



WORTHING BOROUGH
C O U N C I L

8 October 2021

Worthing Licensing and Control Sub-Committee	
Date:	18 October 2021
Time:	6.30 pm
Venue:	Remote Meeting via Zoom

Committee Membership: Councillors Charles James (Chairman), Russ Cochran and Hazel Thorpe
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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 - Karma Lounge 171-173 Tarring Road (Pages 1 - 76)**

To consider a report by the Interim 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 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.



Licensing & Control Committee B

Sub-Committee

18 October 2021

Ward: Heene

Licensing Act 2003 – Application for a new Premises Licence

**'Karma Lounge'
171-173 Tarring Road
Worthing, BN11 4HH**

Report by the Interim 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 :

Tabularii Plc.

for a new Premises Licence to authorise the sale of alcohol.

2. Reasons for Hearing

- 2.1 The application has been the subject of formal representation by two responsible authorities and 16 members of the public and it therefore falls to this sub-committee to determine.

3. Background

- 3.1 An application was made on behalf of Tabularii Plc. to the Licensing Authority, Worthing Borough Council, on 25 August 2021 for the grant of a new premises licence.
- 3.2 The application was made after the applicant secured the use of a commercial shop unit on the corner plot of Tarring Road and St Botolph's Road. The applicant is proposing to open a new licensed Bakery & Pizzeria. The shop was previously used for the sale of second hand bicycles and furniture. The unit is a single floor building with a large open

pavement forecourt area to the front & side. The side forecourt was previously used for parking furniture removal vans & cars.

3.3 Tarring Road is a busy mainly commercial street with some residential dwellings and accommodation above some of the businesses. It contains a large variety of shops including a Co-Op local, a car rental business, a dance studio, hairdressers, estate agents, offices, restaurants and takeaways some of which operate into the evening. St Botolph's Road is all residential including a number of rest/nursing homes.

3.4 Attached to the report are:

- A plan & photos of the area (Appendix A)
- A plan of the site (Appendix B)
- A copy of the application (Appendix C)
- The representations made by the Responsible Authorities (Appendix D)
- The representations received from the public (Appendix E)
- Details of the mediation conducted (Appendix F)

4. The Application

4.1 The Application is attached at Appendix C. However, in summary, the application originally sought authorisation for:

- Sale of Alcohol for consumption on & off the premises:
 - 11:00hrs to 23:00hrs Monday – Sunday
- Opening to the Public:
 - 09:00hrs to 23:00hrs Monday – Sunday

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 designated supervisor (DPS) is Rebecca Rafique-King who has an application for a Personal Licence pending with 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.

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
 - Sussex Police
 - A&W Environmental Protection Team
- Other Persons
 - 16 from members of the public

7. Relevant Representations

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

- Prevention of Crime & Disorder
- Prevention of Public Nuisance

7.2 Sussex Police made a number of comments and listed a number of 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.

7.3 A&W Environmental Protection Team made a number of comments regarding the use of the outside area and potential for late evening noise requesting the use of the outside area by those consuming food & drink be restricted to 22:00hrs.

7.4 Sixteen representations were received from the public expressing concerns regarding possible crime & disorder, anti-social behaviour and public nuisance implications that can be associated with alcohol sales. These are relevant to the Licensing Authority's consideration. Some of the information included in the representations, whilst of a serious nature, is regarded as not relevant to a licensing application. This includes representations regarding local demand for a cafe/restaurant, parking, congestion, local amenity and other planning issues etc. and these should not be considered. However, the representations have been reproduced in their entirety and it is for members to carefully decide how much weight, if any, should be attached to some of the information included.

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 Sussex Police expressed some concerns regarding the application and sought some amendments to the timings applied for and a number of conditions to address the licensing objectives. These have now been successfully mediated with the applicant, Tabularii Plc., agreeing that if a licence were to be granted the following conditions would be placed on any licence as enforceable conditions of licence in addition to those included in the operating schedule.

- *The hours for the supply of alcohol to be amended to 11:00 to 22:40hrs, seven days a week, to allow twenty minutes drinking-up time before closing at 23:00hrs.*
- *Alcohol will be served by waiter/waitress service to customers seated at tables. There will be no vertical drinking.*
- *Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas including the entrance to the premises and the outside tables and chairs area. The system shall be on and recording at all times the premises licence is in operation.*
 - *The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside and outside the premises at all times.*
 - *CCTV footage will be stored for a minimum of 31 days.*
 - *The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.*
 - *The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.*
 - *Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.*
 - *Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.*
 - *In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.*
- *An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises and any refusals of alcohol. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a month. The log book should be kept on the premises and be available for inspection at all times the premises are open by officers of any responsible authority. An incident will be defined as being one which involves an allegation of a criminal offence.*

- *Patrons will not be permitted to take drinks in open containers to consume outside on the pavement/public highway beyond the licensed outside tables and chairs area of the premises whilst smoking or otherwise congregating outside of the premises beyond the licensed area.*
- *All off sales of alcohol will be made in sealed containers.*
- *The premises will operate a “Challenge 25” policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of age cards bearing the “PASS” mark hologram.*
- *Suitable and sufficient signage advertising the “Challenge 25” policy will be displayed in prominent locations in the premises.*
- *The Premises Licence Holder shall ensure that all staff members engaged, or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:*
 - *The lawful selling of age restricted products*
 - *Refusing the sale of alcohol to a person who is drunk*
- *Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed three months, with the date and time of the verbal reinforcement/refresher training documented.*
- *All such training undertaken by staff members shall be fully documented and recorded and signed and dated by both the employee and the DPS. All training records shall be kept on the premises and made available to officers of any responsible authority upon request.*
- *Conditions for alcohol delivery service:*
 - *Alcohol deliveries will only be made to a residential or business address and not to a public place.*
 - *The age verification policy (including challenge 25) shall clearly be advertised at each stage of the order and on all advertising. All forms of advertising and promotional literature detailing the delivery service (including internet sites and flyers/leaflets) will clearly state that alcohol should only be purchased for delivery to intended recipients (or persons who will accept delivery on behalf of the named recipient) who are aged over 18. Customers will be reminded that it is a criminal offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18.*
 - *At the time the order is placed a declaration will be required from the person placing the order that that person is aged over 18 years of age, and that the intended recipient is over 18 years of age. This process will be documented, (tick box before proceeding, record of verbal acknowledgement or similar). These records must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.*
 - *For deliveries where the alcohol is delivered by a third party, the alcohol is concealed in a secure sealed package, and the DPS has no direct supervision or control over the delivery (such as an independent courier or Royal Mail), there cannot be an age verification challenge on delivery, but the above conditions will be followed.*

- *For deliveries made directly by the DPS or their employees, staff or agent or persons instructed by the DPS/PLH, 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. No ID, no delivery.*
- *Where the premises contracts a third party to deliver alcohol on their behalf and the person collecting the alcohol from the premises delivers it directly to the customer within a short timescale (such as Deliveroo, Just Eats), the premises will ensure that the third party:*
 - *only employs delivery employees or agents aged 18 or over;*
 - *is aware that alcohol is included in the delivery;*
 - *that the delivery person actively engages with the person receiving delivery and operates a challenge 25 policy rather than just handing the delivery over;*
 - *that in the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID, the delivery person will retain the alcohol and return it to the premises.*

As a result Sussex Police have withdrawn their objections.

8.3 No information regarding the progress of mediation between the applicant and other parties has been provided to date. Members will be informed if 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 agreements 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:

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

Members may also:

- Grant the licence but exclude certain licensable activities from the licence,
- Refuse to specify a particular person as a premises supervisor,
- 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 the Sub-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 Tabularii Plc. for its new Bakery & Pizzeria to be known as the 'Karma Lounge' situated at 171-173 Tarring Road, Worthing and give reasons for that determination.

**Interim Director for Communities
Tina Favier**

Principal Author and Contact Officer:

Simon Jones

Senior Licensing Officer - Tel: 01273 263191 or 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-is-sued-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:

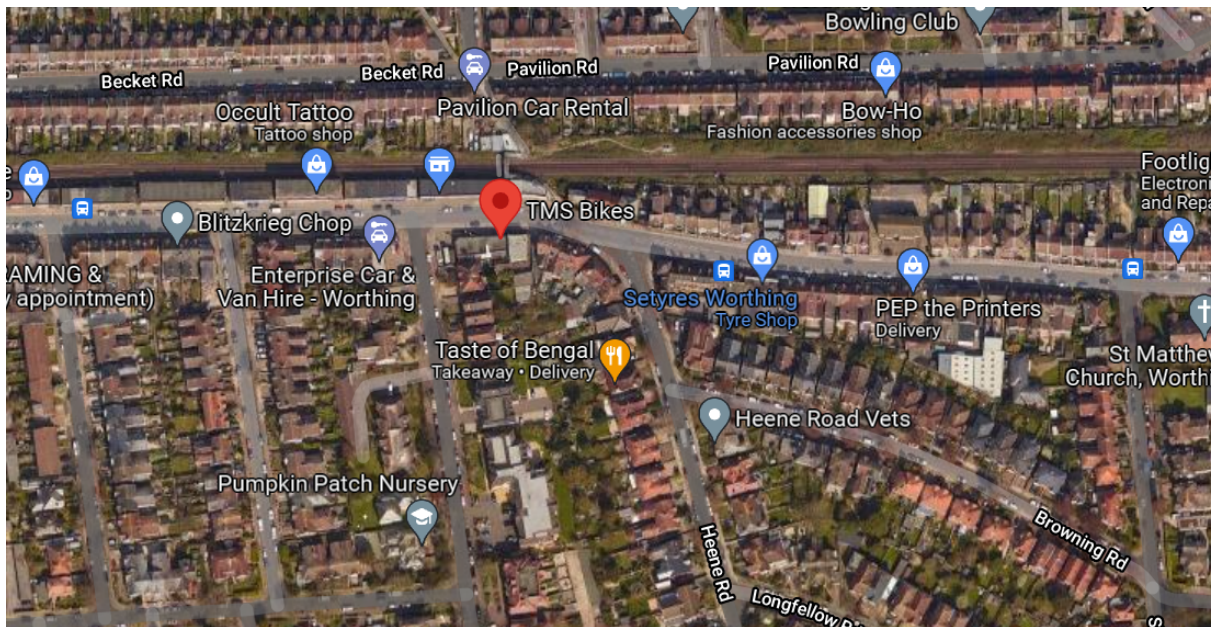
- Appendix A - Plan & photos of the area
- Appendix B - Plan of the site.
- Appendix C - The Application Form.
- Appendix D - Representations received from the Responsible Authorities
- Appendices E - Representations received from the public objecting to the application
- Appendix F - Details of the mediation conducted

