



WORTHING BOROUGH
C O U N C I L

1 July 2022

Worthing Licensing and Control Sub-Committee	
Date:	11 July 2022
Time:	6.30 pm
Venue:	Remote via Zoom

Committee Membership: Councillors Sally Smith (Chair), Lionel Harman and Richard Mulholland
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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 (Pages 3 - 88)

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

a) Addendum (Pages 89 - 102)

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Chris Cadman-Dando Democratic Services Officer 01903 221364 Chris.cadman-dando@adur-worthing.gov.uk	Shelley-Ann Flanagan Lawyer 01903 221095 shelley-ann.flanagan@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.



Licensing & Control Committee B

Sub-Committee

11 July 2022

Ward: Marine

Licensing Act 2003 – Application for a new Premises Licence

'Orchid House'
14 West Avenue
Worthing, BN11 5LU

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 :

Colibri (UK) Ltd.

for a new Premises Licence to authorise the sale of alcohol for consumption on & off the premises and the provision of late night refreshment at a proposed new restaurant.

2. Reasons for Hearing

- 2.1 The application has been the subject of formal representation by a responsible authority and 21 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 Colibri (UK) Ltd. to the Licensing Authority, Worthing Borough Council, on 17 May 2022 for the grant of a new premises licence.
- 3.2 The premises to be located on the east side of West Avenue on the corner of Mill Road. West Avenue is a wide residential street situated in West Worthing. Mill Road is the main road connecting Worthing town centre to Goring.

- 3.3 The premises is a converted detached residential property with secluded gardens which the applicant is proposing to open as a high class restaurant with a bar, function room, customer lounge, outside dining areas, and four bed & breakfast letting rooms. Four customer parking spaces are to be provided and the premises' grounds are to be gated and covered by CCTV.
- 3.4 The applicant secured planning permission in August 2018 for a change of use of the ground floor (14 West Avenue and Eastcourt, Mill Road) to a restaurant (Class A3) with associated bar and function room. Change of use of the first-floor to visitor accommodation (Class C1).
- 3.5 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 representation made by the Responsible Authority (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 is seeking authorisation for:
- Sale of alcohol:
 - 11:00 hrs to 23:30 hrs Monday - Saturday
 - 11:00 hrs to 22:30 hrs Sunday
 - An additional 1 hour on days preceding a Bank Holiday, plus on Christmas Eve & Boxing Day.
 - New Year's Eve until 00.30hrs on New Year's Day.
 - Late Night Refreshment
 - 23:00 hrs to 00:00 hrs (midnight) Monday - Saturday
 - An additional 1 hour to those stated above on days preceding a Bank Holiday, plus on Christmas Eve & Boxing Day.
 - New Year's Eve until 01.00 hrs New Year's Day.
 - Opening to the Public
 - 11:00 hrs to 00:00 hrs (midnight) Monday - Saturday
 - 11:00 hrs to 23:00 hrs Monday - Sunday incl.
 - An additional 1 hour to those stated above on days preceding a Bank Holiday, plus on Christmas Eve & Boxing Day.
 - New Year's Eve until 01.00 hrs New Year's Day.
- 4.2 As recommended by the Guidance issued under section 182 of the Licensing Act 2003 the applicant has completed an operating schedule as to how it is intended to address the Licensing Objectives if this application were granted.

- 4.3 The proposed designated supervisor (DPS) is [REDACTED] who holds a Personal Licence issued by Brighton & Hove City 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
 - Other Persons
 - 21 Local Residents

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 Twenty one relevant representations were received from the public regarding possible crime & disorder and public nuisance implications that can be associated with alcohol sales.

7.4 Some of the information included in the representations, whilst highlighting serious issues, should be regarded as not relevant to a licensing application under the Licensing Act 2003 and should not be considered. These include:

- Parking issues
- No requirement or demand for a licensed premise in the area
- Viability
- Effect on local property values
- Public amenity
- Congestion
- Road safety

These are planning matters that have been considered by the Planning Committee and a Licensing Committee cannot consider. 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 points made and 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 a number of conditions to address the licensing objectives. These have now been successfully mediated with the applicant, Colibri (UK) Ltd., 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 PREVENTION OF CRIME AND DISORDER

- *Alcohol will be supplied by waiter/waitress service to customers seated at tables only. Customers may go and stand at the bar and be supplied alcohol, where they will be reminded of the requirement to be seated before beginning to consume their purchase.*

- *With the exception of residents and their bonafide guests, no alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol.*
- *Off sales will be restricted to existing customers already on the premises for on sales. There will be no off sales to members of the public walking in off the street.*
- *All off sales will be in sealed containers only.*
- *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. The system shall be on and recording at all times the premises licence is in operation.*
 - *The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.*
 - *CCTV footage will be stored for a minimum of 31 days*
 - *The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.*
 - *The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.*
 - *Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.*
 - *Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.*
 - *In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.*
- *A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all times whilst the premises is open.*
- *An incident log shall be kept at the premises for at least 12 months, and made available on request to an authorised officer of the licensing authority or the Police Licensing Unit, which will record the following:*
 - *all crimes reported to the venue, or by the venue to the Police*
 - *all ejections of patrons*
 - *any complaints received*
 - *any incidents of disorder*
 - *seizures of drugs, offensive weapons, fraudulent ID or other items*
 - *any failures or faults in the CCTV system or searching equipment or scanning equipment*
 - *any refusal of the sale of alcohol*

