicant, if he is happy to continue mediating, contact you directly to discuss the issues and see if mediation can find a mutually acceptable solution.

I look forward to your instruction. My direct email address is: [simon.jones@adur-worthing.gov.uk](mailto:simon.jones@adur-worthing.gov.uk)

Regards

**Simon Jones**

Team Leader - Licensing, Adur & Worthing Councils  
 Phone: 01273 263191  
 Email: [simon.jones@adur-worthing.gov.uk](mailto:simon.jones@adur-worthing.gov.uk)  
 Website: <http://www.adur-worthing.gov.uk/licensing-and-permits/>  
 Address: Public Health & Regulation, Public Health & Regulation  
 Portland House  
 Worthing  
 BN11 1HS





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**RE: Licensing Act 2003 Premises Licence Variation Application - Worthing Football Club**

1 message

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[REDACTED] at 07:31

Good morning Simon

Thank you for your email.

As you state "Your representation mentions the potential for increased noise, litter and antisocial behaviour".

As per my original representation regarding anti social behaviour "I know that if there is a function at the football club then the noise of people leaving the venue (shouting, screaming, singing, car horns tooting) can be expected for about 30 to 60 minutes after they leave the venue but to extend that so that any hope of sleep is out of the question until the following day (likely to be 1.30 in the morning onwards) is not acceptable.

I am also fed up of collecting litter such as disposable cups, cartons and bottles. They do not have stewards in place to watch the fans leave the matches or watch guests leave the club late at night. No-one is policing these events".

Unless I am missing any information, I do not see where any measures noted will address the antisocial behaviour. Camera's outside of the entrance will not do anything to stop shouting, screaming, singing and car horns tooting as people leave. They will still have their noisy conversations, shouting across to each other and for some standing around chatting in the middle of the night. No-one will be checking the road for litter after these late night events or football matches. There are not stewards available to ensure everyone has quietly left the premises. There are not stewards around to collect any litter.

Interestingly I had this discussion with one of their staff members when he showed me the plans for altering the entrance. We discussed parking, litter and noise. It is not as if they are not aware that there is an issue. Yet their licensing extension has nothing in it to mitigate the behaviour around litter and noise, they just want to move it to later that night or early the next morning!

Unless Worthing Football Club can find a way of addressing the noise issues in particular, then my stance has not changed. I would be delighted to receive any suggestions (via you or directly via email) to mitigate the behaviour of people leaving the football club but there is not any point in holding a mediation at this stage. The very fact that WFC did not consult with local residents (yes I am aware they do not have to legally) shows that they were in fact not concerned about impact or the views of their residents. From a mediation point of view that is not a good starting point for any formal mediation discussions.

Kind regards

[REDACTED]

# RE: Worthing FC license extension representation

Inbox

[REDACTED]

to [REDACTED]

Good morning Dave

Thank you for your email and your quick response.

It is far easier for me to respond direct to your points, so please see my comments in red below:

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Good afternoon [REDACTED]

I am writing to you in response to your concerns regarding our application, specifically the part of the application asking for the extension of the licensing hours at Woodside Road until midnight on Fridays and Saturdays. We have been in discussion with the Police and Licensing Officer to make sure that we will be taking the appropriate actions required by the legislation, as they are the experts in this matter. They have made a number of suggestions which have worked well at other premises and we have included these controls in our application.

The key ones relating to your concerns are:

- The Woodside Bar will only stay open until midnight if there is an official function booked in for a Friday or a Saturday night. I should clarify that this extension has not been requested to allow football fans to carry on drinking for an extended period. The Woodside Bar is already used for these types of function until 11pm and the system used is that the Bar closes before the function, to allow for the room to be prepared for when the guests arrive. This means that there will not be any situation where any one person has been served alcohol from 2pm in the afternoon until midnight. Therefore, there will be none of the sounds late at night

of singing and cheering that you might normally hear when fans are supporting their teams. My previous comment stands here. You are extending the noise by one hour. Note also that some people don't need to drink all day to be noisy as they leave the premises.

