



WORTHING BOROUGH  
C O U N C I L

8 February 2021

<b>Worthing Licensing and Control Sub-Committee</b>	
<b>Date:</b>	<b>16 February 2021</b>
<b>Time:</b>	<b>6.30 pm</b>
<b>Venue:</b>	<b>Remote Meeting via Zoom</b>

<b>Committee Membership:</b> Councillors Sean McDonald (Chairman), Charles James and Bob Smytherman
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## 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 new Premises Licence at: Molotov Cocktail & Vodka Bar 31** (Pages 1 - 62)

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.



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## Licensing Act 2003 – Application for a new Premises Licence at:

**Molotov Cocktail & Vodka Bar  
31 Chatsworth Road  
Worthing, BN11 1LY**

### 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 :

**Beachcomber Leisure Ltd.**

for a new Premises Licence to authorise the sale of alcohol and the provision of regulated entertainment.

#### 2. Reasons for Hearing

- 2.1 The application has been the subject of formal representation by two responsible authorities and it therefore falls to this sub-committee to determine.

#### 3. Background

- 3.1 An application was made on behalf of Beachcomber Leisure Ltd. to the Licensing Authority, Worthing Borough Council, on the 23 December 2020 for the grant of a new premises licence.
- 3.2 There is a premises licence (LN/100001195) currently in place authorising the sale of alcohol for consumption on & off these premises and the provision of regulated entertainment. It has been held by Beachcomber Leisure Ltd. since September 2019. Prior to that Peter Mott & Barry Wells T/A The Lounge Leisure Group had held the licence since the introduction of the Licensing Act 2003 in November 2005. Mr Mott and Mr Wells are the directors of Beachcomber Leisure Ltd.
- 3.3 Premises Licence LN/100001195 has been the subject of three Review applications made by Sussex Police. Applications were received in:
- o November 2012
  - o July 2017
  - o January 2020

The first two reviews resulted in a number of conditions being added to the premises licence. However, at the last review, which was delayed because of Covid and heard in October 2020, this Committee resolved to take no action as:

*The Committee having considered all the relevant evidence was not satisfied that the Licensing Objectives of the Prevention of Crime & Disorder and Public Safety were being undermined by the Licence Holder. They did not consider that the evidence before them was proportionate to take any action given the minor nature of any failures.*

- 3.4 It is the view of the applicant that the current premises licence is over complicated, now out of date and does not reflect the changes made to the business' new style of operation. To address this instead of varying the current licence the applicant has opted to apply for a new premises licence.
- 3.5 Molotov Cocktail & Vodka Bar is situated in a large multi storey, multi-use building, Chatsworth House, situated in Chatsworth Road in Worthing town centre. 'Molotov' is situated on the ground floor and operates primarily as a bar. The area is predominantly commercial containing the Worthing Police Station, numerous estate agents, a building society, a public house, a nightclub, a restaurant, offices, a shopping centre, a multi-storey car park and numerous small shops but there is some residential accommodation above some of the commercial units to the west of Chatsworth House. The nearest being approx. 100m from the bar.
- 3.6 Attached to the report are:
- o A plan & photos of the area (Appendix A)
  - o A plan of the bar (Appendix B)
  - o A copy of the application (Appendix C)
  - o A copy of the current premises licence (Appendix D)
  - o The representations made by the Responsible Authorities (Appendix E1 & 2)
  - o Details of the mediation conducted (Appendix F)

## 4. The Application

- 4.1 The Application is attached at **Appendix C**. However, in summary, the application is seeking authorisation for:
- Sale of Alcohol for consumption on & off the premises:
    - o 11:00hrs to 02:00hrs (of the following morning) Monday – Wednesday
    - o 11:00hrs to 03:00hrs (of the following morning) Thursday – Saturday
    - o 12:00hrs to 00:30hrs (of the following morning) Sunday
  - Provision of Regulated Entertainment: (Live & Recorded Music and Dancing)
    - o 11:00hrs to 02:00hrs (of the following morning) Monday – Wednesday
    - o 11:00hrs to 03:00hrs (of the following morning) Thursday – Saturday
    - o 12:00hrs to 00:30hrs (of the following morning) Sunday
  - Opening to the public
    - o 11:00hrs to 02:30hrs (of the following morning) Monday – Wednesday
    - o 11:00hrs to 03:20hrs (of the following morning) Thursday – Saturday
    - o 12:00hrs to 01:00hrs (of the following morning) Sunday

In addition

- An extension to the hours for licensable activity until 02:00hrs, of the following morning on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday
- An extension to the hours that the premises may open to the public until 02:30hrs, of the following morning, on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday to allow 30 minutes for drinking up and the premises to be cleared of the public.
- New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day.

4.2 As recommended by the Guidance issued under section 182 of the Licensing Act 2003 the applicant has completed an operating schedule as to how it is intended to address the Licensing Objectives if this application were granted.

4.3 The proposed DPS is [REDACTED]. He is the DPS named on the current premises licence and has been in post since 16 August 2019. He holds a Personal Licence issued by Worthing Borough Council.

## 5. Promotion of the Licensing Objectives

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

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

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

### ***Prevention of Crime & Disorder***

4.8 *The Council places huge importance on the prevention of crime and disorder. A high standard of control is, therefore, expected to be exercised over licensed premises.*

4.10 *In accordance with Section 17 of the Crime and Disorder Act 1998 the Council is under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent, crime and disorder in its areas. The possible crime and disorder implications are clearly relevant factors in the consideration of all applications and this is re-emphasised by the Licensing Act 2003 itself, the Guidance issued under section 182 to the Act and this policy. The Council will give "due regard" to all possible implications and its Licensing & Control Committee will always consider all the information available and relevant*

*representations made, including those from interested parties and the responsible authorities, particularly the Police.*

- 4.11 *In their role as a responsible authority, Sussex Police are an essential source of advice and information on the impact and potential impact of licensable activities in the borough, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and usually have good working relationships with those operating in the local area. The council recognises that Sussex Police are the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder, but may also be able to make relevant representations with regards to the other licensing objectives if they have evidence to support such representations. The Council will accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.*
- 4.16 *The Licensing Authority recognises that the Licensing Act is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night time economy in town centres.*

#### **Prevention of Public Nuisance**

- 4.24 *Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of disturbances impacting upon people living, working or sleeping in the vicinity of the premises or wider afield.*
- 4.25 *Noise disturbance can arise from entertainment or activities held within licensed premises and also from people or motor vehicles outside licensed premises. The Council will expect Operating Schedules to address these issues. Advice and guidance can be obtained from Licensing Officers or the Council's Environmental Protection Team. If representations are received the Council may utilise appropriate conditions to control noise disturbance and the use of such conditions will depend upon the activities/entertainment/hours of operation proposed; the nature of the locality; and existing background noise levels and ambient noise levels. Noise control conditions may include the satisfactory sound insulation of licensed premises; compliance with maximum noise levels; and limiting hours of operation.*
- 4.26 *When addressing public nuisance the applicant should initially identify any particular issues (having regard to their particular type/construction of their premises, proposed activities and nature of locality) which are likely to adversely affect the promotion of the objective to prevent public nuisance. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule.*
- 4.27 *Anti-social behaviour such as excessive noise from access and egress or patrons littering should also be addressed in the Operating Schedule.*

#### **DEMAND, SATURATION & HOURS**

- 6.1 *In accordance with the Government's guidance the Council recognises that demand is not a relevant criterion in considering an application under the Act.*

- 6.4 *Consideration will be given to imposing stricter conditions in respect of noise control where premises are situated in mainly residential areas. This will particularly apply in circumstances where, having regard to the location, size and nature of the licensed premises, it is likely that disturbance will be caused to residents in the vicinity of the premises, or its environs, by concentrations of people either present or leaving during normal night-time sleeping periods (23.00hrs to 07.00hrs).*

### **SPECIFIC CONSIDERATIONS**

#### **Alcohol – On & Off Sales**

- 7.1 *It is now a mandatory condition that all licence holders selling alcohol put in place an age verification policy for the premises. In some circumstances the Licensing Authority will impose, where necessary to promote the Licensing Objectives, implicit conditions on the checking of the age of those who appear under 21 or 25 to ensure that alcohol is not sold to those under 18 years of age.*
- 7.2 *Licence holders need to have sufficient day to day control of operations at their premises. They will be held responsible for breaches of the licence and ensuring there is adequate staffing and training. The authorities will continue to use young people for the 'test purchasing' of alcohol and CCTV evidence, which has proved its usefulness in prosecutions for unlawful sales of alcohol. The likely consequences of a Review of licence for underage sales include the imposition of additional conditions such as the attendance of a personal licence holder, licence suspensions and in some cases revocation to act as deterrence.*

#### **Alcohol**

##### **Public Houses and Bars – On Sales**

- 7.14 *Worthing contains a wide variety of pubs and bars that contribute to the town's appeal and its character. They provide food and refreshment for residents and for people working in and visiting the borough. They also provide venues for live music which, aside from its cultural benefits and its enjoyment by customers, often has a positive effect on licensing objectives. However, premises that primarily serve alcohol, with or without the provision of any ancillary playing of music, can give rise to public nuisance for residents and other businesses, particularly where there is a concentration of such premises. This is principally due to noise from the premises and from patrons when they leave. In addition pubs and bars present opportunities for crime and they can also give rise to disorder.*
- 7.15 *The Licensing Act 2003 details a number of mandatory conditions where a licence authorises the supply of alcohol: these cover: a Designated Premises Supervisor for the premises who holds a Personal Licence whenever alcohol is sold, sales of alcohol to be authorised by a personal licence holder, no irresponsible alcoholic drink promotions, free tap water to be available, set measures for the sale of alcohol and age verification measures.*
- 7.16 *The Licensing Authority regards these as the minimum required and will expect applicants to have regard to additional measures appropriate for their premise, area and character of business to demonstrate his/her promotion of the Licensing Objectives. If the proposals are inadequate and representation has been received the council may impose conditions as it deems appropriate or even refuse an application.*