- any visit by a responsible authority or emergency service

PUBLIC SAFETY

- An accredited First Aid trained person must be on duty at all times when the premises operate for licensable activities.
- A pre-opening check will be completed every day prior to opening the premises to the public, to ensure no slipping hazards nor tripping hazards are present, fire exits are clear, and further, any compromise to the safety of customers or staff is rectified prior to opening to the public that day.

PREVENTION OF PUBLIC NUISANCE

- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
- Outside tables and chairs (in the garden) shall be rendered unusable by 21:00 hours each day with guests required to transfer inside, or settle any open tab and depart.
- Any rubbish, including bottles, shall be disposed of in outside receptacles or outside areas between 08:00 hours and 22:00 hours only.
- All deliveries will be made to the premises between 08:00 hours and 19:00 hours.

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 licences with a photograph, photographic military ID or proof of age cards bearing the "PASS" mark hologram, official photographic identity cards issued by EU states bearing a hologram or ultraviolet feature.
- 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 (including family members and friends) engaged, or to be engaged, in selling alcohol at the premises shall receive 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 twelve 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.
- Entry by children under the age of 18 to the premises will be prohibited unless accompanied by an adult over the age of 18.

As a result Sussex Police have withdrawn their objections.

8.3 The applicant has contacted the other parties and invited them to attend an open day event at the restaurant to discuss their concerns but 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 Colibri (UK) Ltd. for its restaurant to be known as the 'Orchid House' situated at 14 West Avenue, 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-issued-under-section-182>
- Worthing Borough Council's Statement of Licensing Policy
<http://www.adur-worthing.gov.uk/licensing-and-permits/consultations-policy-forum/policy-and-forum/>

Appendices:

- Appendix A - Plan & photos of the area
- Appendix B - Plan of the site.
- Appendix C - The Application Form.
- Appendix D - Representation received from the Responsible Authority
- Appendices E - Representations received from Public
- Appendix F - Details of the mediation conducted

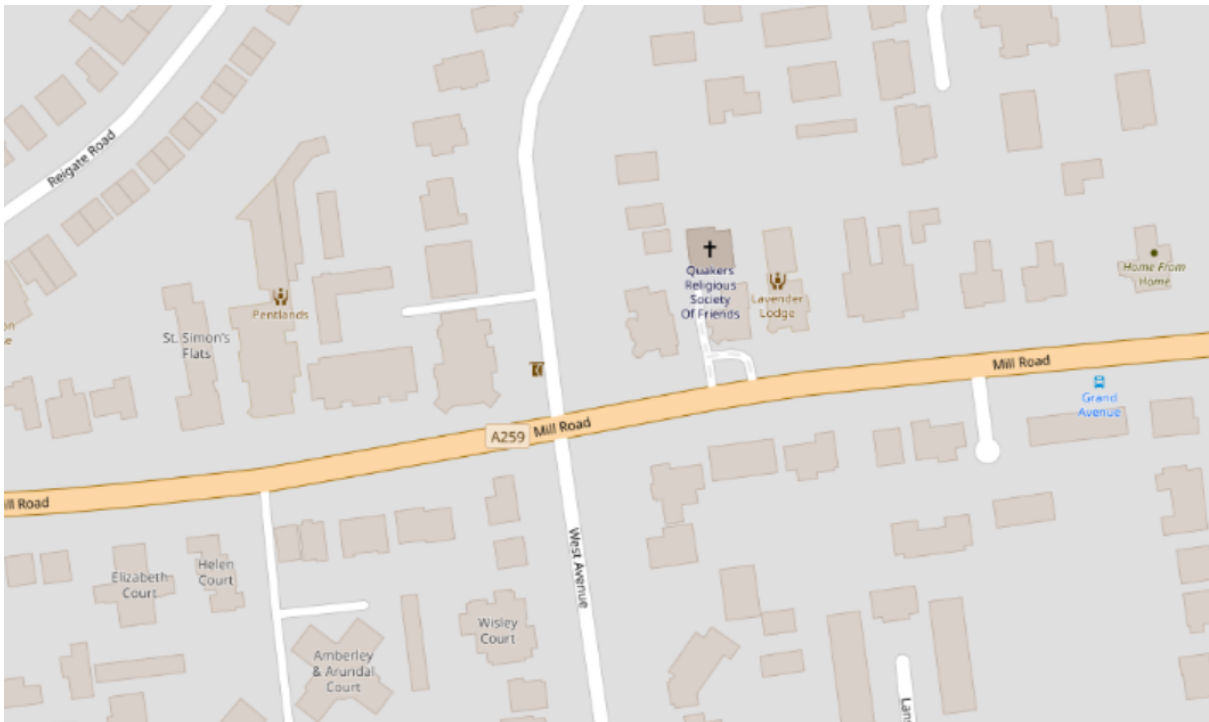
Portland House, Worthing

Ref: SJ/Lic.U/LA03/NEW – Orchid House

Date: 27 June 2022.