Portland House, Worthing

Ref: SJ/Lic.U/LA03/NEW – Karma Lounge

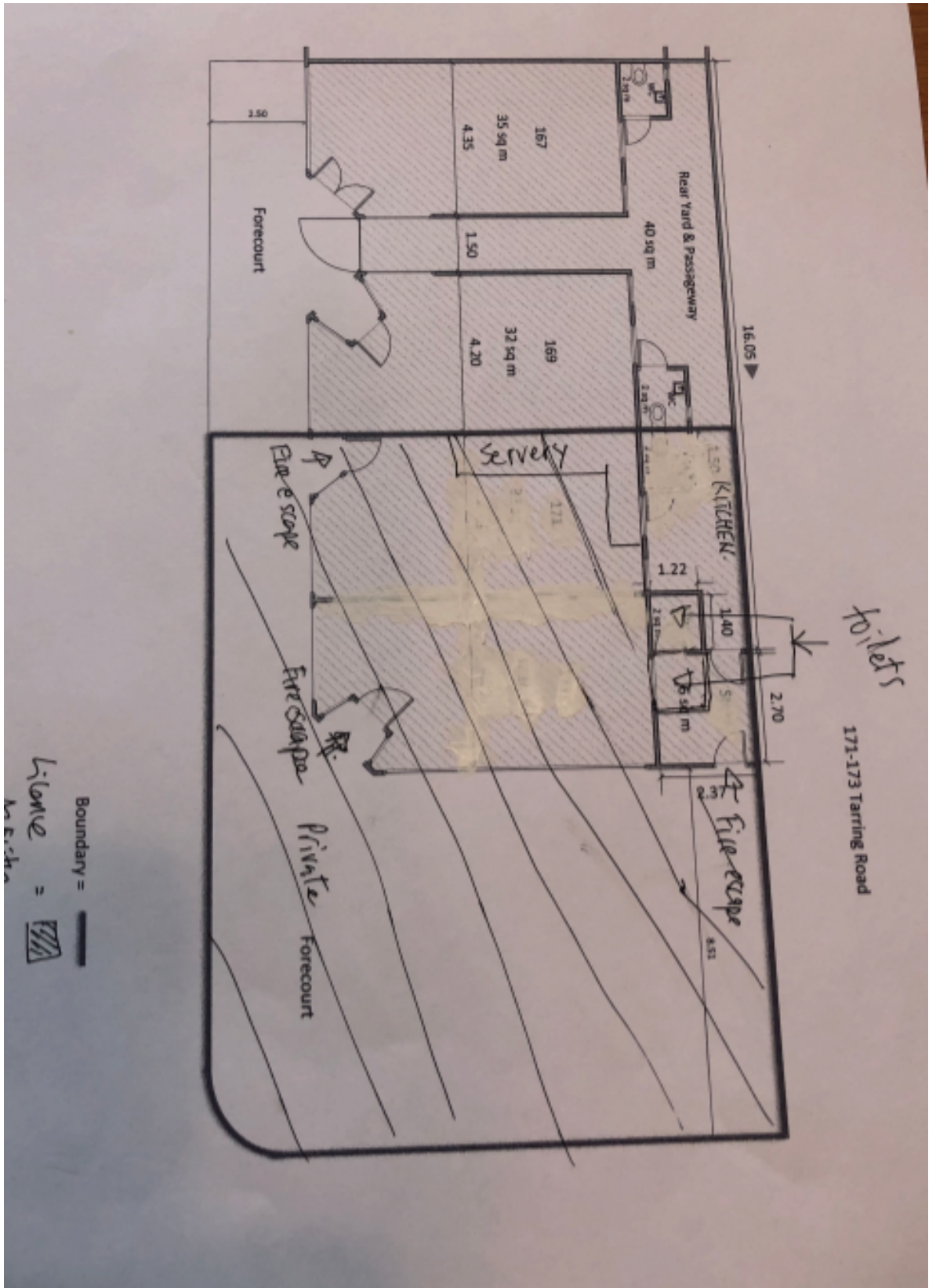
Date: 4 October 2021.

Appendix A - Plan of Area





Appendix B - Plan of Premises





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

**Licensing Act 2003 -
New Premises Licence Application pack including
Application Form & Designated Premises Supervisor Consent**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We **TABULARII PLC** apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 171 -173 TARRING ROAD	
WORTHING	BN11 4HH

Telephone number at premises (if any)

Non domestic rateable value of premises

Part 2 – Applicant Details

Please state whether you are applying for a Premises Licence as:

- | | |
|---|---|
| | Please tick ✓ |
| a) an individual or individuals* | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual* | <input checked="" type="checkbox"/> please complete section (B) |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. Other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |
| e) The proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |
| f) A health service body | <input type="checkbox"/> please complete section (B) |
| g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> please complete section (B) |
| h) The chief officer of police of a police force in England and Wales | <input type="checkbox"/> please complete section (B) |

(B) OTHER APPLICANTS

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

Name TABULARII PLC	
Address [REDACTED]	
Registered number (where applicable) [REDACTED]	
Description of applicant (for example, partnership, company, unincorporated association etc.) PLC	
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
0	1	1	0	2	0	2	1

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

Day		Month		Year			

If 5000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please give a general description of the premises (please read guidance note 1)

Karna Lounge is a Bakery and Pizzeria that will serve coffee and bakery products along with pizzeria for in house family dining.
The property is a single storey construction surrounded by business on the main road and opposite. Coop opposite currently serves off sales and a number of food operators are in close proximity

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick ✓

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

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

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

In all cases complete boxes K,L and M

J

Sale of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	11.00	23.00	State any seasonal variations for the sale of alcohol (please read guidance note 4)	Both	1
Tue	11.00	23.00			
Wed	11.00	23.00			
Thur	11.00	23.00		Non standard timings. Where you intend to use the premises for the sale of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri	11.00	23.00			
Sat	11.00	23.00			
Sun	11.00	23.00			

State the name and details of the individual whom you wish to specify on the license as premises supervisor. (Please see declaration about entitlement to work in the checklist at the end of the form)

Name

Personal license number (if known)

Issuing licensing authority (if known)

K

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

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	9.00	23.00	Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5)
Tue	9.00	23.00	
Wed	9.00	23.00	
Thur	9.00	23.00	
Fri	9.00	23.00	
Sat	9.00	23.00	
Sun	9.00	23.00	

M

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

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

The Licensee, that is the person in whose name the premises licence will be issued, shall ensure that at all times when the premises are open for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the Police. The Licensee will install comprehensive CCTV coverage at the premises and it is operated and maintained at the premises.

The CCTV system shall conform to the following points:

1. Cameras must be sited to observe the entrance and exit doors both inside and outside.
2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
3. Cameras viewing till areas must capture frames not less than 50% of screen.
4. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
5. Be capable of visually confirming the nature of the crime committed.
6. Provide a linked record of the date, time and place of any image.
7. Provide good quality images –colour during opening times.
8. Operate under existing light levels within and outside the premises.
9. Have the recording device located in a secure area or locked cabinet.
10. Have a monitor to review images and recorded picture quality.
11. Be regularly maintained to ensure continuous quality of image capture retention.
12. Have signage displayed in the customer area to advise that CCTV is in operation.
13. Digital images must be kept for 31 days.
14. Police will have access to images at any reasonable time.
15. The equipment will have a suitable export method, e. G. CD/DVD writer so that the

police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy, if this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.

Adur & Worthing Councils, Public Health & Regulation (Licensing Unit),
Portland House, Richmond Road, Worthing, BN11 1HS

c) Public safety

Appropriate fire safety procedures will be in place including fire extinguishers (foam, H2O and CO2), fire blanket, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting (see enclosed plan for details of locations). All appliances will be inspected annually.

All emergency exits shall be kept free from obstruction at all times.

d) The prevention of public nuisance

All customers will be asked to leave quietly.

Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer. All staff will be trained for UNDERAGE SALES PREVENTION regularly.

A register of refused sales shall be kept and maintained on the premises.

Checklist:

Please tick ✓

- I have made or enclosed payment of the fee
- I have enclosed a plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the proposed premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
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<input type="checkbox"/>

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY (UNLIMITED) AMOUNT.

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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 12). If signing on behalf of the applicant please state in what capacity.

Declaration

- [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
- The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Signature:Omar Rafique

Date:25 August 2021

Capacity:Director



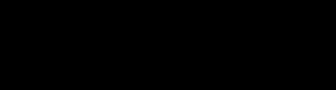
Adur & Worthing Councils, Public Health & Regulation (Licensing Unit),
Portland House, Richmond Road, Worthing, BN11 1HS

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 14) 	
Post town	Post code WC2A 2JR
Telephone number (if any) 	
Respond with you by e-mail, your e-mail address 	

Appendix D - Representations from Responsible Authorities

Sussex Police



Sussex Police
Serving Sussex

www.sussex.police.uk

West Sussex Division
Neighbourhood Licensing Team

West Sussex Licensing Team
Centenary House
Durrington Lane
Worthing
West Sussex
BN13 2PQ

Tel: 01273 404 030

WS_Licensing_WOR@sussex.pnn.police.uk

14th September 2021

Mr Simon Jones
Licensing Unit
Adur and Worthing Councils
Portland House
Richmond Road
Worthing
BN11 1LF

Dear Mr Jones,

RE: APPLICATION FOR A PREMISES LICENCE FOR KARMA LOUNGE, 171 -173 TARRING ROAD, WORTHING, BN11 4HH. UNDER THE LICENSING ACT 2003.

I write on behalf of the Chief Officer of Police for Sussex to raise a representation in respect of this new application on the grounds of the prevention of crime and disorder and the protection of children from harm.

The application seeks on and off sales 11:00 to 23:00 seven days a week. The premises is situated in a busy shopping parade by day, and is surrounded by a residential area.

Following discussions between Mr Omar Rafique for the applicant company and ourselves, the following new and revised conditions have been agreed to go on the new licence to promote the licensing objectives:

Sussex Police Headquarters
Malling House Malling, Lewes, East Sussex, BN7 2DZ

Telephone: 101 | 01273470101

The hours for the supply of alcohol to be amended to 11:00 to 22:40, seven days a week, to allow twenty minutes drinking up time before close at 23:00.

The Prevention of Crime and Disorder:

Alcohol will be served by waiter/waitress service to customers seated at tables. There will be no vertical drinking.

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas including the entrance to the premises and the outside tables and chairs area. The system shall be on and recording at all times the premises licence is in operation.

The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside and outside the premises at all times.

CCTV footage will be stored for a minimum of 31 days.

The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.

The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.

Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises and any refusals of alcohol. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a month. The log book should be kept on the premises and be available for inspection at all times the premises are

open by officers of any responsible authority. An incident will be defined as being one which involves an allegation of a criminal offence.

Patrons will not be permitted to take drinks in open containers to consume outside on the pavement/public highway beyond the licensed outside tables and chairs area of the premises whilst smoking or otherwise congregating outside of the premises beyond the licensed area.

All off sales of alcohol will be made in sealed containers.

For the Protection of Children from Harm:

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of age cards bearing the "PASS" mark hologram.

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

- The lawful selling of age restricted products
- Refusing the sale of alcohol to a person who is drunk

Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed three months, with the date and time of the verbal reinforcement/refresher training documented.

All such training undertaken by staff members shall be fully documented and recorded and signed and dated by both the employee and the DPS. All training records shall be kept on the premises and made available to officers of any responsible authority upon request.

Conditions for alcohol delivery service:

Alcohol deliveries will only be made to a residential or business address and not to a public place.

The age verification policy (including challenge 25) shall clearly be advertised at each stage of the order and on all advertising. All forms of advertising and promotional literature detailing the delivery service (including internet sites and flyers/leaflets) will clearly state that alcohol should only be purchased for delivery to intended recipients (or persons who will accept delivery on behalf of the named recipient) who are aged over 18. Customers will be reminded that it is a criminal offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18.