## **6. Consultation**

6.1 The application has been subject to the statutory consultation and statutory public advertisement arrangements in accordance with the provisions of the Act, in respect of which relevant representations were received from the following:

- Responsible Authorities - 2 X Representations (Sussex Police and WSCC Public Health Dept.)
- Other Persons – None

## **7. Relevant Representations**

7.1 Detail of the relevant representations received is reproduced at Appendices D. They are considered to relate to the statutory licensing objectives as follows:

### ***Prevention of Crime & Disorder***

### ***Prevention of Public Nuisance***

### ***Public Safety***

### ***Protection of Children from Harm***

7.2 Sussex Police made a number of comments and listed a number of conditions that were on the previous licence and some new conditions that they consider are required to enable this premise to meet the licensing objectives if members were of a mind to grant a licence. (Appendix E1)

7.3 Sussex Police have also expressed concerns relating to the appointment of the proposed DPS as he is currently being charged with assault, Contrary to section 20 of the Offences Against the Persons Act 1861 (Grievous Bodily Harm (GBH)). This case is due to be first heard at Magistrate's Court on 23rd February 2021.

7.4 WSCC Public Health Team made a number of comments and listed a number of conditions that they consider are required to enable this premises to meet the licensing objectives if members were of a mind to grant a licence. They have objected to the application in its current format as the conditions proposed in the application's Operating Schedule, in their opinion; do not sufficiently promote the licensing objectives. (Appendix E2)

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

## **8. Mediation**

8.1 The Licensing Act 2003 encourages mediation.

8.2 Members will be informed if mediation is conducted and there are any developments.



## **9. Consideration**

9.1 Members must take into consideration the following when determining this application:

- The four statutory licensing objectives
- Worthing Borough Council's Statement of Licensing Policy
- Guidance issued by the Home Secretary
- The relevant representations from all parties and any mediated agreement reached.

9.2 These are the only matters to be addressed by the authority when considering this application. The statutory Licensing objectives are the only grounds on which representations can be made, and the only grounds on which an authority will be able to refuse an application or impose conditions in addition to statutory conditions and those proposed by the applicant in the Operating Schedule.

9.3 When considering this application for a premises licence the following options are available to the Sub-Committee:

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

Members may also:

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

9.4 Members are required to give reasons for their decision.

## **10. Legal Implications**

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

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

10.2 The Act allows for the local licensing authority to undertake a review following the grant of a premises licence, when requested to do so by a responsible authority, such as the police or the fire authority, or any other party, such as a resident living in the vicinity of the premises. The government's guidance states:

*“The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with licensing objectives are occurring after the grant or variation of a premises licence.*

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

- 10.3 In determining this application, the principles of the Human Rights Act 1998 must be taken into consideration and the convention rights of both individuals and businesses will be given due weight.
- 10.4 Members must consider each application on its own merits, and in accordance with the principles of natural justice, as well as the provisions of the Licensing Act 2003. All relevant factors must be taken into account, and all irrelevant factors must be disregarded.
- 10.5 All applications, before Committee, must be considered against the backdrop of anti-discriminatory legislation, such as the Equality Act 2010 and also in accordance with the Council's stated policy on Equal Opportunities.
- 10.6 In accordance with Section 17 of the Crime and Disorder Act 1998 the Council is under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent, crime and disorder in its areas. The possible crime and disorder implications are clearly relevant factors in the consideration of all applications and this is re-emphasised by the Licensing Act 2003 itself. In giving "due regard" to these possible implications members will consider and weigh up all the information available and representations made, including those from interested parties and the responsible authorities particularly the Police.

## **11. Other Implications**

- 11.1 Any decision taken will have regard for the local environment and, in particular, any conditions attached for the purposes of preventing public nuisance will take this principle into account. There are no significant direct race relations or equal opportunity implications that have been identified.

## **12. Recommendation**

- 12.1 Members are requested to determine the application for a new Premises Licence made on behalf Beachcomber Leisure Ltd. for the bar known as the ‘Molotov Cocktail & Vodka Bar’ situated in Chatsworth 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  
<https://www.legislation.gov.uk/ukpga/2003/17/contents>
- 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:**

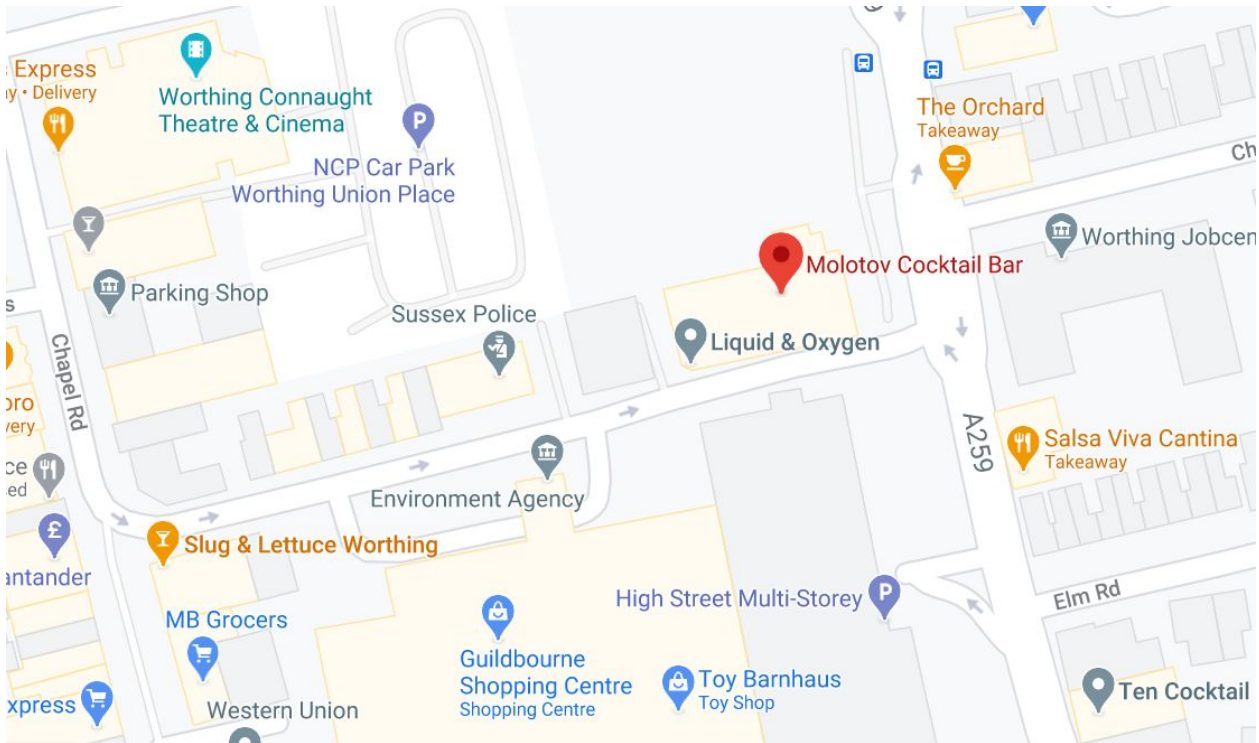
- Appendix A - Plan & Photos of the area.
- Appendix B - Plan of the building.
- Appendix C - The Application Form.
- Appendix D - The current Premises Licence
- Appendix E1&2 - Representations received from Responsible Authorities
- Appendix F - Mediation

Portland House, Worthing

Ref: SJ/Lic.U/LA03/NEW – Molotov

Date: 26 January 2020.