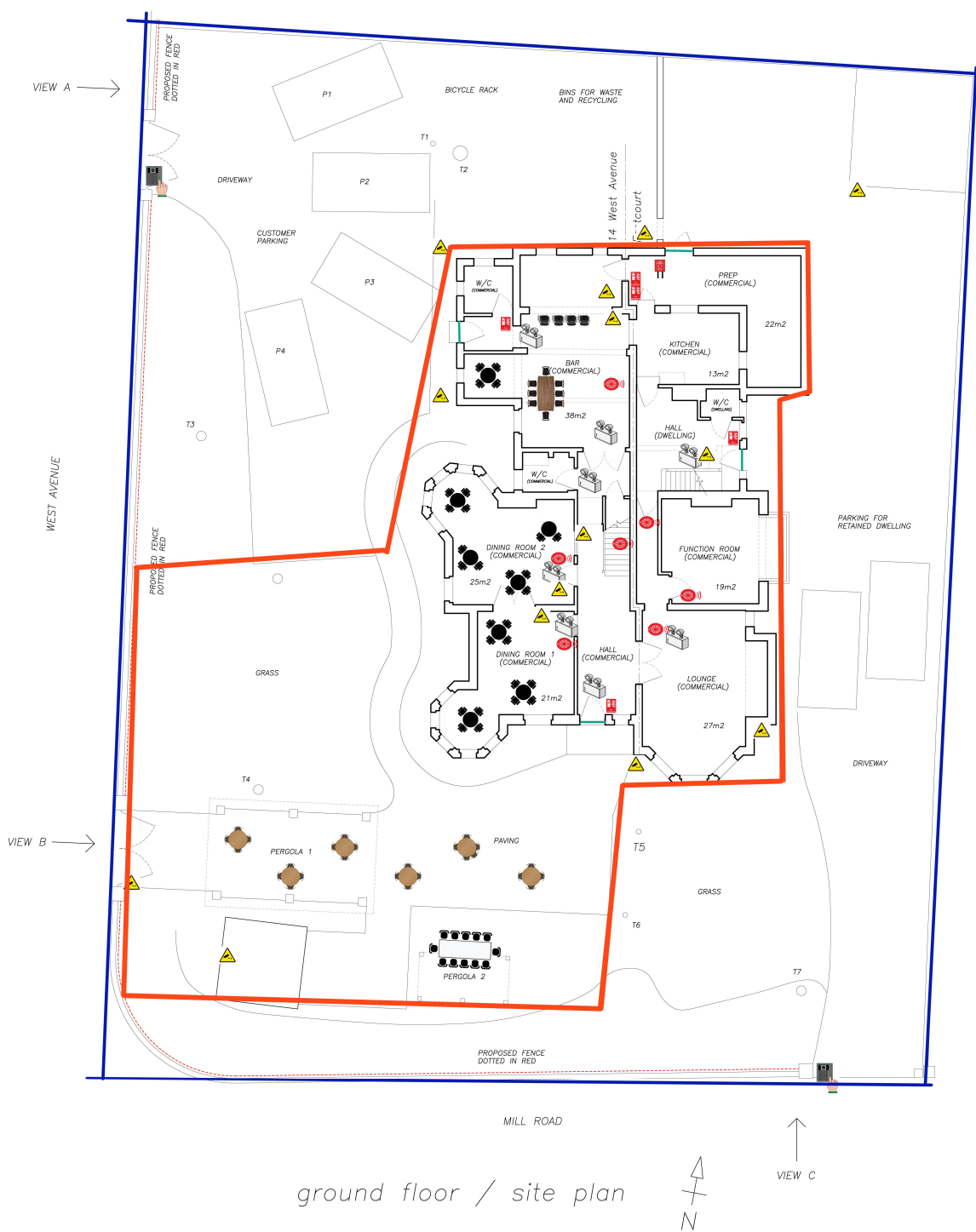
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Appendix A - Map & Photos of Area

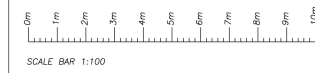




The Contractor is to verify all dimensions, alignment, levels and datum prior to commencement of work. Any discrepancies are to be reported immediately to the Surveyor. Variations and modifications to the work shown on these drawings are not to be carried out without the written permission of the Surveyor. This drawing is the property of djb Ltd and must not be copied or reproduced except with their express permission nor may the design or any information thereon be disclosed to any third party.