At the time the order is placed a declaration will be required from the person placing the order that that person is aged over 18 years of age, and that the intended recipient is over 18 years of

Sussex Police Headquarters Malling House Malling, Lewes, East Sussex, BN7 2DZ	Telephone: 101 01273470101
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age. This process will be documented, (tick box before proceeding, record of verbal acknowledgement or similar). These records must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.

1. For deliveries where the alcohol is delivered by a third party, the alcohol is concealed in a secure sealed package, and the DPS has no direct supervision or control over the delivery (such as an independent courier or Royal Mail), there cannot be an age verification challenge on delivery, but the above conditions will be followed.
2. For deliveries made directly by the DPS or their employees, staff or agent or persons instructed by the DPS/PLH, 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. No ID, no delivery.
3. Where the premises contracts a third party to deliver alcohol on their behalf and the person collecting the alcohol from the premises delivers it directly to the customer within a short timescale (such as Deliveroo, Just Eats), the premises will ensure that the third party:
 - only employs delivery employees or agents aged 18 or over;
 - is aware that alcohol is included in the delivery;
 - that the delivery person actively engages with the person receiving delivery and operates a challenge 25 policy rather than just handing the delivery over;
 - that in the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID, the delivery person will retain the alcohol and return it to the premises.

I enclose an email confirmation from Mr Rafique confirming acceptance of the above new licence conditions.

Accordingly Sussex Police withdraw their representation subject to the new conditions in their entirety being added to the new licence, should it be granted in due course.

Yours sincerely



Inspector David Derrick CD295
West Sussex Licensing Inspector
Sussex Police

Sussex Police Headquarters
Malling House Malling, Lewes, East Sussex, BN7 2DZ

Telephone: 101 | 01273470101

Karma Lounge, 171 - 173 Tarring Road, Worthing

1 message

Michael Lavender <michael.lavender@adur-worthing.gov.uk>
To: Licensing Unit <licensing.unit@adur-worthing.gov.uk>

15 September 2021 at 08:39

Hi,

Hopefully I am not too late to make my representation.

My my main concern would be disturbance to local residences from the outside use of the forecourt if external seating is proposed. AS you will appreciate, external seating is seasonal, its use coinciding with the good weather when residences want windows open for ventilation. In public spaces around the town where there is a mixture of commercial and residential premises, we restrict pavement licences to 10pm and I would recommend a similar curfew here.

Please can I request a condition to the licence for the prevention of public nuisance that the use of any external seating ceases at 10pm.

Kind Regards

--

Michael Lavender

Senior Environmental Health Officer, Adur & Worthing Councils

Phone: 01273 263343

Email: michael.lavender@adur-worthing.gov.uk

Website: Environmental Health

Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA



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Ref. AWD/M/1375/21

St. Botolph Rd. BN11 4JT

Re 171 - 173 Tarring Rd. BN11 4HH
change of use.

Dear Mr's Morin,

We, the residents of Rotary Lodge wish to place an objection to the proposed use of 171 - 173 Tarring Rd.

Our main concerns are that Mr. Rafique has been less than open about his intentions, which leads to speculation and suspicion. It would seem he wishes to sell food and alcohol on and off the premises until an unspecified time every day of the week, including Sunday, with no respite. This has the potential to cause considerable nuisance to neighbours and local residents, in the shape of noise, antisocial behaviour and possible drunkenness and fights also litter.

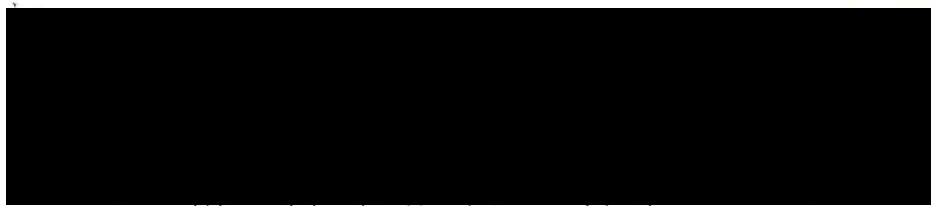
Car parking would be an issue as St. Botolph's road is already a virtual car park. Our property is residential accommodation for the elderly which

has a large open car park easily accessible which although marked private would be very inviting causing more noise and slamming of car doors late into the night.

We feel this is not a suitable business for a quiet residential area and urge the Council to consider very carefully before granting permission.

It would also appear from correspondence we have seen that Mr Rafique has not co-operated with Police or a Court Order on another venture he was involved in.

Yours sincerely



St. Botolph's Rd.

BN 11 4 JT.

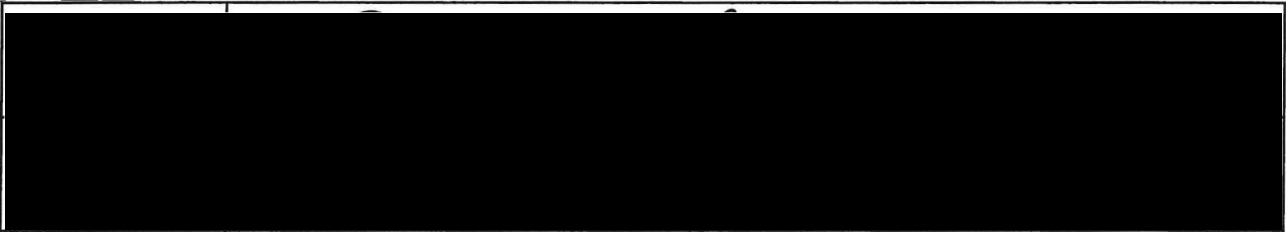
RECEIVED

26 AUG 2021

..... Initials

<i>Flat No.</i>	<i>Name</i>	
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<i>Flat No.</i>	<i>Name</i>
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Fwd: Objection to alcohol license application from Tabularii plc

1 message



22 September 2021 at 10:18

[REDACTED]
to: licensing.unit@adur-worthing.gov.uk

----- Forwarded message -----

[REDACTED]

I am writing to object to the licensing of the Karma Lounge at [171-173 Tarring Road Worthing](#) Living directly opposite at [REDACTED] [St Botolphs Road](#), I am objecting to the sale of alcohol at the premises known as Karma Lounge.
Consumption of alcohol outside these premises in the large corner forecourt area will undoubtedly result in noise and music during unsociable hours for neighbours. This is a very quiet residential area and not at all suited for this type of activity.


 *St Botolphs Road,*
Worthing, West Sussex
BN11 4JP

13th September 2021

The Licencing Unit,
Ardur & Worthing Councils,
Portland House,
Richmond Road,
Worthing,
BN11 1HS

Dear Sir or Madam,

Re: Alcohol Licence 171-173 Tarring Rd, - Tabularii PLC and Karma Lounge LTD

We the named persons above would like to register our objections to the issue of a alcohol licence in its present form.

St Botolphs Road is a residential area and has always been quiet and peaceful. There are a large number of care homes in St Botolphs Road and also family dwellings.

We are concerned that the licence in it's present form will attract some form of anti-social behaviour and with that will come the element of increased noise levels which we feel inevitable with the currents proposed times for the sale of alcohol. As far as we are aware there will be external seating at the premises which will increase noise levels and the potential for passive smoke inhalation.

The provision of xpelair resturant/café mechanical ventalation systems also increase smells/odours which would detract and erode the street scene.

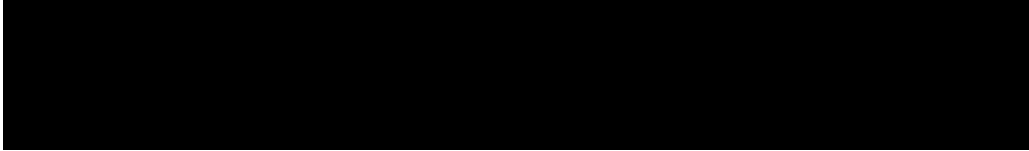
We feel the current application for a Licence to sell alcohol for 12 hours a day 7 days a week is rather excessive baring in mind there are many other already establishments that can cater for the needs of the potential patrons.

Fwd: Alcohol license for Karma Lounge 171-173 Tarring Road Worthing BN11 4HH

1 message

8 September 2021 at 15:06

----- Forwarded message -----



I am a local resident to the above proposed licensed premises and I have grave concerns. It has come to my notice that the gentleman applying for the license has held an alcohol license before and he broke the terms of it by continuing to serve alcohol after the agreed time. Surely this is a huge red flag when considering this proposal as he has demonstrated he cannot be trusted and is therefore only concerned in profit with no concern for the neighbourhood. This is a residential area with many families and a huge parking problem. Has any of this been considered? Also there is a large outside area which will lead to late night noise and when alcohol is involved sometimes anti social behaviour. I feel this is not an appropriate site for such an enterprise. This kind of business is surely better suited nearer to the town centre in a non residential area. As I live virtually directly opposite the proposed sight. I vehemently oppose this license and hope that the unit sees sense when reviewing this licensing request.



■ St Botolphs Road
BN11 4JS

[REDACTED]
[REDACTED] St Botolphs Road,
Worthing, West Sussex,
BN11 4JP



13th September 2021

The Licencing Unit,
Adur & Worthing Councils,
Portland House,
Richmond Road,
Worthing,
BN11 1HS

Dear Sirs,

Regarding:- Alcohol Licence 171-173 Tarring Rd, - Tabularii PLC and Karma Lounge LTD

I would like to object to the application and register my objections to the issue of a alcohol licence to the above named.

I am of senior years and am very happy that I live in a property in a peaceful and quiet residential road.

I feel if the licence is granted I will no longer live here in peace. I am worried that the sale of alcohol will create anti-social behaviour, increased noise and an influx of additional cars. Our road has many elderly residents and family's who enjoy the peace and quiet of our road.

The times to sell alcohol all day and all night seven days a week seems excessive. I think the outside area coupled with the sale of alcohol would be inappropriate for this area.

I would please request the licensing authority look at this application from the point of the existing residents some of whom have been in the road a very long time.

Yours
[REDACTED]

FW: License Objection | Tabularii PLC and Karma Lounge Limited at 171-173 Tarring Road, Worthing

1 message

22 September 2021 at 11:58

Dear Councillors,

I am writing on behalf of the residents [REDACTED] of [REDACTED] St Botolphs Road, Worthing BN11 4JS, to formally object to the alcohol licence and operating hours application made by Tabularii PLC and Karma Lounge Limited at 171-173 Tarring Road, Worthing.