## Appendix A Plan & Photos of Area

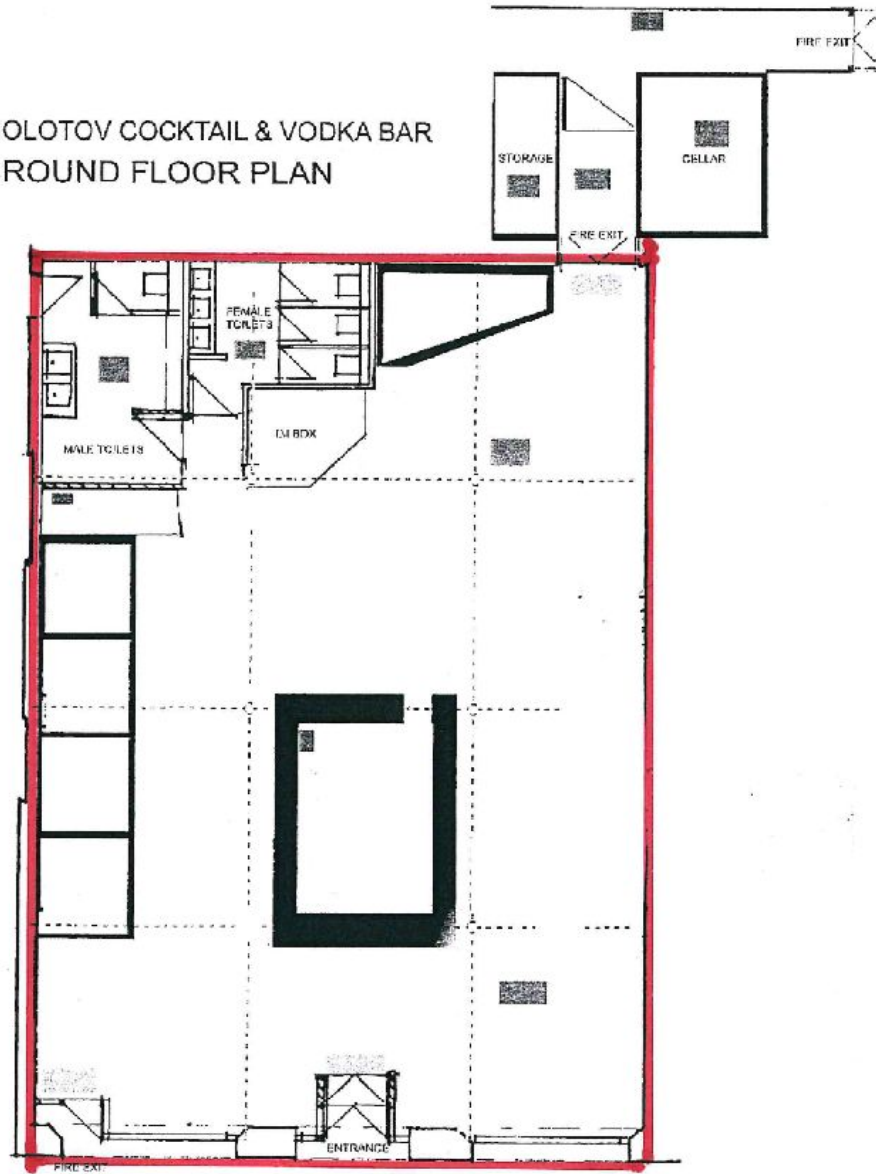










**Appendix B  
Plan of Premises**

MOLOTOV COCKTAIL & VODKA BAR  
GROUND FLOOR PLAN



-  Fire Alarm Call Point
-  Emergency Lights
-  Fire Exit
-  The red line delineates the area within which licensable activities will be undertaken

\* required information

### Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

Yes  No

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

#### Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Is the applicant:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

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

#### Applicant Business

Is the applicant's business registered in the UK with Companies House?  Yes  No

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

Registration number

Business name

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

VAT number

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

Legal status



Continued from previous page...

Applicant's position in the business	<input type="text" value="Private Limited Company"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the applicant's headquarters are.
<b>Registered Address</b>		Address registered with Companies House.
Building number or name	<input type="text" value="BEACHCOMBER LEISURE LIMITED"/>	
Street	<input type="text" value="254 Upper Shoreham Road"/>	
District	<input type="text"/>	
City or town	<input type="text" value="Shoreham-By-Sea"/>	
County or administrative area	<input type="text"/>	
Postcode	<input type="text" value="BN43 6BF"/>	
Country	<input type="text" value="United Kingdom"/>	
<b>Agent Details</b>		
* First name	<input type="text" value="DAVID"/>	
* Family name	<input type="text" value="DADDS"/>	
* E-mail	<input type="text" value="office@dadds.co.uk"/>	
Main telephone number	<input type="text" value="01277 631811"/>	Include country code.
Other telephone number	<input type="text"/>	
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone		
Are you:		
<input checked="" type="radio"/> An agent that is a business or organisation, including a sole trader		A sole trader is a business owned by one person without any special legal structure.
<input type="radio"/> A private individual acting as an agent		
<b>Agent Business</b>		
Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	<input type="text" value="OC358152"/>	
Business name	<input type="text" value="Dadds LLP"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="GB"/> <input type="text" value="GB 101 5996"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Limited Liability Partnership"/>	

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

**Confirm The Following**

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

**Section 4 of 21**

**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

PRIVATE LIMITED COMPANY

**Address**

Building number or name

Street

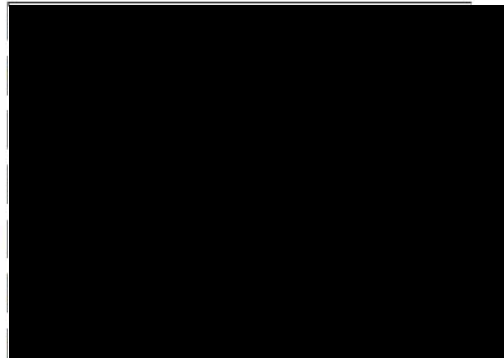
District

City or town

County or administrative area

Postcode

Country



**Contact Details**

E-mail

OFFICE@DADDS.CO.UK

Telephone number

01277631811

Other telephone number

\* Date of birth

29 / 08 / 1960  
dd mm yyyy

\* Nationality

BRITISH

[Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?

21 / 01 / 2020  
dd mm yyyy

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

/ /  
dd mm yyyy

Provide a general description of the premises

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

PUBLIC HOUSE

*Continued from previous page...*

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start 19:00

End 02:00

Start

End

THURSDAY

Start 19:00

End 03:00

Start

End

FRIDAY

Start 19:00

End 03:00

Start

End

SATURDAY

Start 19:00

End 03:00

Start

End

SUNDAY

Start 19:00

End 00:30

Start

End

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

Indoors       Outdoors       Both

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

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

The applicant wishes to be able to provided both live amplified and unamplified music and singing as may from time to time complement the range of entertainment being provided at the premises whether as the principal entertainment or in conjunction with dancing and/or any other permitted activity.

State any seasonal variations for the performance of live music

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

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

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

Until 02:00hrs, of the following morning on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday

New Year's Eve from the end of normal permitted hours until the tart of permitted hours New Year's Day.

Continued from previous page...

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors                       Outdoors                       Both

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

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

The applicants wish to have the facility for the provision of recorded music whether as the principal entertainment provided or in conjunction with dancing or any other permitted activity.

Continued from previous page...

State any seasonal variations for playing recorded music

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

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

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

Until 02:00hrs, of the following morning on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday  
New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day.

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End



Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

- Indoors       Outdoors       Both

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

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

The applicants wish to provide such performance of dance as may be required from time to time to complement the range of entertainment or in conjunction with dancing or any other permitted activity

State any seasonal variations for the performance of dance

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

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

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

Until 02:00hrs, of the following morning on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday  
New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day.

#### Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

- Yes       No

#### Section 14 of 21

#### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes       No

Continued from previous page...

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises             Off the premises             Both

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

State any seasonal variations

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

None

Continued from previous page...

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

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

Until 02:00hrs, of the following morning on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday  
New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day.

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

**Name**

First name

Family name

Date of birth

01	/	01	/	1989
dd		mm		yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Continued from previous page...

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

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

There will no activity of this nature

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

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

None

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

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

12.00 to 02:30hrs, of the following morning on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday  
New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day.

#### Section 18 of 21

#### LICENSING OBJECTIVES

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

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

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

Staff Members to be engaged in selling alcohol on the premises shall receive full training pertinent to the Licensing Act; in particular but not exclusively in regard to 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 and fully documented prior to the sale of any alcohol by the staff member and refresher training thereafter at intervals no less than 12 months. All restricted sales training undertaken by staff members shall be documented and recorded.

All training records shall be made available to Sussex Police, Local Authority Licensing Officers and the Local Trading Standards service upon reasonable request.

b) The prevention of crime and disorder

SIA trained & licensed door supervisors shall be deployed within the bar from 21.00hrs until 30 minutes after closing time every Friday & Saturday evening. There shall be a minimum of one door supervisor to every 100 or part 100 customers.

The premises license holder shall ensure that the premises shall install, operate and maintain a Closed-Circuit Television (CCTV) system.

The premises licence holder shall ensure that the CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and signage to this effect is to be displayed. All CCTV recordings shall be stored for a minimum of 31 days. Recordings shall be made available following the reasonable request of police or authorised officer throughout the preceding 31-day period on production of the

**Continued from previous page...**

appropriate Data Protection request form.

An incident log shall be kept at the premises, and made available on request to an authorised Local Authority or Police Officer, which will record the following:

- a) All crimes reported to the venue
- b) All ejections of patrons
- c) Any complaints received
- d) Any incidents of disorder
- e) All seizure of drugs or offensive weapons
- f) Any faults in the CCTV system
- g) Any refusal of the sale of alcohol
- h) Any visit by a relevant authority or emergency service

There shall be no entry to the premises within the 30 minutes before the cessation of sale of alcohol with the exception of patrons who leave the interior of the premises for the purposes of smoking. They may re-enter up to the time of the cessation of the sale of alcohol. These patrons will have to remain in the designated smoking area at the front of the building in order to qualify for re-entry.

There will be a no entry/re-entry to the premises by members of the public after 02:00 hours on Thursday, Friday & Saturday

c) Public safety

The designated premises supervisor or a member of the management team/personal licence holder shall be present on the premises as the primary responsible person from 20:00 on Friday & Saturday evenings until closing.

The DPS, or other such nominated person, to inspect all of the exits from the premises to ensure they are free from obstruction both before the commencement and during the trading hours.

The premises is to have a designated floor walker at all times that the premises are open for licensable activities and a policy in relation to monitoring of patrons to prevent and to minimise intoxication.

A quiet room/recovery area is to be provided at the premises and staff are trained to deal with minor medical issues.

d) The prevention of public nuisance

All doors and windows to be kept closed from 21:00hrs on any day

All regulated entertainment to cease half an hour prior to the licensed closing time of the premises (i.e., at the commencement of the 'wind down time')

The placing of refuse (including bottles), outside the premises shall only occur between 00.00hrs (midnight) – 08:00 hrs on any day.