- Key:
- Site Ownership Boundary
 - Licensable Area
 - Fire Exits
 - Fire Extinguishers
 - Fire Blanket
 - CCTV Cameras
 - Video Entry System
 - Smoke Detector
 - Emergency Lights



REVISION	BY	DATE	DETAILS
A	DJB	22-07-2021	MINOR AMENDMENTS

PROJECT ADDRESS **Orchid House**
14 West Avenue BN11 5LU &
Eastcourt Mill Road BN11 5DR
Worthing
West Sussex

DRAWING TITLE
Proposed Site and
Ground Floor Plan

DRAWN BY
DJB Scales (original on A1 to crop marks):
 Site / Floor Plans 1 : 50

DATE
June 2020

DRAWING No. REV
18-070-4 a



ground floor / site plan

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

CD/IP/PREM/ORCHID

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

[Redacted]

* Family name

[Redacted]

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

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

Is the applicant:

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

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

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

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

Registration number

[Redacted]

Business name

Colibri (UK) Ltd

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

VAT number

- none

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

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

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

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

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

Provide a general description of the premises

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

THE PREMISES IS A RESTAURANT WITH BAR CONCEPT WITH 4 BEDROOMS AVAILABLE FOR BED AND BREAKFAST. IT IS SET IN A TWO-STOREY PERIOD DETACHED HOUSE WITH A SECLUDED GARDEN & CAR PARKING FACILITY FOR 4 VEHICLES.

CUSTOMERS USING THE RESTAURANT AND BAR WILL BE SEATED WHILST CONSUMING ALCOHOL.

Continued from previous page...

A COMPREHENSIVE RANGE OF ALCOHOLIC AND NON ALCOHOLIC DRINKS WILL BE AVAILABLE FOR SALE, INCLUDING A SELECTION OF FINE WINES AND SOPHISTICATED COCKTAILS.

THE HOUSE IS GATED WITH A VIDEO DOOR ENTRY SYSTEM AND THERE ARE CCTV CAMERAS IN OPERATION THROUGHOUT THE GARDEN, CAR PARK AND INTERNALLY IN THE DINING AREAS AND THE BAR. THE BUSINESS WILL OPERATE ON A BOOKINGS ONLY BASIS.

OFF SALES WILL BE RESTRICTED TO SALES IN SEALED CONTAINERS IF REQUESTED, FOR CUSTOMERS ALREADY ON THE PREMISES FOR ON SALES.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

State any seasonal variations

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

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

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

An additional 1 hour to those stated above on days preceding a Bank Holiday, plus on Christmas Eve & Boxing Day.

New Year's Eve until 01.00 in the early hours of New Year's Day.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

Continued from previous page...

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

An additional 1 hour on days preceding a Bank Holiday, plus on Christmas Eve & Boxing Day.

New Year's Eve until 00.30am in the early hours of New Year's Day.

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

Continued from previous page...

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

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

none

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

Continued from previous page...

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

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

An additional 1 hour to those stated above on days preceding a Bank Holiday, plus on Christmas Eve & Boxing Day.

New Year's Eve until 01.00 in the early hours of New Year's Day.

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

All staff engaged in the sale of alcohol will be trained in responsible alcohol retailing to the minimum standard of BIIAB Level 1 or any equivalent training course within 1 month of commencing employment at the premises. Where there are existing staff this training shall be completed prior to the premises operating its Premises Licence. No person shall be authorised to sell or supply alcohol until this training is completed. Refresher training will be conducted at 12 monthly intervals. Training records shall be kept on the premises and produced to the police or any authorised person on demand.

The sale of alcohol shall be predominantly by waiter service to seated customers, and on occasion that customers are served at the bar, they will be reminded of the requirement to be seated before beginning to consume their purchase.

With the exception of residents and their bona fide guests, no alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol.

b) The prevention of crime and disorder

The premises has installed a CCTV system. All entry, exit and point of sale areas will be covered by the cameras, and the images shall enable frontal identification of every person entering in any light condition. The system shall continually record whilst the premises is open for licensable activities and during all times when staff and customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available to a Police officer or an authorised officer of the licensing authority upon request.

The DPS and any Duty Manager will be conversant with the operation of the CCTV system. Therefore it will be possible to show a Police officer or an authorised officer of the licensing authority data or footage upon request.

A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all times whilst the premises is open.

An incident log shall be kept at the premises for at least 12 months, and made available on request to an authorised officer of the licensing authority or the Police Licensing Unit, which will record the following:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder

Continued from previous page...

- (e) seizures of drugs, offensive weapons, fraudulent ID or other items
- (f) any failures or faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a responsible authority or emergency service

c) Public safety

An accredited First Aid trained person must be on duty at all times when the premises operate for licensable activities.

A pre-opening check will be completed every day prior to opening the premises to the public, to ensure no slipping hazards nor tripping hazards are present, fire exits are clear, and further, any compromise to the safety of customers or staff is rectified prior to opening to the public that day.

d) The prevention of public nuisance

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.