- However, I do understand your concern that some people attending an evening function may make noise as they leave. We intend to mitigate this by having a male member of the bar staff at the gate as the venue is being closed to encourage people to be quiet, dispose of their litter in the bins provided and to make their way home as quickly as possible.
  - We will also put signs up to make people mindful of local residents as they leave the venue.
  - We will ensure that there are wheelie bins placed at the gates during any of our evening functions to encourage people to dispose of their rubbish as they leave. I have absolutely no issue with chanting and cheering for football matches. To my recollection, I have not stated that I have. It's a football club, it is expected. Likewise with the drumming. But I have an objection to guests leaving the premises late at night, singing and shouting and the car horns tooting as they say goodbye to their friends. As a car horn toots when the driver drives off, will your steward be chasing the car up the road. I doubt it. Not sure how you will stop the noise of guests leaving late at night with one steward. It's a brave man that tackles anti-social behaviour on his/her own. Also leaving your property they may be encouraged to be quiet, but a few houses along in either direction and they certainly are not.
- We are aware that traffic and parking can be very busy on match days, however, for evening events, these are official functions. This means a far smaller number of people will attend (the capacity of the Bar is 150) and our experience is that many people use taxis to attend these functions, as they do not intend to drive home. This is not part of your license extension and I will therefore refrain from commenting as it cannot be changed through this process.

As you can see, these controls are particularly around encouraging good behaviour of visitors to our premises and I do hope that these offer you some reassurance.

I am sorry that you feel we are not considerate of our neighbours, and have applied for this license extension without consulting you first. Our understanding of the process is that consultation is carried out using the formal announcement in the local paper and a hard copy of the announcement clearly visible on the perimeter of the stadium. This means that any local residents who are concerned have all of the information they need to make their views heard, which of course you have been able to do. During lockdown and generally during covid-19, no-one is making an unnecessary journey. Why would anyone walk up the entrance gate of the football club to read notices? I also spoke to neighbours and local papers are rarely bought (that tends to be elderly residents who do not use on line media). The only reason I heard about this is that it was mentioned in passing by someone who asked how it would affect me. This couple do not live in Worthing but one is a keen football fan. If you wish to work within the community within which you are based and operate, then you need to be transparent and open. At the very least a leaflet drop to local homes should have taken place. A consultation should always include those affected and is always a two way process. But of course only if we actually know about it.

I should like to reassure you again that we are taking your concerns seriously and have a clear plan, completed on the advice of the Police and Licensing Officers, to enable our

venue to be run in an effective way to address the issues you have raised. Thank you for this and whilst I don't doubt you are now taking my concerns seriously and have a clear plan, you didn't actually choose to consult with me or other residents initially and are only taking my concerns seriously now.

Perhaps this licence could be granted for a trial period (with ALL neighbouring homes being advised formally). That way: 1) they are informed and involved and won't need to query why the noise is later than usual as most have no idea about this licence extension and would have a contact number and email address to report incidents and 2) they can actually have a voice at the end of the trial period and be part of the consultation?

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## Licensing Act 2003 Premises Licence Variation Application - Worthing Football Club

1 message

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

5 November 2020 at 15:51



### Re: LA 2003 Premises Licence Variation Application - Licence LN/100001513 Worthing Football Club, Woodside Road, Worthing, BN14 7HQ

Consultation on this application has closed and your representation objecting to the above application has been duly logged.

I note you have complained as to how this application was advertised and asked for an explanation as to why you and your neighbours have not been written to?

Unlike Planning and some other types of Licensing Applications, under the terms of the Licensing Act 2003, there is no requirement for the applicant, or the Licensing Authority, to write to the residential or business addresses in the vicinity. Under the act the applicant is required to advertise the application in the legal section of a local newspaper (Herald or Argus) within 10 working days of lodging the application and is required to place a public notice outside the premises in clear view of the passing public for the duration of the 28 day consultation period.