A notice to be placed prominently at all exits asking customers to leave quietly; staff to monitor the situation.

Background music only shall be played during the last 30 minutes that the premises are open to the public on any day.

e) The protection of children from harm

The premises licence holder shall operate a 'Challenge 25', or similar scheme at the premises whereby anyone who appears to be under the age of 25 shall be asked to provide proof of age that he or she is over 18. Proof of age shall only comprise of a passport a photo - card driving licence or an industry approved proof of age identity card.

The premises shall prominently display signage at all entrances informing customers that A Challenge 25 scheme is in operation at the premises

**Continued from previous page...**

The premises licence holder shall ensure that any refusals of sale of age-related products are recorded in a refusals log and made available on request to the police or an authorised person. The log should show:

- (i) the date and time of the refusal;
- (ii) a description of the customer; and
- (iii) the signature of the staff member who made the refusal.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK (please see note below about which sections of the passport to copy).
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.



*Continued from previous page...*

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

#### **Section 20 of 21**

#### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

190.00

**DECLARATION**

**Continued from previous page...**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/worthing/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**



WORTHING BOROUGH  
COUNCIL

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

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

## Premises Licence Number - LN/100001195

### Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
Molotov Cocktail & Vodka Bar 31 Chatsworth Road Worthing BN11 1LY	
<b>Telephone number</b>	01903 609000

<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>Day</b>	<b>Start</b>	<b>Finish</b>
<b>Sunday</b>	12:00	01:00
<b>Monday</b>	11:00	02:30
<b>Tuesday</b>	11:00	02:30
<b>Wednesday</b>	11:00	02:30
<b>Thursday</b>	11:00	03:20
<b>Friday</b>	11:00	03:20
<b>Saturday</b>	11:00	03:20
<b>Non Standard Timings &amp; Seasonal Variations</b>		
<ul style="list-style-type: none"> <li>• 12.00 to 02.30hrs, of the following morning, on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday.</li> <li>• New Year's Eve from normal closing time the premises may remain open until the start of normal opening hours 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**

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

**Designated** [REDACTED]  
[REDACTED]

**Name**

[REDACTED]

**Personal licence number and issuing authority of personal licence held by Designated Premises Supervisor where the premises licence authorises the supply of alcohol**

**Personal Licence Number :** [REDACTED]

**Licensing Authority :** Worthing Borough Council

## Schedule 1 – Licensable Activities authorised by this Licence

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

<b>Location :</b> Bar		
<b>Activities :</b> Alcohol ON&OFF Sales/Supply (M)		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
<b>Sunday</b>	12:00	00:30
<b>Monday</b>	11:00	02:00
<b>Tuesday</b>	11:00	02:00
<b>Wednesday</b>	11:00	02:00
<b>Thursday</b>	11:00	02:30
<b>Friday</b>	11:00	02:30
<b>Saturday</b>	11:00	03:00
<b>Non Standard Timings &amp; Seasonal Variations</b>		
Alcohol sales may continue:		
<ul style="list-style-type: none"> <li>• Until 02.00hrs, of the following morning, on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday.</li> <li>• New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day.</li> </ul>		

<b>Location :</b> Public House		
<b>Activities :</b> Recorded Music (F) Perform Dance (G)		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
<b>Sunday</b>	12:00	00:30
<b>Monday</b>	11:00	02:00
<b>Tuesday</b>	11:00	02:00
<b>Wednesday</b>	11:00	02:00
<b>Thursday</b>	11:00	03:00
<b>Friday</b>	11:00	03:00
<b>Saturday</b>	11:00	03:00
<b>Non Standard Timings &amp; Seasonal Variations</b>		
Entertainment may continue:		
<ul style="list-style-type: none"> <li>• Until 02.00hrs, of the following morning, on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday.</li> <li>• New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day.</li> </ul>		

<b>Location :</b> Public House		
<b>Activities :</b> Live Music (E)		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
<b>Sunday</b>	19:00	00:30
<b>Monday</b>	19:00	02:00
<b>Tuesday</b>	19:00	02:00
<b>Wednesday</b>	19:00	02:00
<b>Thursday</b>	19:00	03:00
<b>Friday</b>	19:00	03:00
<b>Saturday</b>	19:00	03:00
<b>Non Standard Timings &amp; Seasonal Variations</b>		
Live Music may continue:		
<ul style="list-style-type: none"> <li>• Until 02.00hrs, of the following morning, on a Sunday preceding a Bank Holiday Monday and when Christmas Eve, Boxing Day and New Year's Day fall on a Sunday.</li> <li>• New Year's Eve from the end of normal permitted hours until the start of permitted hours New Year's Day.</li> </ul>		

<p><b>Signed on behalf of the issuing licensing authority</b></p> <p><b>Senior Licensing Officer</b></p> <p style="text-align: right;"><b>Date : 24 March 2020</b></p>
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## **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. Conditions consistent with the Embedded Restrictions of the Justices' 'On' Licence (Licensing Act 1964)\***

Alcohol shall not be sold or supplied except during the premise's permitted hours.

The above restriction does not prohibit the sale of alcohol on New Year's Eve from the end of permitted hours to the start of permitted hours on the following day.

**I. Conditions consistent with the Specific Conditions of the Public Entertainment Licence.**

1. There shall be no access from between these premises (Molotov) and the licence holders' adjoining premises next door (Oxygen) by members of the public.
2. The glass doors which separate the main bar area from the frontage of the public house must not be left or propped open at any time and patrons must not be allowed to congregate outside on the paved area immediately outside the frontage of the building.
3. A duty record of attendants must be maintained. The record must, on a daily basis, list the names of individuals who have worked on that day and the times they were in attendance at the premises.
4. Departing customers must not be permitted to take glasses or opened bottles outside the premises.

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

1. All doors and windows to be kept closed from 21:00hrs on any day

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

Attached at Hearing : 11 September 2018

1. Pre-opening safety checks to all fire exits and emergency lighting shall be carried out and the results recorded every evening before opening.
2. On the nights when permitted regulated entertainment is provided, SIA trained and licensed door supervisors shall be in attendance.
3. The capacity limit of 160 persons shall not be exceeded.
4. A sound insulation scheme shall be maintained and management will carry out regular monitoring.
5. Regulated Entertainment to take place indoors only
6. No person under 18 years of age shall be allowed in the premises.
7. Regulated entertainment shall cease half an hour prior to the licensed closing time of the premises i.e. at the commencement of "wind down" time.
8. A 30 minute period after the terminal hour for the sale of alcohol to allow the premises to be cleared of the public.
9. Doors and windows shall be kept closed while regulated entertainment is in progress (except to allow for momentary access or egress of patrons and staff).
10. The noise of regulated entertainment from the premises shall neither exceed 56dB LAeq (5min) before 23.00hrs, 53dB LAeq (5 min) between 23.00hrs and 02.00hrs nor 50dB LAeq (5min) after 02.00hrs. The noise level shall be measured at any 1.2-1.5M above the south pavement of Chatsworth Road or the west pavement of High Street.
11. The premises will make a contribution by way of at least one member of door staff to assist with "Taxi Marshalling" on all occasions that the premise is open until 02.00hrs or later.
12. The management of the premises will make a working arrangement with one or more of the local taxi or private hire companies in order that customers are able to be taken home with the minimum of delay.
13. The latest entry/re-entry times to the premises by the public on any Sunday shall be 23.00hrs.
14. There will be no external disposal of bottles or rubbish between the hours of 00.00hrs (midnight) and 08.00hrs on any day.
15. The self-monitoring of noise levels is to be carried out at different times each evening.
16. Security industry Authority (SIA) door supervisors shall be employed through an external contract company.

17. SIA door staff in relation to the premises shall be employed every night from 22:00 or when regulated entertainment commences and until 30 minutes after the closure of the premises in order to effectively operate a dispersal policy in Chatsworth Road. At all other times when licensable activities are taking place, a written risk assessment shall be provided to & agreed with Sussex Police.
18. Management shall adopt a dispersal policy which will be implemented by the door staff. This will be agreed with Sussex Police to prevent groups gathering and engaging in altercations. Records shall be made available to the local licensing authority and/or Sussex Police upon request.
19. Management shall adopt a vulnerable persons' policy which will be implemented by the all staff engaging with members of the public. This shall form part of staff training (including refresher training) which shall be fully documented, dated and signed by both the DPS & staff member.
20. SIA door staff shall utilise functioning body worn videos at all times when they are on duty.
21. Those performing the role of door supervisor shall not perform any other role when engaged for the purpose of door supervision activities. Door supervisors shall be fully briefed prior to work with clear written instructions regarding their specific duties including an awareness of persons banned from the premises and the premises policy for caring for vulnerable persons. These records shall be made available to the local licensing authority and/or Sussex Police upon request. A member of the SIA door staff to be permanently located and actively patrolling within the smoking area while the premises licence is in operation or until the area has been emptied of patrons at closing time.
22. An identification scanning system with a strict no ID/no entry policy shall be operated at all times when SIA door staff are operating unless prior written agreement with Sussex Police has been obtained or the system has suffered mechanical breakdown beyond the control of the proprietor. Information from the system shall be made available upon request to the Police in accordance with the General Data Protection Regulations. Any breakdown or system failure will be reported to the Police immediately via phoning 101 (or equivalent reporting telephone number )or via email and remedied as soon as practicable;
23. When the ID Scanner is required entry be restricted to those patrons whose ID has been scanned.
24. A challenge 25 Policy will apply with regard to the sale of alcohol. Any person who appears to be under the age of 25 shall be required to provide satisfactory photographic evidence that they are 18 years old or over before being sold or supplied with any alcoholic drink, or on entry should the ID scan system become inoperative.
25. No games shall be conducted in the premises whereby alcohol or bar credit is given as a prize in any manner or form.
26. An incident management policy shall be drawn up in agreement with Sussex Police and shall be implemented at all times while the premises is conducting licensable activities until 30 minutes after closing time.
27. An incident/refusals register shall be maintained and kept on the premises to record refusals and incidents of crime and disorder. These records shall be made available to the local licensing authority and/or Sussex Police upon request.