Outside tables and chairs (in the garden) shall be rendered unusable by 21:00 hours each day with guests required to transfer inside, or settle any open tab and depart.

Any rubbish, including bottles, shall be disposed of in outside receptacles or outside areas between 08:00 hours and 22:00 only.

All deliveries will be made to the premises between 08:00 hours and 19:00 hours.

e) The protection of children from harm

The Premises will operate a "Challenge 25" policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence or Proof of Age Scheme (P.A.S.S) approved identification before being served alcohol.

Entry by children under the age of 18 to the premises will be prohibited unless accompanied by an adult over the age of 18.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

DECLARATION

Continued from previous page...

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

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

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

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="CD/IP/PREM/ORCHID"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

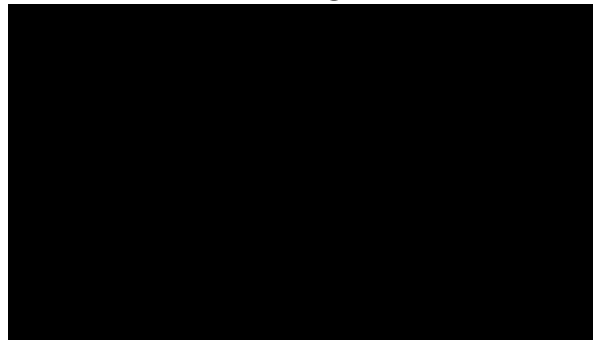


Sussex Police
Serving Sussex

www.sussex.police.uk

West Sussex Division
Neighbourhood Licensing Team

West Sussex Licensing Team



13th June 2022

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 ORCHID HOUSE, 14 WEST AVENUE, WORTHING, BN11 5LU. 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.

This is an application for a private house to be converted into a small restaurant and bar with four bedrooms available for bed and breakfast.

Following consultation with [REDACTED] for the applicant company, the following new and revised conditions have been agreed:

Sussex Police Headquarters

THE PREVENTION OF CRIME AND DISORDER

Alcohol will be supplied by waiter/waitress service to customers seated at tables only. Customers may go and stand at the bar and be supplied alcohol, where they will be reminded of the requirement to be seated before beginning to consume their purchase.

With the exception of residents and their bona fide guests, no alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol.

Off sales will be restricted to existing customers already on the premises for on sales. There will no off sales to members of the public walking in off the street.

All off sales will be in sealed containers only.

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. The system shall be on and recording at all times the premises licence is in operation.

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

CCTV footage will be stored for a minimum of 31 days

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

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

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

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

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

A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log

shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all times whilst the premises is open.

An incident log shall be kept at the premises for at least 12 months, and made available on request to an authorised officer of the licensing authority or the Police Licensing Unit, which will record the following:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs, offensive weapons, fraudulent ID or other items
- (f) any failures or faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a responsible authority or emergency service

PUBLIC SAFETY

An accredited First Aid trained person must be on duty at all times when the premises operate for licensable activities.

A pre-opening check will be completed every day prior to opening the premises to the public, to ensure no slipping hazards nor tripping hazards are present, fire exits are clear, and further, any compromise to the safety of customers or staff is rectified prior to opening to the public that day.

PREVENTION OF PUBLIC NUISANCE

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.

Outside tables and chairs (in the garden) shall be rendered unusable by 21:00 hours each day with guests required to transfer inside, or settle any open tab and depart.

Any rubbish, including bottles, shall be disposed of in outside receptacles or outside areas between 08:00 hours and 22:00 only.

All deliveries will be made to the premises between 08:00 hours and 19:00 hours.

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, official photographic identity cards issued by EU states bearing a hologram or ultraviolet feature.

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 (including family members and friends) engaged or to be engaged, in selling alcohol at the premises shall receive 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 twelve 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.

Entry by children under the age of 18 to the premises will be prohibited unless accompanied by an adult over the age of 18.

You will note that the condition offered in the application "The sale of alcohol shall be predominantly by waiter service to seated customers...." has been removed and replaced by mutual agreement as the wording offered makes the condition difficult to enforce.

I enclose an email confirmation from [REDACTED] 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,

[REDACTED]
Inspector [REDACTED]
West Sussex Licensing Inspector
Sussex Police

Encs

Blue Licence Application for (New Premises Licence at Orchid House) 14 West Avenue Worthing

1 message

14 June 2022 at 21:30

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

Please find email for the above application restaurant ,bar, four B&B as well as late night food and drink the said application is to serve alcohol and food both on and off premise between the hours of 11am and midnight ...

To our horror as local residence of West Avenue our main reasons for objections are :

Noise when entering and leaving premises - especially late at night and the disturbance to neighbours right to enjoy their homes :

Noise from the garden area where people will be drinking and smoking / Antisocial behaviour as a result of drinking : Potential increase of crime and violence in the local area as a result of alcohol consumption ,we already have to deal with empty beer cans and bottles thrown into our commutinty gardens as a result of leaving the already several local restaraunt pubs and Micro Bars not three hundred yards to the west of West Avenue ..