Our understanding, based on publicly available information, is that the business proposes to operate as follows:

- cafe/ bar/ bistro/ lounge running from 9am to 11pm Mon-Sun
- alcohol proposed to be served from 11am to 11pm Mon-Sun
- alcohol proposed to be served outdoor/ off premise from 11am to 11pm Mon-Sun
-

Based on this understanding, we object to the following:

- an alcohol licence for the business
- permission to operate after 9pm
- permission to operate off-premise seating / service after 8pm

The reasons for our concern and therefore above stated objections are:

- serving of alcohol
 - our community is mainly comprised of families, often with very young, impressionable children or babies, and elderly retired or care-home residents, some of whom are vulnerable and have special needs
 - we are concerned that any business focused on serving of alcohol through late operating hours will increase the noise and disturbance we already have from people returning from the town centre
 - we are very concerned that serving of alcohol will expose us and our community to recurring occurrences of drunk and disorderly behaviours
 - we are concerned that late operations, alcohol and music might also lead to an increase in the use of recreational drugs and other substance abuse which is already a problem in the area
 - there are several bars/ pubs within walking distance of 171-173 Tarring Road, we therefore question the need for another similar establishment in the neighbourhood
 - the concern around alcohol and drugs abuse is particularly worrying given that we unfortunately already witness some anti-social behaviours after-dark at the junction of St. Botolphs Road and Tarring Road. The local police should be aware of these issues and potential escalation of associated risks due to the addition of a late night alcohol serving outfit to our area
- operations after 9pm
 - our house is very close to the rear of the building and we have concerns that if the proposed business was to operate beyond 9pm, it would cause significant disturbance of peace and cause noise related nuisance from factors such as customers talking/ chatting as they walk in and out of the premises, taxis or cars. pulling up, starting of engines, closing of car doors, loud music, cheering, loud music, etc.
 - we also have concerns around disturbances caused by early opening and late closing of the business such as deliveries, loading/ unloading of goods, shutters, filling of rubbish bins, etc.
 - we also expect further worsening of parking related issues
 - we expect that these factors can only be mitigated by restricting the in-premise/ indoor operating time to 9pm
- off-premise or outside seating/ service after 8pm
 - following from the above concerns around noise & nuisance, we have further concerns that if the proposed business was allowed to use outside area for seating and playing music, the sound would be clearly heard

in our house, especially when we have open windows. We already hear the noise from the early deliveries to Co-op on the other side of the road, so can only assume these noises would be louder

- again the concerns are due to the close proximity of the outside seating area to our home
- we also have concerns around nature of building works and lighting set-up that might need to be carried out to support off-premise service or outdoor seating

We obviously need commerce and business in the local area, and fully support businesses that benefit the local community and strengthen our local economy. We only request that businesses should be mindful of local communities and should build commercial ventures that do not infringe on residents rights to quiet enjoyment within their private property & immediate neighbourhood.

We truly feel this decision could become a turning point for our Tarring Road high-street and therefore implore the Council to consider what type of local profile, business and communities we seek to nurture for the future.

We look forward to hear from you.

Kind Regards,



Re : Application of Alcohol licence 171-173 Tarring Road, Tabularii PLC and Karma Lounge Limited1 message

8 September 2021 at 16:03

[REDACTED]

Further to the above application, I wish to strenuously object to the above application.

To have the ability to sell alcohol until 11pm will cause nuisance by way of noise and unruly behaviour to an area which is predominantly residential and it's majority of residents are of an older age as St Botolphs Road encompasses a significant number of over 55 retirement apartments and a nursery.

From my research I understand that the gentleman applying for the license has a history of having a Pizzeria in town which previously had an alcohol license until 12pm, however, he rarely acknowledged this and the Police were called to the premises on a number of occasions due to noise issues and fighting outside the premises due to intoxicated patrons spilling out onto the adjacent area. Furthermore, and most alarming, he refused to work with the Police and subsequently lost his alcohol license.

With this in mind the applicant is clearly not professional enough to manage the responsibility of an alcohol license or manage the impact alcohol has on his patrons. To grant him a license for this period of time with people drinking inside the premises, with single glazed windows (likely to be open while Covid is still around) and outside seating will surely lead to major issues.

For those living adjacent to the property the nuisance will be substantial and this application needs to not only be tempered but once the venue is operational it needs to be closely monitored in readiness for what will inevitably lead to breaches of any length of license agreed.

I welcome the development of the area and of the old Gibbins location, however, a Pizzeria can easily survive should it only sell alcohol between midday and 10pm and ONLY to patrons who are eating a substantial meal, not just using it as a drinking venue.

Your sincerely,

[REDACTED] St.Botolphs Road

Fwd: Alcohol licence 171-173 Tarring Road

1 message

Licensing Unit <licensing.unit@adur-worthing.gov.uk>

7 September 2021 at 14:54

To: Theresa Cuerva <theresa.cuerva@adur-worthing.gov.uk>, Jade Marshall <jade.marshall@adur-worthing.gov.uk>, Simon Jones <simon.jones@adur-worthing.gov.uk>

FYI - I have added to the new tascomi app

----- Forwarded message -----



Date: Tue, 7 Sept 2021 at 13:25

Subject: Alcohol licence [171-173 Tarring Road](#)

To: <licensing.unit@adur-worthing.gov.uk>

Re alcohol licence [171-173 Tarring Road](#) Tabularlii PLC and Karma Lounge Limited.

Reasons for objection

We are extremely anxious re the granting of an alcohol licence to these premises.

It is at present a residential neighbourhood with a mixture of inhabitants. There are a number of blocks of flats with elderly residents and small children, of which ours is one. There are also family houses.

There are already parking issues in St Botolphs Road with vehicles parking on white lines by entrances making it hazardous to exit and on rare occasions even blocking entrances as available spaces are often hard to find. People visiting the Co-Op already use our visitor parking spaces but thankfully this is for relatively short periods of time. If visitors to the proposed premises did this it would become a problem for flat residents. The applicant previously erroneously stated there was parking opposite his premises. There are in fact double yellow lines and no parking at any time and a bus stop.

42

We are very concerned about potential rowdy and anti-social behaviour at night as customers leave the premises either on foot or to cars parked outside the homes in the street. This will inevitably cause disruption to sleep which is recognised to be detrimental to health. Many of the residents already have health problems, myself included [REDACTED].

It is of concern that the plan is to use the outside area for alcohol consumption and they are wanting to sell alcohol 7 days a week until 11pm. This could also lead to anti-social and rowdy behaviour. They appear to have dug a hazardous trench in preparation for this already, which we understand has had to be made safe by the Council.

We are very concerned at the lack of integrity displayed by the applicant so far. Apart from the wrong information about parking he had also stated that the premises had been empty for several years and in poor repair. In fact Gibbins Second Hand Furniture Shop had been there for many years up until April 2021. They caused no problems and their business was conducted during daytime with their and visiting vehicles parking on their forecourt.

We are also extremely anxious to learn that the applicant had a similar premises in Worthing some years ago where the Police had to resort to getting the alcohol licence withdrawn due to the agreed hours being very greatly exceeded and there being many incidents of rowdy behaviour and fights.

We therefore oppose the granting of an alcohol licence to these premises as his many actions to date give no confidence at all that he will be respectful of either the terms or of the neighbourhood.

Respectfully,

[REDACTED]

[REDACTED]

St Botolphs Road

Worthing BN11 4HY

[REDACTED]

[REDACTED]

[REDACTED] St Botolphs Road

Worthing BN11 4HY

[REDACTED]

Karma Lounge Application, 183 Tarring Rd BN11 4HH1 message

21 September 2021 at 21:22


Dear Sir/Madam,

I wish to register an objection to the application to serve alcohol on and off the premises at this address.

I feel that this is a quiet residential area, with many families in residence with young children. It is an inappropriate location for such an establishment, which will bring a great deal of noise and disruption to sleep. In particular because the licensee wishes to serve alcohol on and off the premises until 11pm on Sunday. I can foresee that people will be drinking outside long into the night, with all the associated noise not only immediately at the venue, but coming and going also.

Such a venue needs to be sited in the town centre, or at the very least a less residential area.



Alcohol licence 171-173 Tarring Road

1 message

14 September 2021 at 13:34



 St Botolph's Road,

Worthing BN11 4JE

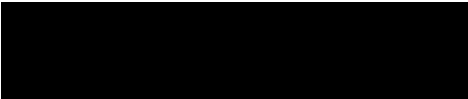
Re. Planning Application for sale of alcohol by Tabulari Plc. At 171-173 Tarring Road.

We are very concerned about the application to sell and consume alcohol every day from 11.00hrs to 23.00 hours.

St Botolph's road is a quiet residential road with at least 3 nursing homes and several apartment blocks solely for elderly residents. There is also a large children's nursery. After 7pm it is very quiet with little through traffic. There is also very limited parking in St Botolph's road, which is used by the residents. There is double yellow parking on Tarring Road immediately adjacent to 171-173 Tarring and limited parking beyond.

The application proposes to use the forecourt for additional seating and the consumption of alcohol. We can foresee unnecessary music noise and anti-social behaviour late into the evening.

While we are not opposed to people enjoying themselves we are concerned that inevitable loud music noise and additional traffic will cause unnecessary disruption to the peaceful lives of many of the elderly residents.

Sent from [Mail](#) for Windows 10

Objection to Alcohol Licence 171-173 Tarring Road "Karma Lounge" - READ RECEIPT REQUIRED

1 message

20 September 2021 at 08:11

FAO: Licensing Committee Worthing Borough Council:

I am writing to object to the granting of the proposed alcohol licence at [171-173 Tarring Road](#) for Tabularii PLC and Karma Lounge Limited, on the grounds that the internal premises, forecourt pavement and the location is not suitable for consumption of alcohol as it will cause a public nuisance and increased noise, crime and disorder in the area.

As the neighbour whose house the business premises is connected to, it is safe to say that any consumption of alcohol on or offsite, will result in significant loss of quality of life and mental wellbeing for me and my young family (Myself, my partner, 11 and 2 year old daughters and son 12 weeks old).

The building in which the business seeks to serve alcohol attaches directly to the side of my house. The premises is fully single glazed and increased noise from customers consuming alcohol inside will not be contained.

The forecourt pavement in which the applicant has applied to use is overlooked by my baby's nursery bedroom and is directly next to the front of our property. Having people consuming alcohol all day everyday directly outside our house will cause a major noise nuisance and subject my children to constant negative behaviours associated with alcohol. This includes noise, bad language, aggressive and antisocial behaviours, something no one, especially young children should be subjected to.

The forecourt is at the front of the premises, on the corner of Tarring and St Botolphs Road, meaning that no measures the applicant puts in place will prevent noise created by people consuming alcohol from escaping and causing a nuisance. It also means that residents will not be able to walk past the premises without seeing and hearing people drinking alcohol, something that many, especially the elderly, vulnerable and disabled will likely find intimidating. For some the walk to the coop past the premises applying is their one and only time out each day. It is not suitable at all as it is a large open space so there will not be just one or two people having a "casual" drink. This type of licence is more suited to a town centre property.

In addition, the toilets to the building are also outside toilets at the back of the premises, which are less than 1 metre away from my kitchen door and window. We can hear everything from inside our kitchen, meaning we cannot even be at the back of the house without constant disruption. The consumption of alcohol medically increases the amount of times people need to go to the toilet so this will be in constant use, often by intoxicated people making noise.

The impact of the above will not only affect us as the neighbouring house, but many residents of St Botolphs Road, Tarring Road, Heene Road and surrounding Streets: St Botolphs road is one of the most populated streets in Worthing in terms of Care Homes, retirement homes, assisted living and a large nursery. They are located here as it is a safe out of town area and any business serving alcohol in the area seriously jeopardises these as well as the well-being of those who reside there including the many elderly, vulnerable, and disabled, some of whom could be recovering alcoholics as one of the homes supports them. Many are deeply worried and anxious about the negative impact a business serving alcohol will have on their lives.