28. Staff Members to be engaged in selling alcohol on the premises shall receive full training pertinent to the Licensing act, in particular but not exclusively in regard to age restricted sales and the refusal of sales to persons believed to be under the influence of alcohol or drugs and the premises vulnerable persons policy.
29. Induction training must be completed and fully documented prior to the sale of any alcohol by the staff member and refresher training thereafter at intervals no less than 8 weeks. All restricted sales training undertaken by staff members shall be fully documented and recorded.
30. All training records shall be made available to Sussex Police, Local Authority Licensing Officers and the Local Trading Standards service upon request.
31. CCTV to be installed in accordance with Home Office guidelines relating to UK police requirements for digital CCTV systems covering the entire premises including the outside areas/front of premises.
32. CCTV images shall be retained for at least 28 days and except for mechanical breakdown beyond the control of the proprietor, shall be made available upon request to the police. Any breakdown or system failure shall be notified to the Police immediately and remedied as soon as practicable.
33. It will be the responsibility of the DPS or duty manager to ensure that any requests from the police for a recording to be made for evidential purposes is carried out as soon as possible in compliance with the General Data Protection Regulations
34. When the DPS is not present the duty manager shall be specified in writing by the DPS. Contact details shall be made available to Sussex Police upon request, in respect of an investigation, in compliance with the General Data Protection Regulations.
35. All drinks glasses shall be of tempered/toughened glass. Polycarbonate drinking vessels will be used when a need is identified by the licence holder's own risk assessment or when required by Sussex Police in writing.
36. No drinking vessels shall be permitted in the smoking area save for drinking vessels containing water.
37. Checks of the toilets to be made at a minimum of every 30 minutes and recorded.
38. Checks of the smoking area to be made at a minimum of every 30 minutes on those occasions when SIA door staff are not positioned in the smoking area.
39. The premises shall maintain and operate a Quiet Room on a Friday and a Saturday from 21:00; The quiet room shall have a free and easily accessible supply of drinking water and shall be supervised by a qualified First Aider.
40. The designated premises supervisor and or a personal licence holder shall be present on the premises as the primary responsible person from 20:00 on each Thursday Friday & Saturday evenings until closing. On those occasions where the DPS is unable to be present a personal licence holder shall be specified in writing as the responsible person.
41. The premises is to have a designated floor walker at all times that the premises are open for licensable activities and a policy in relation to monitoring of patrons to prevent and to minimise intoxication.

42. James Lanz shall be removed from a position of management and shall not be engaged in any management or employment directly or indirectly by Lounge Leisure Group.
43. The premises is to appointment a new manager and provide to Sussex Police an Organisational Chart including the roles and responsibilities of the manager and designated premises supervisor in relation to licensing laws and the interaction between the police service and the licensing authority.
44. External training will be provided and monitored by the designated premises supervisor in relation to the sale and supply of alcohol. The training shall include preventing and looking out for intoxication and caring for vulnerable persons.
45. The CCTV system and cameras shall be updated in accordance with the recommendations contained within the Sussex Police Designing Out Crime Officer's (DOCOC) report. [This includes additional cameras at the rear of the premises near the toilets, the DJ booth the front seating area on the right and at the entrance. It should also include coverage of the quiet/safe space for vulnerable persons.]
46. CCTV signage in accordance with DOCOC's recommendations.

#### **Annexe 4 : Plans**

See attached plan – Oct 2019

## Appendix E1 Sussex Police Representation



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

### West Sussex Division Neighbourhood Licensing Team

13th January 2021

**RE: APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003  
FOR MOLOTOV COCKTAIL & VODKA BAR  
31 CHATSWORTH ROAD WORTHING**

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 objectives of the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

This application, while for a new premises licence, is in fact an application by the existing Premises Licence Holder, and operator, to extend the hours of licensable activity on Thursdays and Fridays (until 03:00 hours) and to remove a number of conditions attached to the current licence for this premises. Some of these many conditions, have been applied to the licence via the applicant's operating schedule, some by way of consultation with responsible authorities, and some have been imposed by the Local Authority Licensing Committee. Similarly the extension of hours sought for Thursday and Friday nights, rescinds a reduction in hours that was applied to the premises licence following a review hearing.

The premises has had a chequered history. It has been necessary, on a number of occasions, for the Local Authority Licensing Committee to convene, in order to consider the future of this premises; the manner in which it has been run and its impact upon patrons and members of the local community.

██████████, the designated premises supervisor of Molotov Cocktail and Vodka Bar, together with two members of the SIA door team, currently await trial at Worthing Magistrate's Court, in relation to their involvement in an incident at the premises during October 2019.

Sussex Police are aware that it is unusual for a premises licence to have so many, detailed conditions attached to it. However these have been put in place in consequence of a repeated failure by the premises licence holder, and a succession of designated premises supervisors, to manage the premises safely and conscientiously.

The Review applications made in relation to this premises have been submitted and supported by, a number of different responsible authorities. The Licence reviews were not sought solely due to the failure of the premises licence holder to adhere to the Licensing Act 2003, nor simply due to the repeated breaches of the conditions. The review applications for this premises licence have repeatedly been directly linked to the members of the public who

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Centenary House, Durrington Lane, Worthing,  
West Sussex. BN13 2PQ  
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have come to harm having attended the premises. As a consequence of this the licence contains robust, and in some cases prescriptive conditions in an effort to leave the licence holder and the staff in little doubt as what is clearly required of them. If adhered to this would considerably reduce the risk of members of the public coming to harm and of the premises having a negative impact on the local community.

Sussex Police are supportive of a vibrant late night economy in Worthing; which is best achieved by the promotion of safe, well managed venues.

Having considered the content of this application, it is somewhat disappointing to note that, other than to extend the ability to sell alcohol, its sole purpose is to remove the very conditions placed on the licence as safeguarding measures for both staff and patrons alike. There are some conditions currently attached to the licence which have been carried across onto this application, others where alternative wording has been suggested. Where this has occurred this is indicated in **green font**.

For convenience, the conditions attached to the current licence are reproduced as part of this document. On this reproduction, the conditions in **red font are those which have been omitted** from the new application. Where Sussex Police consider these should remain this has been clearly rationalised below each condition.

*[The conditions in greyscale have in many cases also been removed but relate to conditions sought by other responsible authorities who are the lead agency professionals]*

**The colour of the font is neither indicative of agreement nor dispute**

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

1. All doors and windows to be kept closed from 21:00hrs on any day ~ Remains.  
Responsibility of other responsible authority

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

Attached at Hearing : 11 September 2018

(Conditions 1 – 14 are lifted from the Operating Schedule on the 9/10/08 Premises Licence – they are later applied to Annex 3 following a Licensing Authority hearing on 11/9/18, and appear on premises licence dated 24/3/20).

1. Pre-opening safety checks to all fire exits and emergency lighting shall be carried out and the results recorded every evening before opening. ~ Reworded. Responsibility of other responsible authority
2. **On the nights when permitted regulated entertainment is provided, SIA trained and licensed door supervisors shall be in attendance.**  
**This condition is in place for the purpose of the prevention of crime and disorder, the prevention of public nuisance, and for public safety. It should be retained (see further SIA conditions at 16, 17, 20, 21, 22,23, 38 and 41)**
3. The capacity limit of 160 persons shall not be exceeded. ~ Removed. Responsibility of other responsible authority
4. A sound insulation scheme shall be maintained & management will carry out regular monitoring~Removed.  
Responsibility of other responsible authority
5. Regulated Entertainment to take place indoors only ~ Removed (as replicated on application)
6. **No person under 18 years of age shall be allowed in the premises.**  
**This condition is in place for the purpose of protecting children from harm in an adult environment at a vertical drinking, late night economy establishment. Therefore this should remain.**
7. **Regulated entertainment shall cease half an hour prior to the licensed closing time of the premises i.e. at the commencement of "wind down" time.** ~ Remains
8. **A 30 minute period after the terminal hour for the sale of alcohol to allow the premises to be cleared of the public.** Re-worded, agreed.