Increased demand for parking - only four parking places at the property meaning most customers and staff will need to park in the adjoining - West Avenue leading to more noise and disturbance, where i might add as resident we already struggle to find parking spaces ... West Avenue and the immediate adjoining Mill Road area is 100%residential it is NOT an appropriate area in which to open this business..My Husband and i are in NO doubt that if this application should it be passed will cause considerable concern and worry for us and our long awaited retirement in what is a lovely quiet and much loved place to live ...

yous most sincerely

Orchid House, 14 West Avenue, Worthing Licensing Application

1 message

13 June 2022 at 15:50

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

Dear Sirs

New Premises License at Orchard House

I live [REDACTED] and wish to object to the issuing of a license to a property at 14 West Avenue to serve Food and Drink in a strictly Residential Area.

The reasons are:

Noise from people drinking and eating until late into the evening

Damage to property, anti-social behaviour caused through drinking

Noise from people leaving and entering the premises

Increased demand for Parking in a road which already has parking problems

The immediate area is 100% residential

We have a right to quietly enjoy our home

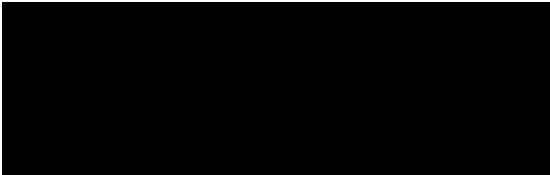
Negative impact on house prices

Impact on peoples mental health caused by noise and parking stress

There are also restrictive covenants in place for West Avenue, which prevent the “manufacture or sale of Ale Porter Stout Wines Spirits or any other alcoholic liquors of any description” dated 28th December 1900:.

Best regards





The Licensing Unit
 Adur & Worthing Councils
 Portland House
 44 Richmond Road
 Worthing BN11 1HS



6 June 2022

Re: Objection to new Premises Licence at Orchid House by Colibri (UK) Ltd of 14 West Avenue, Worthing, BN11 5LU

To whom it may concern

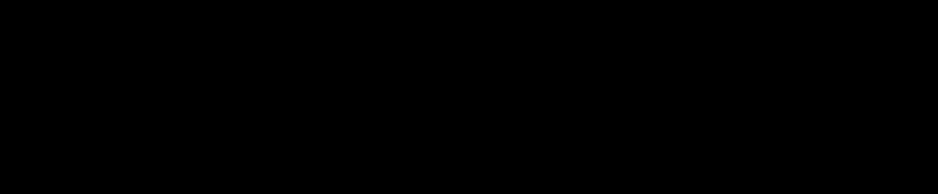
We wish to make an objection to the above license application. The premises for which the license is sought, are in an entirely residential conservation area and a very quiet neighbourhood. Selling alcohol on and off premises, as well as late-night refreshments potentially seven days a week, until 23.30 Monday to Saturday and until 22.30 on Sundays is completely out of keeping with this neighbourhood. With no parking facilities on the premises, and with entertainment spaces created in the property's garden, neighbours can expect significant impact to noise-levels and potential nuisance by customers of Colibri Ltd/Orchid House. Issues around available parking spaces as well as late night noises from leaving guests and cars would add to this.

The current application does not seem to indicate a limit to the number of people that can attend the venue at any one time, and no limit to the days in the week, month or year that the venue will operate late night events.

To support our objection, we also want to make reference to the Restrictive Covenant dated 27 June 1884 which applies to our property [redacted] and we believe to other surrounding properties that formed part of the Heene Estate. The restrictive covenant prohibits the manufacture as well as the sale of alcohol on the land.

We very much hope the licensing team will consider the objections and not grant license in the way currently proposed to Colibri (UK) Ltd.

Kind regards,



(no subject)

1 message

13 June 2022 at 19:24

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

OBJECTION TO NEW PREMISES LICENCE AT ORCHID HOUSE, [14 WEST AVENUE, WORTHING, BN11 5LU](#)

Good Evening

REASONS FOR OBJECTION/REPRESENTATION

With reference to the above application, I wish to object on the following grounds:-

The Prevention of Crime and Disorder

There is a potential for an increase of crime and violence in the area as a result of alcohol consumption especially with the late closing times, disorder, drunkenness and anti-social behaviour.

The Prevention of Public Nuisance

Noise when entering and leaving the premises, especially late at night and the disturbance to neighbours. As there are only 4 parking places at the property, this means that customers and staff will need to park in the adjoining road, West Avenue (which is residential), causing more noise and disturbance. Added noise issues will be emitted from the ventilation and air conditioning unit in the kitchen. Vehicles including taxis, customer and delivery vehicles (loading and unloading) will create added noise disturbance, as well as odour, litter, waste, street fouling (bottles left in street and patrons who have consumed too much alcohol and urinate and vomit in the street). Noise from the garden area where people drink and smoke is another factor as to why a Premises Licence should not be issued.