People consuming alcohol means there will also be increased levels of noise nuisance from pick up and drop offs of inebriated patrons as they will require taxis or someone picking them up. Often parking dangerously and illegally as the premise is bounded by double yellow lines on the corner of a very busy road, and if not across residents drive ways meaning noise directly outside residential homes.

Tarring Road is already one of the highest areas of crime within Worthing, add in a premise with an alcohol licence up until the hours proposed this is sure to increase, putting pressure on the emergency services and causing worry for the neighbourhood. This could also lead to potential uncomfortable and dangerous situations for residents, should they feel the need to challenge anti-social behaviour to protect their families and property.

Along Tarring Road are a number of premises which sell Alcohol, including the COOP which is directly opposite these premises. If people wish to drink alcohol whilst having a meal at the Karma Lounge, the business could operate as a "bring your own" business. This would reduce the risk of people staying on, consuming more alcohol as it is readily available at the premises, thus potentially reducing the risk of noise and anti-social behaviour.

I would also like to ask the question to the applicant why the public notice for this application was not in such a prominent position as the first application and why it was taken down last week (noticed on Friday 10/9) well before the completion of the 28 day requirement of advertising the application? There have been concerns noted regarding the applicant and the revoking of an alcohol licence at a similar former premises they owned, where conditions of licence were ignored. Given that they have not followed the requirements of the licencing-unit in terms of displaying their application, concerns are raised as to whether this is just the beginning of a business that once again has disregard for the public, local residents and any conditions placed on it by the relevant authorities.

I am certainly in favour of shops being filled and businesses thriving within the community. However, they need to serve the community they are in well and not cause disruption to the quality of life and well-being of local residents. The application submitted by Tabularii PLC and Karma Lounge Limited would have a negative impact on the neighbourhood, which consists of young families, professional couples, elderly and vulnerable, all of whom deserve to live safely and without disruption. On these grounds I believe the alcohol licence should be rejected.

Thank you for your time, understanding and support

[REDACTED]

[REDACTED] St Botolphs Road
Worthing
BN11 4JS



St Botolph's Road
Worthing
West Sussex
BN11 4HY
7 September

The Licensing Unit
Adur & Worthing Councils
Worthing

THE KARMA LOUNGE: 171 -173 Tarring Road, Proposed Licence

Dear Sirs,

My thanks to Jade Marshall for the courteous and helpful explanation of 25 August, written on behalf of the Public Health & Regulation Service.

I am sorry, though, that it should be necessary to repeat myself for a third time.

I accept that Worthing's economy might improve if the town had more in the way of night life, but I suggest that the place for such as the Karma is the town centre or the sea front, not quiet residential neighbourhoods. I doubt if there is a crying need for this section of Tarring Road to have yet another off licence, licensed restaurant or shop selling take away food. I have walked from the corner of Clifton Road to the corner of Grand Avenue and I find that :-

Almost on the corner of Clifton and Tarring Roads there is Efe's Turkish Restaurant, already popular for the quality of its service, food and wine. It also serves Western food. Its clients are well behaved. Then on the opposite of Tarring is a small branch of Tesco's where food can be bought, perhaps alcohol also.

On the corner of Heene and Tarring Roads, the very block on which the Karma Lounge would like to set up, are three adjacent take away shops, Taste of Bengal, Kebab & Burger Shop and Three Chefs. This last does I think sell pizzas. In two of these shops it is possible to eat on the premises. On the opposite side of Tarring Road is a large Co Op which sells take away food and alcohol. Just before the Co Op is the pedestrian bridge, sometimes nicknamed Jacob's Ladder, which leads straight to a Fish & Chips shop on the other side of the track.

At 43 Tarring Road is a small delicatessen called Top Hat where tea and coffee may be enjoyed on the premises.

On the side of Tarring Road opposite to 43 is a small shop advertising itself as Off Licence. It sells food also. Almost adjacent to it is Pizzeria and Kebab.

A little further along is the Shaan, an excellent Indian restaurant well liked for the quality of its service, food and wine. It serves Western food as well, and has a take out service. Its clients are well behaved.

On the corner of Downview and Tarring Roads is an Indian take out shop of high quality.

Opposite the train station is Cafe 7 serving all day breakfasts, snacks and lunches. At the station itself is Scrumptious, also serving sit down meals.

Further along Tarring Road, on the same side as Cape 7, there is a fish and chips shop. Adjacent to it is a newsagent who also sells food.

So this section of Tarring Road would seem to be well provided for. If one crosses the railway line and starts to walk towards the sub post office, there is on the left a most excellent shop for alcohol, a veritable Aladdin's Cave of beers, wines and spirits, imported and British.

What need might the Karma then meet? Hard drinking until the wee hours with consequent bad behaviour and noise perhaps, though I can not prove beforehand that this will be so. St Botolph's Road is full of homes, some hard by Karma, some of them with children, most of them with elderly people. The Karma curves round into St Botolph's Road.

The other ill effect of the Karma might be traffic problems. St Botolph's Road is a narrow one with parking on both sides of the street. It connects Tarring Road with Mill Road. There are already traffic jams in the late afternoons when parents collect their children from Pumpkin Patch nursery.

I have not been able to inspect a copy of the Karma's application for a licence. Workmen (of the Council?) have put barriers to keep us off the forecourt of the Lounge, and today further barriers have been put up by other workmen laying cables.

To sum up: my two main fears are (a) drunken and disorderly behaviour in the small hours (b) traffic problems. A sedate coffee house or tea room might be another matter, but whether such might be profitable to its owners is another matter. This section of Tarring Road is notorious for the speed with which new shops open and then close. I therefore remain grateful both to Efe's and to Shaan's.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Fwd: 171 -173 Tarring Road - Tabularii PLC and Karma Lounge Limited

1 message

Licensing Unit <licensing.unit@adur-worthing.gov.uk>

17 September 2021 at 10:54

To: Simon Jones <simon.jones@adur-worthing.gov.uk>, Jade Marshall <jade.marshall@adur-worthing.gov.uk>

FYI - adding to the app

----- Forwarded message -----


From:


 Tarring Road

Worthing

West Sussex

BN11 4HG

17th of September 2021RE [171 -173 Tarring Road](#) – Karma Lounge Alcohol Licence Application

Dear Sir/Madam

I wish to object to the application for a new premises licence to allow the sale of alcohol as part of a new proposed bakery & pizzeria with pavement forecourt to be known as the “Karma Lounge”. The venue is to be situated at [171-173 Tarring Road, Worthing, BN11 4HH](#)

The application is seeking authorisation for the sale of alcohol for consumption on & off the premises.

Sale of Alcohol

11:00hrs to 23:00 Monday – Sunday incl

Opening to the public

09:00hrs to 23:00hrs Monday -Sunday incl

Point 1

The alcohol application notice was not displayed correctly and many neighbours that this licence would affect would not have been aware that it has been applied for. This has denied any legal rights to object for many neighbours.

Due to the owner disregard for public safety while digging foundations around the perimeter of the car park and on the boundary to the pavement, there is evidence with Highways they had to take evasive **51**

action and make the area safe by installing barriers and therefore the people were most likely to object to this licence would not even be aware an application had been made due to the distance from the necessary installed barriers to the premises where the application should be placed for the public to read.

I was made aware that the licence applicant had to place a notice on the lamppost by the coop and move the one on the premises a bit nearer the barriers so people could read it. As the notice never went on the lamppost, another resident had to put it on there as they felt this was in the public interest, even if it should have been put up much earlier by the business owner. The applicant has subsequently removed the one from the window of the premises as if not to draw attention to the application. The public, even myself thought the application was withdrawn again and they didn't need to respond to it. Perhaps the owner has withdrawn the application once again, who knows because rules are not being followed so I might have wasted my time once again putting in an objection.

I think there are still neighbours and members of the public completely unaware of this application due to the incorrect installation of the notice.

This application should not be considered unless the correct procedures have been followed unless you allow applicants to do as they like and you don't have the time to check they are following rules?

Point 2

I believe allowing an alcohol licence for this business will increase public nuisance and significantly raise the risk of more criminal and disorderly behaviour. This would be increased further by what is now being described as a "pavement forecourt" not what it was, a car parking area. Is the area going to have fixed seating and serve food and drink to customers late into the night? The increased noise level could not be controllable by the business owner during business hours or even after they left after they closed, especially if fixed seating were installed in this area and the public could somehow gain access to it easily. This area will encourage youngsters and the undesirables to hang out after hours, or the public using the area to eat their takeaways from the neighbouring Kebab shop seems to always close well after midnight.

Point 3

Karma lounge is on the corner of Tarring Road and St. Botolph's Road so there is a wide spectrum of homes, many with small children and babies, particularly connected to where the alcohol application is related. There are many retirement flats, sheltered accommodation and care homes, one of which is for alcohol dependency and there is also a large children's nursery. Last year, Adur and Worthing Council built 17 new, purpose-built flats in Tarring Road for "vulnerable residents" There are already extensive problems related to drugs and alcohol in the area and this would merely fuel further problems that currently nobody can Police properly as it is.

As this restaurant owner has previously had an alcohol licence revoked from another pizza business he owned for noise, fights and serving alcohol 3 hours after the licence allowed, I think it would be completely irresponsible to allow a "second chance" for a new licence for at least a year of trading to see how controls the business or without you truly knowing the real intentions of this business model and how he intends to use all of the areas. I think neighbours would end up becoming vigilantes when Police palm off any nuisance to the council and vice versa.

Nobody would want a repeat of this type of disregard for the law, his neighbours, the Police and the council from this renowned business owner.

Point 4

This area is already "overpopulated" with other businesses selling alcohol responsibly.

There is an off-licence to the left of Karma lounge, (Heene Convenience Store open until 11:00 pm) one to the right (Tarring Off Licence open until 09:00 pm) and one directly opposite, (The COOP open until 11:00 pm) There is nothing to stop customers bringing their drink to have with a meal inside the premises and buying it from any one of the three already here with licences if they forget to get organised and buy it before they come.

52
As the business type, hours, licence, planning, use, constantly seems to change on each application, I

believe it is to create “smokes and mirrors” so the term “bakery and pizzeria” could be a pub type night out with a buttered soft roll.

Point 5

I believe the pavement forecourt which was a car park area with a dropped curb that would have had plans to have it approved is to become more like a “micropub garden” not a “bakery and pizzeria” which again would create unacceptable noise levels, disturbance late at night for neighbouring properties all around it.

If this area is to be used for seating, serving food and drink under this licence then this would become more like a town centre venue completely unacceptable for this area which would and could not be policed correctly as it is.

It is not clear at this point the seating capacity for Karma Lounge and what area of the business the alcohol licence will relate to, inside, outside or both? Where is the alcohol to be drunk, inside, outside or both? This again makes a huge difference to the public and the type of customers this venue would attract. It would also make a huge difference to the noise levels from small to large groups of people being intoxicated to what could be a family type venue with a meal out and then going home without a licence. The licence could create an unnecessary and avoidable confrontation with drinkers who might not have otherwise caused trouble if they were asked to keep the noise down from neighbours trying to relax, enjoy their homes or even go to bed early, especially ones that have to get up at 5 am for work. The times once again are unreasonable for the area to which the licence is being applied for and again would create a Statutory nuisance and a Common Law nuisance.

