

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

Councillor Sean McDonald (Chairman)

Councillor Mike Barrett

Councillor Charles James

**Absent**

**LCSC/10/20-21      Declarations of Interest / Substitute Members**

**LCSC/11/20-21      Public Question Time**

**LCSC/12/20-21      Licensing Act 2003 – Application for a new Premises Licence at:  
Manuka Promenade Concession Heene Cluster, Worthing  
Promenade opposite end of Heene Road Worthing**

Before the Committee was a report by the Director for Communities, a copy of which had been circulated to all members, a copy of which is attached to the signed copy of these minutes as item 3. The application had been the subject of formal representation by a responsible authority and 101 members of the public and it therefore falls to the sub-committee to determine.

The Licensing Officer introduced the report to the Committee. Members were told about the consultation process and the outcome of attempts at mediation. Mediation had been successful between the police and the applicant. There had been no successful mediation between the applicant and those making public representations. The applicant confirmed that the licensing officer had provided an accurate outline of the report.

**Members questions for the Licensing Officer**

The Licensing Officer answered questions in relation to the area where trade could take place (the border of the licensable area).

**Representation of those who had made representations**

Cllr Paul High Made a representation which is summarised as follows

- Local residents were against the application;
- There was no guarantee that public toilets would be open whilst the premises was trading later on;
- The premises would result in queuing on the path by the seafront which could cause accidents;
- Children would be walking past people consuming alcohol;
- A better location would be closer to the pier;

**Resident A made a representation which is summarised as follows;**

- The application was in the wrong location;
- The premises would promote more of a party than a picnic;
- There were too many concessions for one small area.

Resident B made the following representation:

- The application would promote alcohol related anti-social behaviour;
- An unlimited number of people could gather at the site;
- The beach was not like a pub;
- Beach huts next to the site would be disturbed;
- Concerns were expressed about underage drinking.

Resident C made the following representation:

- Anti-Social Behaviour was of the greatest concern;
- Patrons could expand onto the beach promenade;
- Questions were raised about the mess caused and who would be responsible for collecting the mess;
- Alcohol could easily be purchased for underage drinkers;

Resident D made the following representation:

- A recent poll on Facebook of 168 voters had shown 95% support for the application;
- Bar staff at the location were very good and would not serve anti-social or underage drinkers;
- Having attended the location staff had been very helpful and there had been plenty of bin facilities;
- Drinks at the premises were of high quality and more highly priced. It was clear that the premises was for more sophisticated older people of Worthing;

Resident E made the following representation:

- Alcohol should not be sold on the beach as it sent the wrong message concerning prevention of crime and disorder. Alcohol consumption was already subject of a restriction order;
- There was one ramp used by all traffic to access the beach and typically this was for emergency access and wheelchairs only;
- The promenade access was narrow and the premises would prevent vehicles from turning into the road;
- Glass from prosecco glasses and bottles would be dangerous;
- Behaviour generated by the concession would have a big impact on the reservation area;
- The lack of toilets would increase anti-social activities;

Resident F

- Difficulties had been experienced in the area with street drinkers and problematic young people;

Resident G

- There were serious accidents where alcohol was concerned;
- irresponsible drinking could lead to accidents especially by the sea;

### **Members questions for those who had made representations**

Members asked questions about the operation of the premises under Temporary Event Notices and were told that there had not been any problems although it had been cold.

### **Representation of the applicant**

There were three representatives for the applicant whose representation is summarised as follows:

- The request for live music had been removed from the application;
- With regards to the sale of alcohol the van and licensing area was 10m x 12m
- The applicant was not asking for a licence for the entire beach;
- In terms of the concession there would be 12 chairs and 3 tables;
- Staff would have a high level of training;
- The truck would be positioned on the pebbles and not on the beach;
- Three members of staff would man the concession;
- Prosecco would be served in large bottles and placed in a metal wine cooler;
- The concession would offer future price reduction for those patrons that returned their plastic and cardboard cups;
- The generator used would not be diesel and would come with noise cancelling features;
- There were close down procedures in place that would keep noise to a minimum;
- Operation of another premises in the town had been done in a successful manner over the previous 4 years;
- There would be a challenge 25 proof of age scheme in place;
- The premises would strive to be a good neighbour and would always be willing to listen to feedback;

### **Members questions for the Applicant**

Members asked questions concerning seating and tables and the type of drinking vessels that would be used

### **Residents questions for the Applicant**

The applicant was asked questions about potential customer numbers and the effect the premises could have on congestion of the promenade

### **Summing up**

The applicant made a representation which is summarised as follows:

- Of the responsible authorities, only the Police had made a representation. This had been withdrawn following mediation;
- There was no saturation policy;

- The premises would be managed responsibly.

*The meeting adjourned in order that the sub-committee could make a decision.*

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

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

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

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

**The reason for the decision:**

The licencing committee have listened carefully and considered all written and oral representations that have been made. They believe that together with the amended hours that were offered and the conditions of the licence that the licencing objectives will continue to be promoted. It shall therefore be a condition of the licence that bottles of Prosecco are only to be sold and consumed to persons who remain on the licenced premises. We would encourage the licence holder to change from glass bottles to PET as soon as they are available to acquire.

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The meeting ended at 8.30 pm