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9. Doors and windows shall be kept closed from 21:00 while regulated entertainment is in progress (except to allow for momentary access or egress of patrons and staff). ~ Removed. Responsibility of other responsible authority
10. The noise of regulated entertainment from the premises shall neither exceed 58dB LAeq (5min) before 23.00hrs, 53dB LAeq (5 min) between 23.00hrs and 02.00hrs nor 50dB LAeq (5min) after 02.00hrs. The noise level shall be measured at any 1.2-1.5M above the south pavement of Chatsworth Road or the west pavement of High Street. ~ Removed. Responsibility of other responsible authority.
11. The premises will make a contribution by way of at least one member of door staff to assist with "Taxi Marshalling" on all occasions that the premise is open until 02.00hrs or later. ~ Removed. Responsibility of other responsible authority.
12. The management of the premises will make a working arrangement with one or more of the local taxi or private hire companies in order that customers are able to be taken home with the minimum of delay. ~ Removed. Responsibility of other responsible authority.
13. **The latest entry/re-entry times to the premises by the public on any Sunday shall be 23.00hrs.**  
**There will be a no entry/re-entry to the premises by members of the public after 02:00 hours on Thursday, Friday & Saturday.** Agreed
- (Additional new condition proffered)  
 There shall be no entry to the premises within the 30 minutes before the cessation of sale of alcohol with the exception of patrons who leave the interior of the premises for the purposes of smoking.  
 They may re-enter up to the time of the cessation of the sale of alcohol. These patrons will have to remain in the designated smoking area at the front of the building in order to qualify for re-entry.
14. There will be no external disposal of bottles or rubbish between the hours of 00.00hrs (midnight) and 08.00hrs on any day. ~ Remains. Responsibility of other responsible authority.
15. The self-monitoring of noise levels is to be carried out at different times each evening. ~ Removed  
 This was added following a Licensing Authority Hearing and appears on the premises licence issued 9/10/08. It then further appears within Annex 3 in the PL issued 12/3/15.  
 Responsibility of other responsible authority.
16. Conditions 16-18, 20-33, 35 (as amended), and 36, were all added to Annex 3 in the PL issued 12/3/15.  
**Security industry Authority (SIA) door supervisors shall be employed through an external contract company.**  
**This condition was attached to the premises licence following a Review hearing. It was applied so as to ensure that an independent, and therefore professionally impartial, SIA qualified team of door supervisors were employed at the premises.**  
**Sussex Police therefore consider this should remain.**
17. SIA door staff in relation to the premises shall be employed every night from 22:00 hours or when regulated entertainment commences and until 30 minutes after the closure of the premises in order to effectively operate a dispersal policy in Chatsworth Road. At all other times when licensable activities are taking place, a written risk assessment shall be provided to & agreed with Sussex Police. Applicant seeks to replace entire condition with:  
*'SIA trained & licensed door supervisors shall be deployed within the bar from 21:00 hours until 30 minutes after closing time every Friday & Saturday evening. There shall be a minimum of one door supervisor to every 100 or part 100.'*
- The current condition is in place for the purpose of the prevention of crime and disorder, the prevention of public nuisance, and for public safety. SIA door supervisors have been trained, and are expected to behave in a professional manner; calmly engaging with members of the public, particularly at premises operating during the night time economy. This is particularly relevant where the premises is a late night vertical drinking bar as is The Molotov Cocktail and Vodka Bar. The SIA door supervisors have a role to play preventing persons entering who have reached their alcohol tolerance level, assisting in the removal of person approaching their alcohol tolerance level, implementing company policies such as the dispersal policy at the end of the night, and the vulnerable persons' policy**

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throughout the night. By engaging with potential patrons at the door they are able to make an assessment of the person presenting to them, before they are able to enter the premises and potentially deter persons seeking to use the premises for unlawful activity. The applicant seeks to amend this condition, specifying that door supervisors are only deployed "within the bar". While supervisors are required within the bar, a presence at the door is also necessary. Therefore Sussex Police seek a condition for a minimum of two SIA door supervisors for the first 100 persons present plus 1 for every 100 or part thereafter, to be employed at the premises. (hours as set out below)

The applicant seeks to extend the sale of alcohol on *Thursday and Friday nights until 03:00 hours*, however the condition proffered seeks to reduce the use of SIA door supervision; removing them entirely for 5 nights of the week. Furthermore the condition pertaining to the premises licence holder's risk assessment for any additional occasions, times or events, has also been removed.

It is difficult to see how the re-entry condition proffered [above at point (13)] is to be managed given the applicant has elected to remove door supervision for all but Friday and Saturday nights.

Therefore Sussex Police consider that the current condition should remain to ensure that the proper levels of protection, afforded by the presence of SIA door supervisors on a Friday or Saturday, are available to those members of the public who attend this late night venue, on all or any of the other nights of the week.

18. Management shall adopt a dispersal policy which will be implemented by the door staff. This will be agreed with Sussex Police to prevent groups gathering and engaging in altercations. Records shall be made available to the local licensing authority and/or Sussex Police upon request.  
This condition is in place for the purpose of the prevention of crime and disorder, the prevention of public nuisance, and for public safety. The safe dispersal of patrons from a late night establishment can be significantly improved by the adoption and implementation of a coherent dispersal plan. Staff conversant with a dispersal policy and confident in its use can reduce the risk of conflict, protecting themselves and patrons. Therefore this should remain.
19. Management shall adopt a vulnerable persons' policy which will be implemented by the all staff engaging with members of the public. This shall form part of staff training (including refresher training) which shall be fully documented, dated and signed by both the DPS & staff member.  
This condition is in place for the purpose of the prevention of crime and disorder and for public safety. The sale & supply of alcohol comes with responsibilities. One of these is a duty of care towards patrons of the premises. This duty of care is increased where venues are open well into the hours of the late night economy and where alcohol is sold (Specifically as an on-sale). The safety of patrons must be paramount, whether this be due to a medical condition, intoxication or other circumstance which may place them at risk. Staff conversant with a vulnerable person's policy will be better placed to identify the signs of persons at risk (albeit through predatory behaviour of others, reaching alcohol tolerance limits etc.) Early intervention can prevent matters from escalating and staff, confident with the policy can reduce the risk of crime, of disorder and increase public safety of patrons using the premises. (This may include, for example, arranging taxis, contacting a family member or indeed the emergency services). Therefore this should remain.
20. SIA door staff shall utilise functioning body worn videos at all times when they are on duty.  
This condition is in place for the purpose of the prevention of crime and disorder, the prevention of public nuisance, and for public safety. Use of Body Worn Video (BWV) cameras has a dual role. Members of the public, when aware that their interaction is being recorded, will often moderate behaviour. This has clear and obvious benefits as it may prevent a situation escalating. Additionally BWV will capture the exchange and can provide evidence to support an allegation/counter allegation or indeed disprove the same. Unlike CCTV it can capture verbal exchange which may alter the context of

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what is being viewed. This availability can also greatly assist emergency services who are required to attend and assist with a situation. [Note the word *functioning* had to be included in the condition as BWV was being worn but not utilised when needed] Therefore this should remain.

21. Those performing the role of door supervisor shall not perform any other role when engaged for the purpose of door supervision activities. Door supervisors shall be fully briefed prior to work with clear written instructions regarding their specific duties including an awareness of persons banned from the premises and the premises policy for caring for vulnerable persons. These records shall be made available to the local licensing authority and/or Sussex Police upon request. A member of the SIA door staff to be permanently located and actively patrolling within the smoking area while the premises licence is in operation or until the area has been emptied of patrons at closing time.  
**This condition is in place for the purpose of the prevention of crime and disorder, the prevention of public nuisance, and for public safety. When complied with, this condition ensures that SIA door supervisors have clear instruction of where and what they are required to do. They will be aware of expectations, be confident in refusing persons entry to the premises, vigilant to vulnerable persons and how to support them. It will provide a consistent message to patrons / potential patrons. Therefore this should remain.**
22. An identification scanning system with a strict no ID/no entry policy shall be operated at all times when SIA door staff are operating unless prior written agreement with Sussex Police has been obtained or the system has suffered mechanical breakdown beyond the control of the proprietor. Information from the system shall be made available upon request to the Police in accordance with the General Data Protection Regulations. Any breakdown or system failure will be reported to the Police immediately via phoning 101 (or equivalent reporting telephone number) or via email and remedied as soon as practicable;  
**This condition is in place for the purpose of the prevention of crime and disorder, the prevention of public nuisance, for public safety and the protection of children from harm. When complied with, this condition ensures that SIA door supervisors can depersonalise refusals of banned persons. It allows age verification to be accurately checked and permits the operator to be aware of persons barred from other premises using the I.D.Scanner. It acts as a clear deterrent to persons who may consider using the premises for unlawful activity and can greatly assist in police investigations locating both victims and potential suspects. (subject to GDPR compliance) Therefore this should remain.**
23. When the ID Scanner is required entry be restricted to those patrons whose ID has been scanned.  
**As 22 above.**
24. A challenge 25 Policy will apply with regard to the sale of alcohol. Any person who appears to be under the age of 25 shall be required to provide satisfactory photographic evidence that they are 18 years old or over before being sold or supplied with any alcoholic drink, or on entry should the ID scan system become inoperative.  
**Remains**
25. No games shall be conducted in the premises whereby alcohol or bar credit is given as a prize in any manner or form.  
**Sussex Police can agree to this condition being omitted.**
26. An incident management policy shall be drawn up in agreement with Sussex Police and shall be implemented at all times while the premises is conducting licensable activities until 30 minutes after closing time.  
**This condition is in place for the purpose of the prevention of crime and disorder, the prevention of public nuisance, and for public safety. When complied with, this condition ensures that SIA door supervisors and bar staff etc. have clear instructions should matters begin to escalate or, if an unpredictable incident occurs. It will provide a consistent response and ensure staff members know who is responsible for taking whatever actions are required. It will assist in keeping staff and patrons safe, and will ensure any information or evidence is promptly available/retained which may assist members of the ambulance service or the police force should it be required. Therefore this should remain.**

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27. An incident/refusals register shall be maintained and kept on the premises to record refusals and incidents of "reported" crime and disorder. These records shall be made available to the local licensing authority and/or Sussex Police upon request.