Point 6

There are residential properties and gardens in the immediate vicinity and families with babies and small children, The licence and terms could lead to small children having disturbed sleep, falling behind with school work and suffering mental health issues, not to mention being witness to violent and drunken behaviour. Small children would also be able to hear adult conversations they otherwise would have missed if people are outside under this licence.

The noise of the road between certain hours will naturally increase the volume of visitor’s voices and when the road noise dies down the voices will remain at a much higher level, especially if intoxicated where you can become unaware of your surroundings. The business owner could not control this noise outside.

This again could lead to mental health problems for many people suffering it and these constant disturbances which I feel will not be addressed quickly by authorities. The public and neighbours could be pushed to breaking point.

Point 7

This is a single glazed shop where the noise can not be controlled sufficiently not to cause a noise nuisance to neighbour properties especially with groups of people intoxicated where noise levels increase.

Point 8

If the premises are open this late and serving alcohol, it is very likely customers will call a Taxi before or after leaving the premises. The cabs will be waiting outside neighbours homes potentially with their engines running and lights on which will cause further noise nuisance at 11:30 – 12:00 pm. Then it is likely you will have the customers laughing and joking with each other while waiting for a Taxi or getting in the cabs. Then there will be the extra disturbance by the slamming of car doors. If customers are intoxicated and someone asks them to be quiet it is likely to be met with conflict which could lead to a Statutory nuisance and a Common Law nuisance.

Where are taxi cars going to wait? There are double yellow and a pedestrian crossing opposite the premises, the only place is outside the neighbouring premises, again causing night after night of disturbances.

I would hope you consider these valid points and reject this alcohol licence application.

Yours sincerely

[Redacted signature]

License Objection | Tabularii PLC and Karma Lounge at 171-173 Tarring Road, Worthing

1 message

21 September 2021 at 20:34

Dear Licensing panel and Council members,

Hope you are well?

My partner and I reside at [REDACTED] [St Botolphs Road, Worthing BN11 4JS](#).

We are jointly writing to formally object to the alcohol licence and operating hours application made by Tabularii PLC and Karma Lounge at [171-173 Tarring Road, Worthing](#). ([link to License in question on the Adur-Worthing Council website](#))

Please note that we found the details of the alcohol licence application through your website. The notice has not been displayed by the proposed business at an accessible point and also was not available consistently for review.

Our understanding, based on publicly available information, is that the business proposes to operate as follows:

- lounge bakery & pizzeria running from 9am to 11pm Mon-Sun
- alcohol proposed to be served from 11am to 11pm Mon-Sun

We note from the council website that the applicant has offered a number of conditions in the operating schedule. However, we are not aware of these conditions and would like to understand what they pertain to.

Based on this understanding, we object to the following:

- an alcohol licence for the business
- permission to operate after 9pm
- permission to operate off-premise seating / service after 7pm

The reasons for our concern and therefore above stated objections are:

- serving of alcohol
 - our community is mainly comprised of families, often with very young, impressionable children or babies, and elderly retired or care-home residents, some of whom are vulnerable and have special needs
 - my partner and I chose to become part of this community by buying our first home here after careful consideration
 - we are concerned that any business focused on serving of alcohol through late operating hours will significantly alter the essence of our residential neighbourhood
 - we are very concerned that serving of alcohol will expose us and our community to recurring occurrences of drunk and disorderly behaviours
 - we are concerned that late operations, alcohol and music might also lead to the use of recreational drugs and other substance abuse
 - we also have serious concerns about secondary cigarette smoke related health risks from potential customers smoking outside/ on pavement given the proximity of the proposed establishment to private living spaces
 - there are several bars/ pubs within walking distance of 171-173 Tarring Road, we therefore question the need for another establishment serving alcohol in the neighbourhood
 - the concern around alcohol and drugs abuse is particularly worrying given that we unfortunately already witness some anti-social behaviours after-dark at the junction of St. Botolphs Road and Tarring Road. The local police should be aware of these issues and potential escalation of associated risks due to the addition of a late night alcohol serving outfit to our area
 - we expect that these factors can only be mitigated by not granting the alcohol license to the business
- operations after 9pm
 - my partner and I are in full-time employment and have a strong work ethic. Our jobs requires us to start work as early as 7am and therefore we value residing in a residential neighbourhood which allows us to wind-down in the evenings and enjoy family time in a quiet, relaxing environment and peaceful nights sleep
 - we have concerns around our health and wellbeing if a business adjacent to our semi-detached house **55** (approximately 10 metres away) was allowed to operate beyond 9pm

- our living room and the master bedroom faces out on St. Botolphs Road and we have concerns that if the proposed business was to operate beyond 9pm, it would cause significant disturbance of peace and cause noise related nuisance from factors such as customers talking/ chatting as they walk in and out of the premises, taxis or cars pulling up, starting of engines, closing of car doors, loud music, cheering, loud music, etc.
- we also have concerns around disturbances caused by early opening and late closing of the business such as deliveries, loading/ unloading of goods, shutters, filling of rubbish bins, etc.
- we also expect further worsening of parking related issues
- we expect that these factors can only be mitigated by restricting the in-premise/ indoor operating time to 9pm
- off-premise or outside seating/ service after 7pm
 - following from the above concerns around noise & nuisance, we have further concerns that if the proposed business was allowed to use outside area for seating after 7pm, our after-work quality family time with will be significantly affected
 - again the concerns are due to the close proximity (approximately 10 metres) of the outside seating area to our home
 - consumption of meals in an outdoor environment will cause noise related disturbance after 7pm
 - concerns raised above around secondary cigarette smoke resulting in health risk is particularly significant if off-premise seating/ service was allowed
 - we also have concerns around nature of building works and lighting set-up that might need to be carried out to support off-premise service or outdoor seating

Please note that we also raised several concerns around the planning application made by this business. There were several inconsistencies that we had to raise and are awaiting planning panels feedback on that. I am sharing the link to [my comments](#) (and attached too) and [the application itself](#). The application did not outline any plans for the pavement/ forecourt.

I would also like to additionally share a [very concerning news report](#) (and attached too) we have come across in the Argus which details troubles and disruption faced by local residents, the resultant need for court proceedings and resultant revoking of alcohol license for a business operated by Mr. Omar Rafique and his wife [REDACTED] as owner and licence respectively. The report describes year long failed attempts by local police and authorities to mediate and find a mutually conducive solution. The news report references PC Whitcomb's sentiments that "...there has been ongoing trouble with the premises for most of the last year. But despite numerous attempts to talk, the licensees refused to listen. It is not ideal."

If Karma Lounge was granted an alcohol license with specific restrictions imposed, but if the business owners followed their previous pattern of license condition violations, then we will have no other recourse but to experience ongoing disruptions to our enjoyment of private life in our property, make relevant complains on an ongoing basis and potentially wait for more than a year for intervention from our judicial system to find redressal. We are therefore extremely alarmed by this report and are concerned about our future.

We hope that official records by our local police and other authorities should provide factual insights into this.

We recommend that the new alcohol license is not granted.

We welcome commerce and business in the local area, and fully support businesses that benefit the local community and strengthen our local economy. We only request that businesses should be mindful of local communities and should build commercial ventures that do not infringe on residents rights to quiet enjoyment within their private properties & immediate neighbourhood.

We truly feel this decision could become a turning point for our Tarring Road high-street and therefore implore the Council to consider what type of local profile, business and communities we seek to nurture for the future.

We look forward to hearing from you.

Thanks,
[REDACTED]

Objection re: Tabularii Plc & Karma Lounge Limited - Worthing Council - updated 21st September 2021

1 message

21 September 2021 at 20:20



Objecting to Tabularii Plc & Karma Lounge Limited Application

My family and I (4 of us) within the licensing objectives as follows:

- The Prevention of Crime and Disorder
 - We understand that town planning have areas where alcohol licences are more likely to be granted, the area in question has a precedent of no alcohol licences and we are shocked to see this proposed change of use. The area nearby over the West [Worthing](#) crossing has been given a number of licences and we would expect the other licence premises to be far more likely to be granted within this area. Not within our largely residential area. From a prevention of crime and disorder perspective, the policing of one section of the local area would seem to be more logical rather than spreading licensed premises all around in residential areas.
 - The outdoor seating area being proposed sits on St Botolph's Road which is residential apart from a nursery. There have already been conversations overheard with the owners where they have stated that as residents are objecting they're not bothered and will just get their lawyers on it. These are not the people you want running such a business your family will be exposed to for their entire waking day from now on if this is approved. The Director of the business has been the Director of a significant number of other businesses, 2 of which are dissolved, one with mention of being 'struck off'. This was viewed on the Companies House website (I am no expert and would not wish to cast aspersions but it does not give me or my family faith in them as business owners and that they will protect our community). We have also heard rumours that the police had to take them to court to revoke the licence at another premises when their licence for 11pm was abused and alcohol was serviced into the early hours of the morning. I sincerely hope that his is being properly investigated as it would make no sense that they would be allowed another licence after tax payers money etc being wasted to revoke the first licence..They have also made absolutely no other connection in a positive way with the local residents. When they submitted their second attempt at a licence for these premises, the notice was not left in a position as to be easily visible to passers by like the first one was. I am not comfortable with the actions of this company and do not welcome them in to our community. There is another business that will be significantly impacted, the Enterprise Garage who have a vast number of cars parked in the area, the damage to these cars could be of significant financial impact to them.

- Public Safety
 - I do not have the data for speeding and crime on the Tarring Road and would hope this is being used as part of the consideration for the licence. A licence premises in the position proposed and until the hours proposed will mean that it is known for somewhere late to drink and to buy further alcohol "on the way home" this will naturally drive increased footfall up all of the residential roads leading up to this area and up the Tarring Road

(which is known for cars to speed along). (I not that they have reduced the duration of the hours in their second application but still feel that this is excessive, I think that a licence should not be granted in this are anyway). All of these things will inevitably lead to increased crime as those who have been drinking elsewhere gather there and also a threat to public safety further through accidents on the Tarring Road. This is without and of the issues with having licensed premises within a highly populated residential area (there are a number of large flats in the areas spanning all generations - who absolutely should not be subjected to a licence premises 7 days a week until later than other licensed premises in the area - over the crossing). Broken glass etc and fights pose a significant risk to public safety, the outdoor terrace being proposed only increases this risk. Keep alcohol and the Tarring road distinct for the safety of those consuming the alcohol too (I note that they are now building a wall around the terrace - presumably because of objections!!)

- o The fumes from the traffic backing up from West Worthing crossing would not make the Terrace viable for customers, their health would surely be significantly impacted.