Objection to New Premises Licence at Orchard House

1 message

7 June 2022 at 21:39

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

My name is [REDACTED]

I am writing to object to the **Blue License Application for the premises of 14 West Avenue**, for the sale of alcohol and food, on an off the premises between the hours of 11am and midnight.

My reasons of objection are as follows:

1. Noise. This will be unavoidable and due to the "Human traffic" to and from the premises of **14 West Avenue**. This is likely to be worse at night, and West Avenue and Mill Road are entirely residential areas. I imagine there will be excess noise from the garden areas when the weather is appropriate, where people are outside drinking/smoking.

The local residents, nearest to Number 14, are almost all elderly- the block of flats opposite for example, is almost entirely retired people, who will definitely not appreciate late-night noise. Also, bottles going into recycling bins can be hugely noisy, and wake local residents.

(OBJECTION ON THE GROUNDS OF - PREVENTION OF PUBLIC NUISANCE)

2. Antisocial Behaviour. This will almost certainly come a direct result of alcohol consumption.

There is also the potential for excess noise, the potential for alcohol-fuelled violence and potentially, a localised increase in criminal damage.

(OBJECTION ON THE GROUNDS OF - PREVENTION OF CRIME & DISORDER)

3. Parking. We already have a lot of people parking and walking up to Goring Road to work, or to West Worthing station to commute to work on the trains, every day. This type of business in West Avenue would mean even more vehicles parked in our road, and the added potential for them to be left overnight, to avoid the drinking/driving situations that cannot be tolerated. Also- bars need deliveries, so there is the potential to have vans/lorries double-parked at the junction, trying to gain access to the premises.



This has the potential to endanger other drivers and pedestrians who may be crossing at the junction.

(OBJECTION ON THE GROUNDS OF - MAINTAINING ADEQUATE ON-STREET RESIDENT PARKING)

4. Business Restriction in Property Deeds. In the deeds for my house at [REDACTED] there is a restriction that precludes the use of my home premises, for business purposes. I was under the impression that this was common for **all the residential properties in West Avenue.**

48

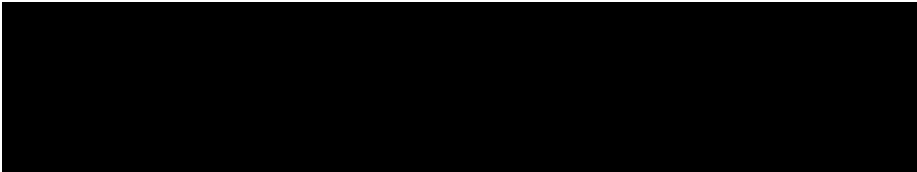
If this is indeed the case, there is no reason why the Worthing Licensing Unit should entertain this application.

I'm pretty sure my neighbours would be upset if I tried to turn my house into 


5. Residential area 100%. The nearest commercial businesses are nursing homes in Mill Road, and Cedar Garage on Tarring Road. There are no business premises anywhere nearby, and it is a 100% residential area. Which is how it should remain. We do not want or need this new restaurant/bar/ B&B.

Please do not entertain the application for this license. It is unwelcome, un-necessary and I'm sure the overwhelming majority of the local residents are opposed. We would like West Avenue **to remain the quiet, safe and enjoyable place to live** that it has been since it was built.

Many thanks in advance for taking the time to consider my objections to this application.



REPRESENTATION / OBJECTION TO NEW PREMISES LICENCE AT ORCHID HOUSE

1 message

[REDACTED] 7 June 2022 at 13:32

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

To whom it may concern:

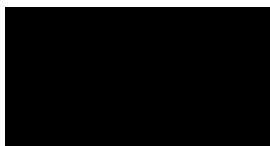
I would like to make representation/objection to the application for New Premise Licence at Orchid House, 14 West Avenue, Worthing.

I have attached my representation/objection in this email. Please could you confirm receipt. Thank you

Yours faithfully,

[REDACTED]

[REDACTED]



4.06.2020

Re. New Premises Licence at Orchid House, 14West Avenue BN11 5LU

To whom it may concern

I would like to register my objections to the above licensing application.

The application is for a new restaurant and bar selling alcohol for consumption both on and off the premises and for late night refreshment. Also for 4 b&b rooms.

My objections relate to items 1 and 3 of the licensing objectives, ie public safety and the prevention of public nuisance. I have referenced the Worthing Council Statement of Licensing policy in the paragraphs below.

14 West Avenue is situated in an area that is 100% residential and therefore totally unsuited to this type of development. It is also situated in the Mill Road conservation area. An extract from Worthing Council conservation area appraisal document is also included.

Worthing Borough Council
Licensing act 2003
Statement of licensing policy

“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 Licensing Authority 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 Licensing Authority 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.”

West Avenue is a quiet residential road containing a mix of apartments and family houses. Any disruption to its current atmosphere will only be detrimental.