**New condition proffered:**

An incident log shall be kept at the premises, and made available on request to an authorised Local Authority or Police Officer, which will record the following:

- a) All crimes reported to the venue
- b) All ejections of patrons
- c) Any complaints received
- d) Any incidents of disorder
- e) All seizure of drugs or offensive weapons
- f) Any faults in the CCTV system
- g) Any refusal of the sale of alcohol
- h) Any visit by a relevant authority or emergency service

**supported by**

The premises licence holder shall ensure that any refusals of sale of age-related products are recorded in a refusals log and made available on request to the police or an authorised person. The log should show:

- (i) The date and time of the refusal;
- (ii) A description of the customer; and
- (iii) The signature of the staff member who made the refusal.

Sussex Police are able to agree to this re-wording.

28. Staff Members to be engaged in selling alcohol on the premises shall receive full training pertinent to the Licensing act, in particular but not exclusively in regard to age restricted sales and the refusal of sales to persons believed to be under the influence of alcohol or drugs and the premises vulnerable persons' policy. As the vulnerable persons' policy is deemed necessary (see 19) it follows it is retained within this condition. Therefore this should remain.
29. Induction training must be completed and fully documented prior to the sale of any alcohol by the staff member and refresher training thereafter at intervals no less than 8 weeks. (Replaced with 12 Months) All restricted sales training undertaken by staff members shall be fully documented and recorded. In the interests of compromise Sussex Police would be willing to reduce the frequency of refresher training to no less than 12 weeks. However when operating in a dynamic environment, such as a this within the night time economy, it is essential that staff and management are constantly revisiting and refreshing staff training; both to avoid the complacency of human nature and to furnish the staff with updates and appraisals.
30. All training records shall be made available to Sussex Police, Local Authority Licensing Officers and the Local Trading Standards service "upon reasonable " request. The use of the word "reasonable" is subjective and unhelpful. Training should be documented and signed at the time the training is completed.
31. CCTV to be installed in accordance with Home Office guidelines relating to UK police requirements for digital CCTV systems covering the entire premises including the outside areas/front of premises.
32. CCTV images shall be retained for at least 28 days [increased to 31 days] and except for mechanical breakdown beyond the control of the proprietor, shall be made upon "reasonable " request to the police (.and upon "production of GDPR form") Any breakdown or system failure shall be notified to the Police immediately and remedied as soon as practicable. Recorded in incident log only

The use of the word "reasonable" is subjective and unhelpful.

The condition regarding the notification to the police of a breakdown of the CCTV system was included so that the risk of operating without CCTV could be assessed. It also prevented any misunderstanding, where CCTV was unavailable, which would have otherwise clearly captured images of a reported incident taking place on the premises.

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To merely enter a fault on the premises incident log would weaken this condition unnecessarily. Reporting to the police could be achieved via phone call, email or on line reporting; none of which would be onerous.

Regarding of the amendment seeking 'Production of GDPR form' this does not improve the premises licence for a variety of reasons.

Police officers involved in a 'live investigation' may not, in ALL situations, be required to produce this form. That said, in most circumstances, where requested it can be provided. However, it is unclear how the requirement for a third party (in this case the police) to undertake any act, can be conditioned on a premises licence.

The wording on the current licence requires that requests are in compliance with the General Data Protection Regulations. This should therefore be satisfactory.

The current CCTV condition benefits little from the changes suggested and therefore Sussex Police consider that it should remain.

33. It will be the responsibility of the DPS or duty manager to ensure that any requests from the police for a recording to be made for evidential purposes is carried out as soon as possible in compliance with the General Data Protection Regulations. (Applicant seeks to remove in entirety)  
This condition is to ensure that where a request for assistance is made, a specified person can be relied upon to meet this request. This prevents numerous fruitless requests being made of different individuals. It is difficult to see the benefit of its removal. Therefore this should remain.
34. When the DPS is not present the duty manager shall be specified in writing by the DPS. Contact details shall be made available to Sussex Police upon request, in respect of an investigation, in compliance with the General Data Protection Regulations. (Applicant seeks to remove in entirety)  
This condition is to ensure that where a request for assistance is made, a specified person can be relied upon to meet this request. This prevents numerous fruitless requests being made of different individuals. However assuming condition 33 (as above) remains Sussex Police are able to agree to the removal of this condition.
35. All drinks glasses shall be of tempered/toughened glass. Polycarbonate drinking vessels will be used when a need is identified by the licence holder's own risk assessment or when required by Sussex Police in writing. (Applicant seeks to remove in entirety)  
This condition is in place for the purpose of the prevention of crime and disorder, the prevention of public nuisance, and for public safety. It would be acceptable to replace wording 'polycarbonate' to 'non-glass' or similar. It was conceived following the hearing in 2015. It was later varied by the PLH, following an identified breach of the licence, and with subsequent consultation with Sussex Police in 2017. Specifically promoting the public safety objective, there is no reason for it to be omitted. Therefore this should remain.
36. No drinking vessels shall be permitted in the smoking area save for drinking vessels containing water. (Applicant seeks to remove in entirety)  
This condition is in place for the purpose of the prevention of crime and disorder, the prevention of public nuisance, and for public safety. It would be better replaced entirely with a condition which states:  
*'No the open vessels shall be allowed off the premises'.*
37. Checks of the toilets to be made at a minimum of every 30 minutes and recorded. (Applicant seeks to remove in entirety)  
This condition is in place for the purpose of the prevention of crime and disorder, the prevention of public nuisance, and for public safety. The alternative would be to have a toilet attendant. The monitoring of the toilet area, assists in deterring unlawful behaviour (particular in relation to substance abuse), monitoring for persons reaching their alcohol tolerance level, and to reduce the risk of assaults taking place outside the scope of CCTV or public view. Therefore this should remain.

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38. Checks of the smoking area to be made at a minimum of every 30 minutes on those occasions when SIA door staff are not positioned in the smoking area. (Applicant seeks to remove in entirety)  
**This condition is in place for the purpose of the prevention of crime and disorder, the prevention of public nuisance, and for public safety. The alternative would be to have a permanent attendant. The monitoring of this area, is essential in preventing incidents escalating, deterring unlawful behaviour (particular in relation to substance abuse), monitoring for persons reaching their alcohol tolerance level, and to reduce the risk of assaults taking place potentially outside the scope of CCTV Therefore this should remain.**
39. The premises shall maintain and operate a Quiet Room on a Friday and a Saturday from 21:00; The quiet room shall have a free and easily accessible supply of drinking water and shall be supervised by a qualified First Aider.  
**The alternative wording of this condition is acceptable**
40. The designated premises supervisor and or a member of the management team/a personal licence holder shall be present on the premises as the primary responsible person from 20:00 on each Thursday Friday & Saturday evenings until closing. On those occasions where the DPS is unable to be present a personal licence holder shall be specified in writing as the responsible person.  
**This condition is to ensure that where a request for assistance is made, a specified person can be relied upon to meet this request. This prevents numerous fruitless requests being made of different individuals. The application has removed Thursday while seeking to extend the hours to match those of Saturday. Therefore Sussex Police consider that, as a minimum, it should include Thursday. There is also concern that by the insertion of the wording "a member of management team" this will obviate the need for a personal licence holder to be present at the premises as a specified 'responsible person'.  
Indeed, it could be argued that, a premises seeking to provide licensable activities until 02:00 hours or 03:00 hours on six days of every week; should be required to ensure a qualified personal licence holder is supervising the premises every night.**
41. The premises is to have a designated floor walker at all times that the premises are open for licensable activities and a policy in relation to monitoring of patrons to prevent and to minimise intoxication.  
**Remains**
42. James Lanz shall be removed from a position of management and shall not be engaged in any management or employment directly or indirectly by Lounge Leisure Group. (Applicant seeks to remove in entirety)  
**This condition was added at a Review hearing. It is agreed that since the same premises licence holders have subsequently altered the name of their company, the wording should be changed to reflect this. Therefore Sussex Police consider that this should now read:  
'James Lanz shall be removed from a position of management and shall not be engaged in any position of management or employment at the premises.'**
43. The premises is to appointment a new manager and provide to Sussex Police an Organisational Chart including the roles and responsibilities of the manager and designated premises supervisor in relation to licensing laws and the interaction between the police service and the licensing authority. (Applicant seeks to remove in entirety)  
**This condition is to ensure that where a request for assistance is made, a specified person can be relied upon to meet this request. This prevents numerous fruitless requests being made of different individuals. It should not be necessary as a condition but was attached to the licence in an effort to prevent further prevarication.**
44. External training will be provided and monitored by the designated premises supervisor in relation to the sale and supply of alcohol. The training shall include preventing and looking out for intoxication and caring for vulnerable persons. (Applicant seeks to remove in entirety)  
**This condition is to encourage professional, impartial training to be delivered and appropriately recorded for all staff engaging with members of the public. However Sussex Police would be willing to**

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**accept the removal of this condition subject to the inclusion of Vulnerability training in accordance with the vulnerable persons policy and with the refresher training taking place at intervals no longer than 12 weeks.**

45. **The CCTV system and cameras shall be updated in accordance with the recommendations contained within the Sussex Police Designing Out Crime Officer's (DOCO) report. [This includes additional cameras at the rear of the premises near the toilets, the DJ booth the front seating area on the right and at the entrance. It should also include coverage of the quiet/safe space for vulnerable persons.]** (Applicant seeks to remove in entirety)  
**This condition was added at a Review hearing, where it was identified that the CCTV system failed to provide vital evidence of an incident due to the inadequate coverage. Compliance with the condition obviates the need to retain this as a condition. However even with these cameras in place the need for operational body worn video cameras on SIA door supervisors remains crucial.**
46. **CCTV signage in accordance with DOCO's recommendations.** (Applicant seeks to remove in entirety)  
This is condition will be covered by the retention of the current CCTV condition attached to the licence.