The Licensing Authority is required to forward a copy of the application to the 'Responsible Authorities' including the Police, Fire Authority, Trading Standards, Environmental Health Teams etc. and advertise the application on its website. All Licensing Act 2003 applications that require public consultation can be found at:

<https://www.adur-worthing.gov.uk/licensing-consultations/licensing-act-2003/#applications-worthing>

In addition to the legal requirements, the A&W Licensing Unit notifies all local Councillors and any residents' associations that request to go on the 'Licensing application notification list' also get an emailed list of applications.

For a letter of representation to be regarded as relevant to a Licensing application the objection has to tie what exactly is being applied for with the Licensing Objectives;

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

These are the only criteria which can be considered by the Licensing & Control Committee when they consider a licence variation application. Your representation covers the state of the road, the pavement, congestion, parking etc. which are not matters this committee can consider. However your representation does also mention the potential for increased noise, anti-social behaviour and thefts in the area which are matters the committee could consider.

Complaints regarding the state of the road and pavements need to be directed to WSCC Highways Dept. and information as to how to make a complaint to them can be found at: <https://www.adur-worthing.gov.uk/streets-and-travel/report-a-problem/>

Complaints regarding car crime and theft in the area need to be made directly to Sussex Police but I note Sussex Police in their representation did not highlight this as a problem in the vicinity of the club.

As stated consultation on the above application has now closed. Three representations (including yours) regarding the application were received during the consultation. From Sussex Police and two from local residents. In such circumstances the Licensing Act encourages mediation and if agreement cannot be

reached only then is the matter referred then to a Licensing & Control Sub-Committee to consider the application and representations at hearing.

Mediation between the licence holder and Sussex Police has already taken place and I'm aware that a number of management conditions have been agreed with Sussex Police should a variation to the licence be granted. These would become enforceable conditions of any licence issued and I've enclosed the resultant conditions in full for your reference.

1. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for a photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale.
2. 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 six (6) months (this may be in-house training). All restricted sales training undertaken by staff members shall be documented and signed by the employee and the DPS. Training records shall be made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
3. The premises shall maintain and operate a sales refusals log and an incident log which shall be kept to record all refusals and incidents of crime or disorder. These records shall be kept for a minimum of twenty four (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
4. Digital CCTV and appropriate recording equipment operated and maintained at the premises internally 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.
  - o The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
  - o CCTV footage will be stored for a minimum of 31 days.
  - o 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.
  - o The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
  - o Subject to GDPR 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 (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.
5. Use of the pop up bars & kiosks for licensable activity shall cease by 18:00 hours.
6. A minimum of two members of trained bar staff shall be located at each pop up bar & kiosk while in use for licensable activity.

Consequently, Sussex Police have withdrawn their objection and invited the licensing authority to grant the variation with these conditions.

As part of the mediation I am writing to ask whether the conditions the applicant has volunteered to address Sussex Police's concerns, address your concerns. If they do and you and the other resident making representation confirm this to me the new timings and conditions will become enforceable conditions of any licence granted.

If, however, the above changes to the application do not satisfy those that have made representation then the application will be considered by the Sub-Committee at an online hearing which I will schedule shortly (if needed). If the conditions volunteered by the applicant during mediation, listed above, do not address everyone's concerns and any further mediation is unsuccessful then the applicant and those making representation will be able to put their views regarding noise and public nuisance related to this application to members at that hearing and they will decide the matter.

If these conditions do address everyone's concerns no hearing will be required and an amended licence with the above conditions will be approved. If they do not but there are any further conditions that the interested parties feel would address the noise concerns relating to the changes proposed by the variation

I'll suggest all parties are contacted directly by the applicant to discuss the issues and see if mediation can find a mutually acceptable solution.

I look forward to your advice.

Regards

**Simon Jones**

Team Leader - Licensing, Adur & Worthing Councils

Phone: 01273 263191

Email: [simon.jones@adur-worthing.gov.uk](mailto:simon.jones@adur-worthing.gov.uk)

Website: <http://www.adur-worthing.gov.uk/licensing-and-permits/>

Address: Public Health & Regulation, Public Health & Regulation

Portland House

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