- The prevention of public nuisance
 - o Music until 23.00 all day, every day, in a residential area in a premises that was not previously licensed for any of these things is absolutely a public nuisance and driving footfall from other licensed premises after 'kicking out time' can not be allowed and is unacceptable (the reference to late night refreshment backs this up). The residents that will be disturbed on all of the roads leading to these premises will pay the price for the profit of one company. There is a nursery, a park, a vets, families, the elderly.....all of whom will be effected every day by noise, arguments, music, increased traffic, both on foot, and in vehicles . Ambulances and police for the additional accidents and problems that will occur. These people should not be subjected to this, it is excessive, the change of use and the alcohol licence should not be granted (worryingly those who put in the application have already started work getting the premises ready to open - work which has been going on the whole time and has been significant - knocking down walls, digging holes, building walls etc. Surely this work should not go on until they have a licence. I am amazed that their very vague planning application has been deemed acceptable. They gave no real information for us to object to, didn't really answer questions and outright lied about the property lying disused - they is not the case and has been a second hand shop most if not all of the years I have lived here (10) up until very recently.
 - o Many school children walk these roads to get to and from local schools, we do not feel that they should have to walk past a licensed premises with people drinking outside 7 days a week, all day!!! That is no example to set and i would suggest could be daunting for the children and their families, let alone the newborn baby and their sibilings who live directly next door, other children directly opposite and ours, age 4 and 10 who live opposite also. I do not want my children exposed to this and would not have bought my house if such a premises already existed.
 - o Increased cars parking in the area can not be accommodated as the roads are already a nightmare for residents. That is also a very busy junction with traffic often queueing right back from West Worthing crossing.
 - o The application is excessive in its nature, far more than any other premises in the local area. I would suggest that this is being done so that they can look flexible by reducing their request to more normal operating hours when challenged, this is not the action of a company who care about the community they wish to be part of. We object entirely to the proposed business being licensed to sell alcohol and operate such excessive hours both in and outdoors. We feel the application to sell alcohol to takeaway should also not be granted due to the increased footfall out of hours and intoxicated traffic through our community.

- The protection of children from harm
 - o Many school children walk these roads to get to and from school, we do not feel that they should have to walk past a licensed premises with people drinking outside 7 days a week, all day!!! That is no example to set and i would suggest could be daunting for the children and their families, let alone the newborn baby and their sibilings who live directly next door, other children directly opposite and outr, age 4 and 10 who live opposite. I do not want my children exposed to this and would not have bought my house if such a premises already existed. The granting of this licence absolutely would not protect these children from harm (both morally, mentally and physically) and could significantly impact the nursery business revenue and safety nearby. The outdoor nature of the terrace especially would affect the well being of young children nearby, their sleep would be significantly impacted, we wouldn't even be able to open their windows anymore because of noise.

- o Please do not put businesses like this in residential areas, protect our children, families, the elderly and all of our community who value their health and well being. To my knowledge these premises have not had an alcohol licence before, why do it now, why affect all of these people for the sake of one business?
- o I would also be concerned that the sale of alcohol to those who are underage could be encouraged especially with the facility to, 'take out'. This is a well trodden route for many local schools.

I would also request clarity on the application in that on Companies House it is registered as an 'unlicensed restaurant'. I am naive as to how all of this works legally but would appreciate understanding how they can then request what they have. I would also like to understand how they can begin work on something that has not been approved - why would do this? Finally, I am seeking to understand what the town planning is for our community as I am shocked and saddened that this type of premises is even being considered. This business must not be considered as a priority over local house prices and the health of our community.

Please consider our community above the needs of this business



Fwd: Application for alcohol licence 171-173 Tarring Road, Tabularii PLC and Karma Lounge Limited

1 message

Licensing Unit <licensing.unit@adur-worthing.gov.uk>

7 September 2021 at 13:16

To: Simon Jones <simon.jones@adur-worthing.gov.uk>, Jade Marshall <jade.marshall@adur-worthing.gov.uk>

FYI- Have added to tascomi

----- Forwarded message -----

To: The Licensing Unit, Adur and Worthing Councils, Portland House, Richmond Road, Worthing**Re: Application to allow the sale of alcohol for consumption on or off the premises at [171-173 Tarring Road](#), Worthing , Tabularii PLC and Karma Lounge Limited**

Dear Sir/Madam,

I would like to object to the granting of this application on the basis that it would undermine the licensing objective of prevention of public nuisance. The noise associated with the establishment will affect many local residents with the following significant factors:

- The site is adjacent to a residential area with flats and houses only meters away from where people will be drinking and eating.
- The proposal requests that alcohol be sold until 23:00 every day of the week. With the addition of 'drinking up time' this will result in the sound of those drinking until close to midnight, even during weekdays, being clearly audible for some distance. This has the potential to cause significant disruption to those who are trying to sleep and have work the next day.
- The potential to cause noise disruption will be particularly severe due to the plan to allow patrons to sit outside the establishment which has a capacity to sit a significant number of people in the area formerly used to park lorries.
- It is also very likely that patrons will park along St. Botolph's Road and other nearby residential roads so that the sound of intoxicated people returning to their vehicles at round midnight as well as those who came on foot will affect residents for a significant distance down the nearby roads. While the driver might be sober, it is not likely their companions will be.

I am also concerned about the intentions and honesty associated with the application. In my response to the application to change planning permission I mentioned misleading and incorrect statements in the application and note that the alcohol planning application has not been displayed clearly as it should have been. A bakery/pizzeria would be nice but my fear is that this is simply a means to try and establish a late night drinking establishment that will attract people who wish to get drunk during the week.

Thank you for considering the concerns of the residents of the area.

Yours faithfully,



 [St. Botolph's Road, Worthing](#)

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**Premises licence application for Karma Lounge, 171 - 173 Tarring Road,
Worthing, BN11 4HH**

1 message

14 September 2021 at 12:12


Dear Simon,

Please find attached our representation in respect of the above new premises.

Acceptance of the new and revised conditions by Mr Rafique for the applicant company is below on this page.

Thanks.

David

David Bateup
Police Licensing Officer


Neighbourhood Police Licensing Team

West Sussex Division, Centenary House, Durrington Lane,
Worthing, West Sussex, BN13 2PQ

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From: Tabularii Plc [mailto:omar.rafiq@tabularii.net]
Sent: 13 September 2021 15:20

63

To: Bateup David 63941 <David.Bateup@sussex.pnn.police.uk>

Subject: Re: Re pre application discussion Tarring road BN11 4HH

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Dear David

It seem logical so we are happy to accept reducing the supply hours by 20mins (cessation at 22.40) with a drinking up time of 23.00hrs

Omar

Subject: RE: Re pre application discussion Tarring road BN11 4HH

Omar,

Thank you.

Just to clarify, are you agreeing to the hours for the supply of alcohol being reduced by 20 minutes (cessation at 22:40), or reduced by 30 minutes (cessation at 22:30), with consumption of alcohol until 23:00 when the premises closes?

Regards,

David

David Bateup
Police Licensing Officer

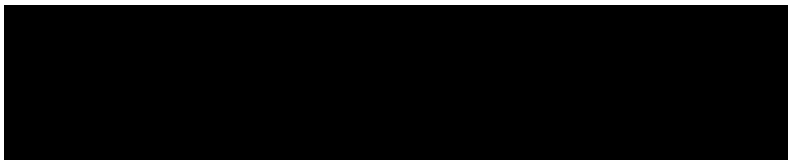
Neighbourhood Police Licensing Team

West Sussex Division, Centenary House, Durrington Lane,

Worthing, West Sussex, BN13 2PQ

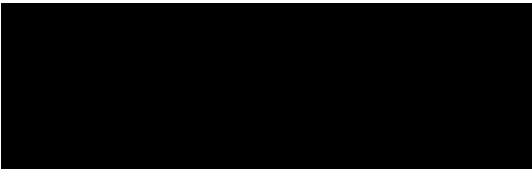
64

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Apologies but we agree to your conditions thank you



On 2 Sep 2021, at 10:14, David.Bateup@sussex.pnn.police.uk wrote:

Omar,

Hello. With reference to your revised premises licence application for the premises at 171 - 173 Tarring Road, Worthing, I refer to my email below please having noted that you have not included in the revised application any of the suggested conditions I asked for in my email below to you.

May I now please present those conditions to you again (including the suggestion of a drinking up time gap of 20 - 30 minutes between 10.30pm and closing at 11pm) and invite you to consider them for acceptance as new and revised conditions to go on the licence?

Thanks.

David

David Bateup
Police Licensing Officer

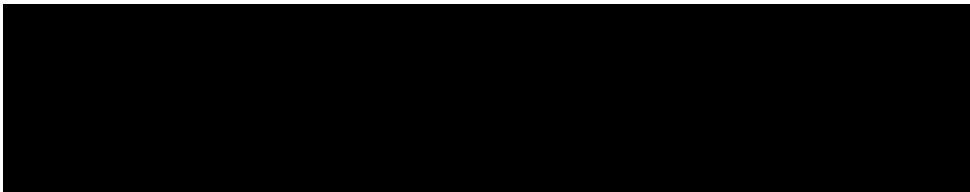


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Omar,

Thank you.

Re the outside area, then your red line to delineate the licensed area will go around the outer end of the tarmac area adjacent to the pavement.

Re barriers, I would recommend some barriers with substantial canvas sides around the outside. However for the length you are looking at they probably won't come cheap, and they would have to be taken indoors at close and taken out again when you open in the morning. I have dealt with another very similar premises in Horsham recently where they costed everything up and looked at the long term, then invested in a three foot high brick wall which actually looked quite nice when done as well as being permanent and enhanced their security re the risk of ram raiders and nuisance inconsiderate parkers etc. I don't know if a wall would require planning permission, not that I anticipate it would be a matter of contention. You are wise though to consult with Highways for their advice too.

I know the area quite well and I am conscious that there are many residential houses and flats in the immediate vicinity. I don't know if you having an outside tables and chairs area to 23:00 at night might provoke objections re anticipated noise nuisance? I anticipate you offering café bar conditions (as opposed to a

vertical drinking pub) may help with this. I have copied this in to my colleague at the Noise Team at Worthing Council Nadeem who may be able to offer some words of wisdom and experience on this?

I have suggested some conditions for you below. If you are not intending to offer an alcohol delivery service, then the alcohol delivery conditions simply lie dormant on the licence. I know from experience however that many premises with genuine intentions have no plans to do alcohol deliveries when they open, but then six months later and when all the competition are doing it, they change their minds!

Traditionally we always look for on sales to cease 20 or 30 minutes before close to allow for "drinking up time"™. This would mean adjusting the end time for sale of alcohol for on sales from 23:00 to 22:30 or 22:40. Or you could leave the times as they are but offer a condition that on sales of alcohol will cease say 20 minutes before close. Customers can still sit and consume their drinks right up until closing time.

Please come back to me with any further queries.

Regards.

David

The Prevention of Crime and Disorder:

Alcohol will be served by waiter/waitress service to customers seated at tables. There will be no vertical drinking.

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas including the entrance to the premises and the outside tables and chairs area. The system shall be on and recording at all times the premises licence is in operation.

The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside and outside the premises at all times.

CCTV footage will be stored for a minimum of 31 days.

The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.

The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.

Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises and any refusals of alcohol. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a month. The log book should be kept on the premises and be available for inspection at all times the premises are open by officers of any responsible authority. An incident will be defined as being one which involves an allegation of a criminal offence.

Patrons will not be permitted to take drinks in open containers to consume outside on the pavement/public highway beyond the licensed outside tables and chairs area of the premises whilst smoking or otherwise congregating outside of the premises beyond the licensed area.

All off sales of alcohol will be made in sealed containers.

For the Protection of Children from Harm:

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of age cards bearing the "PASS" mark hologram.

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

- The lawful selling of age restricted products
- Refusing the sale of alcohol to a person who is drunk

Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed three months, with the date and time of the verbal reinforcement/refresher training documented.