In addition the following conditions are sought in the event that the premises licence holder elect to use the 'off-sale' capacity for the purpose of a delivery service. Should this aspect of the business not be used the presence of these conditions on the licence will have no impact. If however it is intended to do so, the conditions go some way towards promoting the licensing objectives of the prevention of crime & disorder, the protection of children from Harm and the prevention of public nuisance.

#### Alcohol deliveries

1. Customers ordering alcohol for delivery must have their age verified. This process will be documented, the records of which must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.
2. Orders can only be accepted for, and delivered to, a residential or business address. The person accepting the delivery must be aged 18 years or over. Where the person accepting delivery appears to be under 25, a recognised photographic ID must be produced prior to delivery.

Therefore Sussex Police invite the licensing committee to grant this licence with these conditions attached.

Further to this; notice is hereby given on behalf of the Chief Officer of Police for Sussex that the exceptional circumstances of this case are such that it is considered that the granting of the application to specify [REDACTED] as the Designated Premises Supervisor, would undermine the crime prevention objective.

On 6th October 2019, [REDACTED] was employed as the Designated Premises Supervisor for Molotov Cocktail & Vodka Bar. During the course of the evening an incident occurred between [REDACTED] and a patron of the premises. During what proceeded, the patron suffered injury which required hospital treatment. As a consequence of this incident, police officers conducted an investigation into the incident, which has resulted in [REDACTED] along with 2 members of the SIA door team on duty, being charged with assault, Contrary to section 20 of the Offences Against the Persons Act 1861 (Grievous Bodily Harm (GBH)). This case is due to be first heard at Magistrate's Court on 23<sup>rd</sup> February of this year.

Sussex Police do not consider it possible to support an application which, if successful, places [REDACTED] in a role of responsibility for the safety of both his staff and of patrons of this premises. It is a role where leading by example and having self-discipline are essential qualities in managing a late night venue in the town centre.

It is contended that the above constitutes exceptional circumstances and therefore Sussex Police invite the committee to refuse the application.

Should this licence be granted, Sussex Police seek that the current licence be relinquished to the Local Authority licensing department upon the issue of the new licence.

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

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



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

## Appendix E 2 WSCC Public Health Team Representation

### Holly Yandall

Public Health Lead for Alcohol and Drugs  
Public Health Department  
0330 222 8683  
PublicHealth.Licensing@westsussex.gov.uk  
www.westsussex.gov.uk

First Floor, The Grange  
Tower Street  
Chichester  
West Sussex  
PO19 1RQ



Mr S Jones  
Senior Licensing Officer  
Licensing Unit  
Adur & Worthing Councils  
Portland House  
Richmond Road  
Worthing  
BN11 1LF

18<sup>th</sup> Jan 2021

Dear Mr Jones,

**Re: Application for New Premises Licence: Molotov Cocktail and Vodka Bar, 31 Chatsworth Road, Worthing, BN11 1LY.**

West Sussex County Council (WSCC) Public Health Department wishes to raise an objection against the grant of the above application on the following grounds:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety
- The Protection of Children from Harm

Molotov Cocktail & Vodka Bar is described as being a Public House on the premises licence application. The applicant is applying for a new premises licence to replace an existing premises licence. In so doing, a number of conditions are being removed, others re-worded, and the hours for licensable activities (including the sale of alcohol) are being extended on certain days.

This premises, with the current premises licence holders (albeit under a different name), has been subject to three review processes, with conditions being applied to the licence by the licensing committee, as a necessary and proportionate course of action to ensure the promotion of the licensing objectives.

The WSCC Public Health department feel that the conditions on the existing premises licence are in place to promote the licensing objectives, and to safeguard patrons and members of the public, and feel concerned at the blanket removal of many of these conditions through the application for a new premises licence. We would feel much more confident in the proposed amendment/removal of conditions if a Variation had been submitted with justification provided to indicate why these conditions are no longer required in order to ensure the promotion of the licensing objectives. As this is not the approach taken by the applicant, we feel we have no option but to object to the granting of this premises licence in its current format.

## **Further Information**

### The Prevention of Crime and Disorder

With regard to The Prevention of Crime and Disorder, the Operating Schedule for the new premises licence specifies that: *'SIA trained & licensed door supervisors shall be deployed within the bar from 21.00hrs until 30 minutes after closing time every Friday & Saturday evening. There shall be a minimum of one door supervisor to every 100 or part 100 customers.'* Given that the application for the new premises licence requests opening hours and licensable activities until the early hours 7 days per week, WSCC Public Health feels concerned that the applicant (existing premises licence holder) does not wish to employ the use of SIA door supervisors on 5 out of 7 days per week, despite being open until after 2 or 3 AM on 6 out of 7 days per week. WSCC Public Health recommends that the following condition be applied to the new premises licence:

***'SIA trained & licensed door supervisors shall be on duty both at the entrance to the premises and within the bar from 22.00hrs until 30 minutes after closing time every evening that the premises is open after 22.00hrs. There shall be a minimum of one door supervisor to every 100 or part 100 customers.'***

### The Prevention of Public Nuisance

Whilst it is not common for WSCC Public Health to comment on conditions relating to The Prevention of Public Nuisance, there is a condition proposed in the operating schedule which we feel may need correction or clarification. It states that:

*'The placing of refuse (including bottles), outside the premises shall only occur between 00.00hrs (midnight) – 08:00 hrs on any day'.* From a Public Health perspective, only placing refuse (including bottles) outside between midnight and 8 AM risks disturbing the sleep and negatively impacting the wellbeing of any local residents who are likely to be trying to sleep during those hours. We recommend that this condition be amended to state:

***'The placing of refuse (including bottles), outside the premises shall not occur between 00.00hrs (midnight) – 08:00 hrs on any day'.***

### Public Safety

With regard to Public Safety, the Operating Schedule states that: *'A quiet room/recovery area is to be provided at the premises and staff are trained to deal with minor medical issues.'* In addition to this, the existing licence contains a condition specifying the premises management will ***'adopt and implement vulnerable persons' policy which will be implemented by the all staff engaging with members of the public. This shall form part of staff training (including refresher training) which shall be fully documented, dated and signed by both the DPS & staff member'*** and WSCC Public Health would like to recommend that this condition be applied to the new premises licence. This will ensure premises staff are skilled, empowered and enabled to identify vulnerable customers and to intervene early to ensure their safety, both when they are on the premises and when they are leaving the premises.

### The Protection of Children from Harm

With regard to The Protection of Children from Harm, the Operating Schedule for the new premises licence specifies that a Challenge 25 policy shall be in place, but removes a condition on the existing premises licence which specifies that: '**No person under 18 years of age shall be allowed in the premises**'. Given the nature of this premises as a late night, vertical drinking establishment, WSCC Public Health recommends that the existing condition (in **bold** above) be applied to the new premises licence in order to promote the Protection of Children from Harm.

WSCC Public Health would recommend a condition requiring the use of an ID scanner to assist in age verification on entry. Such a condition is on the existing premises licence of this venue and we recommend it be placed on the new premises licence in order to protect children from harm.

WSCC Public Health Department feel that there is no option but to object to the new premises licence in its current format as the conditions proposed in the Operating Schedule do not sufficiently promote the licensing objectives. If the applicant is willing to reconsider the proposed conditions and adopt the conditions set out above, we would be willing to consider resolving this representation.

WSCC Public Health reserves our right to reconsider this representation in the event of a change or discussion between applicant and another Responsible Authority.

Yours sincerely,



Holly Yandall  
Public Health Lead for Alcohol and Drugs

**On behalf of the Director of Public Health**

1/28/2021

Adur & Worthing Councils Mail - LA 2003 Premises Licence Application - Molotov

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## LA 2003 Premises Licence Application - Molotov

1 message

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

20 January 2021 at 16:53

To: David Dadds <david.dadds@dadds.co.uk>

Cc: Worthing & Adur Police Licensing Team <ws\_licensing\_wor@sussex.pnn.police.uk>, Public Health Licensing <PublicHealth.Licensing@westsussex.gov.uk>, A&W Licensing Unit <licensing.unit@adur-worthing.gov.uk>

Dear David

**Re: Licensing Act 2003 New Premises Licence Application  
Molotov Cocktail & Vodka Bar, 31 Chatsworth Road, Worthing, BN11 1LY**

I trust you are well.

Consultation on the above application has now closed. Two representations regarding the application were received during the consultation. From Sussex Police and West Sussex County Councils Public Health Dept. None were received from local residents. I have attached the representations.

As you are aware, in such circumstances the Licensing Act encourages mediation and if agreement cannot be reached the matter is referred to a Licensing & Control Sub-Committee to consider the application and representations at hearing.

If you wish to mediate please contact Sussex Police and West Sussex County Councils Public Health Dept. directly or I am happy to write to them on your behalf. Alternatively the matter could be referred directly to the Sub-Committee to be considered at a hearing. Please advise how you propose to proceed.

I look forward to your instruction.

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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### 2 attachments

**Police - Rep.pdf**  
502K

**WSSC Public Health - Rep.pdf**  
228K

<https://mail.google.com/mail/u/0?ik=8bb9962260&view=pt&search=all&permthid=thread-a%3Aa-8137634806781936649%7Cmsg-a%3Aa19048150926...> 1/1





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