

Minutes of a meeting of the
Worthing Licensing and Control Sub-Committee
27 January 2021
at 6.30 pm

Councillor Sean McDonald (Chairman)

Councillor Mike Barrett

Councillor Karen Harman

LCSC/4/20-21 Declarations of Interest / Substitute Members

There were no declarations of interest or substitutions

LCSC/5/20-21 Public Question Time

There were no questions from the public

**LCSC/6/20-21 Licensing Act 2003 – Application for a new Premises Licence at:
Brewhouse & Kitchen – Worthing 14 Wykeham Road, Worthing**

Before the Committee was a report for 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 two responsible authorities and six members of the public and it therefore falls to this sub-committee to determine. The report before members detailed the application, representations and the mediation.

The Licensing Officer introduced the report to the Committee and updated members on mediation after the publication of the report. Members were told that mediation had resulted in Environmental Health withdrawing their representation as the premises had made some commitments as to where events would be taking place. The applicant confirmed that the outlined provided by the officer had been an accurate outline.

There were no members of the public present

The applicant made a representation which is summarised as follows

- The applicant explained the process of renovation of the premises which involved extensive public consultation;
- The applicant hoped to be the hub of the local community;
- Engagement had taken place with local residents
- Mediation had been agreed with the police
- The premises would not be rowdy as the premises included a hotel with guests;
- There was a garden management plan in that was designed to be flexible;

Members questioned the applicant about the makeup of the building and employment at the premises.

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, public safety, the prevention of public nuisance and protection of children from harm.

Resolved: that the premises licence should be granted incorporating the hours and conditions agreed with Sussex Police.

Reasons for the decision:

The Committee considered the representations that were made but believe that the additional conditions and mediation agreed with Sussex police and Environmental Health will ensure that the licensing objectives will continue to be promoted.

The Committee agree to the sale of alcohol to be 24 hours a day for residents and their bona fide guests and to extend all licensable activities and opening hours from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day. To extend the terminal hour on licensable activities and opening hours by 90 minutes on the eve of a Bank Holiday is also agreed.

The Committee were encouraged to see mediation and agree no bin clearance before 08.30 and after 21.30 and not on a Sunday to be a condition of the licence. In addition not to play music in the garden.

Advice to parties:

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

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

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

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

The meeting ended at 7.15 pm