All such training undertaken by staff members shall be fully documented and recorded and signed and dated by both the employee and the DPS. All training records shall be kept on the premises and made available to officers of any responsible authority upon request.

Conditions for alcohol delivery service:

Alcohol deliveries will only be made to a residential or business address and not to a public place.

The age verification policy (including challenge 25) shall clearly be advertised at each stage of the order and on all advertising. All forms of advertising and promotional literature detailing the delivery service (including internet sites and flyers/leaflets) will clearly state that alcohol should only be purchased for delivery to intended recipients (or persons who will accept delivery on behalf of the named recipient) who are aged over 18. Customers will be reminded that it is a criminal

offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18.

At the time the order is placed a declaration will be required from the person placing the order that that person is aged over 18 years of age, and that the intended recipient is over 18 years of age. This process will be documented, (tick box before proceeding, record of verbal acknowledgement or similar). These records must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.

1. For deliveries where the alcohol is delivered by a third party, the alcohol is concealed in a secure sealed package, and the DPS has no direct supervision or control over the delivery (such as an independent courier or Royal Mail), there cannot be an age verification challenge on delivery, but the above conditions will be followed.
2. For deliveries made directly by the DPS or their employees, staff or agent or persons instructed by the DPS/PLH, 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. No ID, no delivery.
3. Where the premises contracts a third party to deliver alcohol on their behalf and the person collecting the alcohol from the premises delivers it directly to the customer within a short timescale (such as Deliveroo, Just Eats), the premises will ensure that the third party:

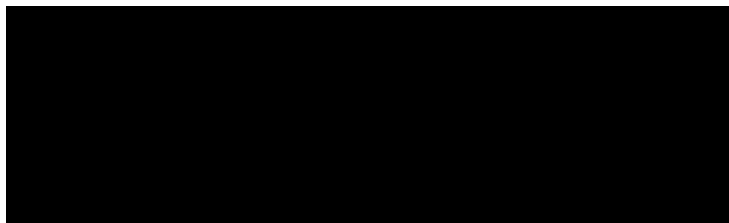
|,• only employs delivery employees or agents aged 18 or over;

|,• is aware that alcohol is included in the delivery;

|,• that the delivery person actively engages with the person receiving delivery and operates a challenge 25 policy rather than just handing the delivery over;

|,• that in the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID, the delivery person will retain the alcohol and return it to the premises.

David Bateup
Police Licensing Officer



Neighbourhood Police Licensing Team

West Sussex Division, Centenary House, Durrington Lane,

Worthing, West Sussex, BN13 2PQ

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From: tabularii accountants and business advisors [<mailto:omar.rafique@tabularii.net>]
Sent: 20 April 2021 14:13
To: Bateup David 63941 <David.Bateup@sussex.pnn.police.uk>
Subject: Re: Re pre application discussion Tarring road BN11 4HH

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David

Yes it is the gibbons site.

Yes the tarmac is wrapped around the corner and we would be looking to tables and chairs for customers to use. We anticipate some sort of border to separate the footpath from the tarmac " and we would welcome any feedback you may have " however we will talk with highways to get their views as well before we do anything.

The following seems appropriate "

1. A caf  bar where some people come in and have food, some people come in and just have alcohol perhaps with a snack, but crucially everyone consumes alcohol whilst seated and there is **no** vertical drinking (which means people standing up holding a pint glass basically);

We were going to have a kitchen to begin with but because there is no gas (informed it could take up to 4 months for service suppliers just to investigate) we will probably apply later on down the line. In the meantime we will be serving cakes/sandwich s premium coffees to drink in and or take out.

No alcohol delivery service and it would be nice to be able to offer drinks for people to take away " however if you think it may be an issue then it doesn t really mater

Hope that clarifies a few things

Omar

Omar,

Thank you.

<image001.png>

First of all and a very important question is what is the name of the premises going to be?

I think I am correct in saying the grey tarmac area in front of the shop which goes around the corner is all part of the premises?

I anticipate you are looking at having tables and chairs for customers in this outside tarmac area?

The next issue is understanding exactly what sort of premises and business you are intending to operate. So is this going to be :

1. A restaurant where people consume alcohol whilst seating at tables and chairs and alcohol is supplied ONLY ancillary to a table meal? This means if you are not having a meal, you cannot be supplied alcohol;
2. A café bar where some people come in and have food, some people come in and just have alcohol perhaps with a snack, but crucially everyone consumes alcohol whilst seated and there is **no** vertical drinking (which means people standing up holding a pint glass basically);
3. A pub, where people can come in and consume alcohol on its own, either seated, standing or a combination of both.

You are surrounded by residential properties so identifying which of the above fits your premises is important. I anticipate if at least to start with there is going to be no kitchen a restaurant is not the primary aim?

I anticipate the outside tarmac area will form part of the licensed area? Or will it be just inside the actual building?

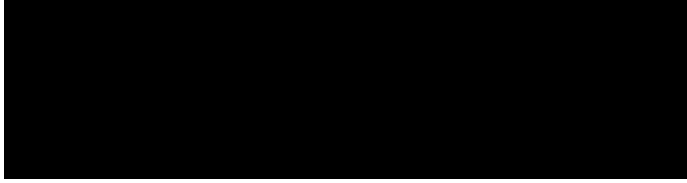
Do you want off sales only to supply alcohol to customers in the outside tarmac area, or is the intention to allow people to come in, select alcohol and take it off site to consume elsewhere?

Is there going to be an alcohol delivery service?

Thanks.

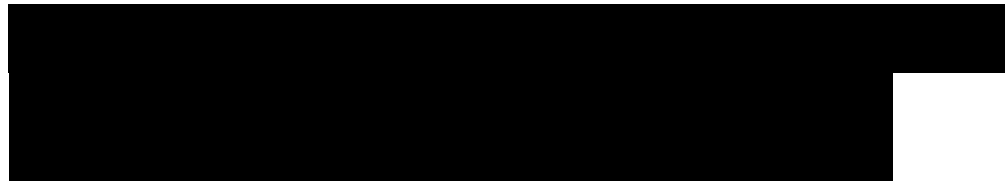
David

David Bateup
Police Licensing Officer



Neighbourhood Police Licensing Team
West Sussex Division, Centenary House, Durrington Lane,
Worthing, West Sussex, BN13 2PQ

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Dear David

We are looking to apply for a full on and off license for a caf  bar (even the unit could only cater for 50 or so internally).

Importantly t we would hope to employ at 4-6 local unemployed people.

Please find a draft of an application and would welcome your views please.

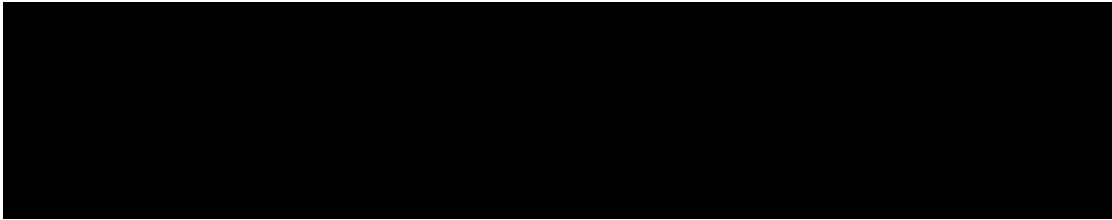
Please mind my drawing- our architect is producing one which may take a week or so

Further we have not added details of a manager because we are still interviewing

Any help would be really welcome.

Kind Regards

Omar



Omar,

Thank you for your email. You still need to give us much more information please.

Do you want on sales, off sales, or both?

What licensable activities are you applying for?

What hours for licensable activities are being applied for?

Is this going to be a restaurant, a caf   bar or a pub?

Are you looking at having tables and chairs outside on the pavement?

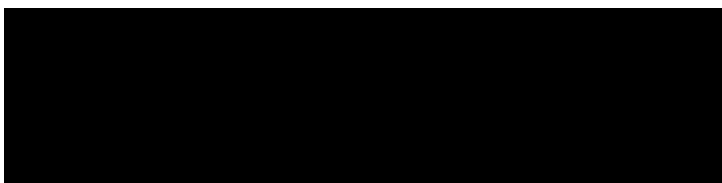
What is the business plan for the premises?

You are welcome to provide us with a DRAFT licence application for our comments.

Thanks.

David

David Bateup
Police Licensing Officer

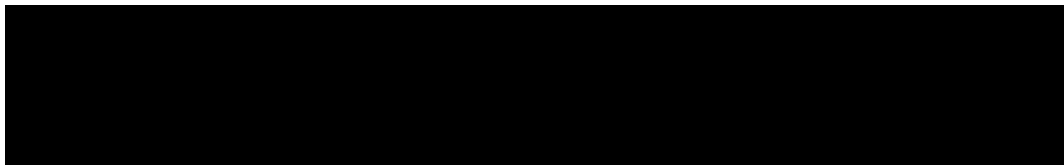


Neighbourhood Police Licensing Team

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In confidence

Dear Pauline

Thank you for the email.

We are the new tenants for [171-173 Tarring Road BN11 4HH](#) which is single storey unit (currently it is 2 units but we will be make a structural alternation to link them both) of about 80sqm.

We propose to open a caf   bistro/bar at the premises and hope to make a formal application to all the relevant authorities within the next couple of week.

He unit is self-contained lock up with no living accommodation.

lther than CCTV and complying with fire regulations we would appreciate any feedback and comments on what we need to satisfy your self  s in terms of a premises license.

Currently we are interviewing a suitable qualified Manager with the required qualification  s

Please find details of the unit here

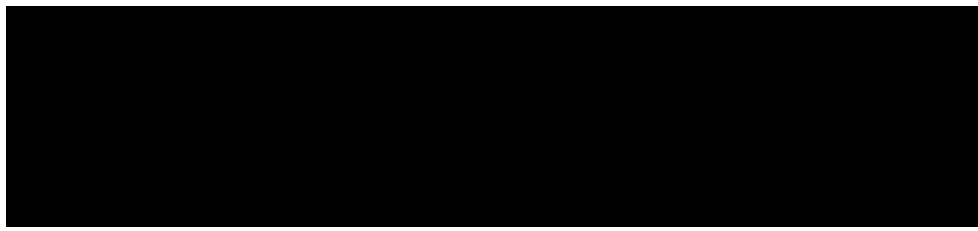
<https://star-property.co.uk/property/details/151/171-173-Tarring-Road-Worthing-West-Sussex-Retail->

Kind Regards

Omar

74





Good Morning

Thank you for your email of 15th April 2021. I could not see a phone number to contact you, however if you wish to submit either a draft of your application or just email with an idea of what you intend, the hours and measures you intend to take, along with any questions you may have; to this email address WS_Licensing_WOR@sussex.pnn.police.uk either myself or one of my colleagues will be able to look at this and may be able to provide you with some feedback.

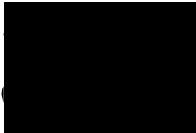
Kind regards

Pauline Giddings

Divisional Licensing Officer

Prevention Licensing Team

West Sussex



(My working days are Monday, Tuesday and Wednesday. Please send any urgent enquiries outside of those days to ws_licensing_wor@sussex.pnn.police.uk)

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Karma Lounge police rep 14.09.21.doc

987K