The applicant states that there would be parking on-site for 4 cars. This is totally inadequate. With four b&b rooms, there would be no on site parking provision for either bar or restaurants users. Let alone for staff and permanent residents. This means clients and staff would need to park in West Avenue. This would not only put further pressure on parking for local residents, but would add to noise levels late into the evening.

“4.29 Patrons may no longer smoke inside licensed premises and consequently may go outside to smoke. Applicants and existing licence holders are encouraged to assess whether the noise from such patrons could potentially disturb nearby residents and whether there is potential for smoke to drift to nearby residential properties.”

Smoking in the gardens of 14 West Avenue, along with general noise from drinkers would again be detrimental to the residents of West Avenue. As stated further down, the privacy measures so far taken, are totally inadequate and contravene the Worthing Council Conservation Area Appraisal document.

“Section 6.4

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).”

I notice that the application is for a licence allowing people to leave 14 West Avenue by midnight Monday to Saturday and 11 pm Sundays. These hours are well past what is regarded as the normal night time sleeping period. Additionally, the late night refreshment licence application between 11pm and midnight entirely contravenes Worthing licensing policy . To comply, ‘last orders’ would need to be taken no later than 10.30 giving customers half an hour to drink up and vacate the premises before 11pm.

“ 6.5 The Licensing Authority recognises that longer and varied licensing hours for the sale of alcohol may avoid large numbers of people leaving premises at the same time, which in turn could reduce the friction focused on late night fast-food outlets, taxi ranks, and other sources of transport that can lead to disorder and disturbance. Nevertheless, they may need to be satisfied that suitable arrangements are in place to ensure public transport is available at appropriate times and that the Licensing Objectives regarding the Prevention of Public Nuisance or of Crime & Disorder are not compromised. This aspect should, therefore, be addressed in operating schedules in the appropriate circumstances.”

Due to the lack of adequate on site parking, the need for taxis will only increase noise levels and annoyance to local residents. In addition, public bus transport ceases on Sundays at 10.24 pm

“Late Night Refreshment Cafes & Takeaways

Fast food premises which are open after 23.00hrs can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area. Although premises which serve cold food and drink are not subject to licensing and may stay open all night, they are not so attractive to people who have been drinking as those providing hot food and drink. The Licensing Authority considers that the addition of hot fast food and hot drink adds to the attractiveness of premises to people who have been drinking and who are consequently more likely to be involved in anti-social behaviour. Sussex Police have in the past raised concerns about the levels of crime & disorder that can occur outside fast food premises late at night due to alcohol fuelled behaviour, and the opportunities for crime afforded by the congregation of people. Fast food premises have a comparatively high association with reports of crimes of violence against the person. The consumption of food outside premises can result in food waste and litter on pavements, to an extent that amounts to a public nuisance.

In addition, where there are fast food premises in the vicinity of public houses and nightclubs the rapid dispersal of people leaving these venues is significantly hindered. This delay in dispersal causes the potential for the licensing objectives to be compromised.”

There is no reason to grant a late night refreshment licence in a quiet residential area. This would undoubtedly result in unnecessary noise and annoyance to local residents. The potential for an increase in crime is great.

The property lies within the Mill Road Conservation area. I refer to the following extract from Worthing Council conservation area appraisal document:

“Restrict development to two-storeys to preserve the regular skyline. Preserve the open spaces around the houses, particularly the frontages and also the back gardens at the western end of Mill Road which are visible from the street.

Retain the panelled flint and brick walling at the back of the pavement; discourage rendering or painting. Reinststate missing sections. Retain the original gate piers. Replace concrete or modern stock brick piers using appropriate materials.

Retain the brick plot-boundary walls (eg. there are attractive stretches of back wall facing Dorchester Gardens which enhance the view into the Conservation Area from the north).

Replace fencing with shrubs or trees. (If it has to be retained, ensure it is kept in good order - replace the broken shiplap fencing to the north of No [REDACTED]

The gardens surrounding the property have recently been enclosed by fencing for which at the time there was no planning permission. In addition, the tall ‘see-through’ wrought iron gates have been made solid using tatty plastic sheeting, again without planning permission. The gate piers have been extended in height using unsuitable bricks. The gardens are not soundproof and are therefore totally unsuitable for providing either smoking or drinking areas in what is a totally residential neighbourhood. There is no planning permission either for solid gates or extended piers.

Yours faithfully,
[REDACTED]

Orchid House, 14 west Avenue, Worthing.

1 message

8 June 2022 at 12:47

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

Dear Sirs,

We write to object, most strongly, to the above property becoming a licensed premises for the following reasons.

We understand that the licensing application includes food and drink served from 11 am til late evening inside and outside although we believe that the outside servings are to be restricted to 9pm but that restriction would be difficult to control. Plus 4 b&b rooms.

As the property already has consent as a restaurant (though how this consent was ever obtained beggars belief) the proposed expansion will, in effect, turn the property into a public house. That is a public house right in the middle of a solely residential district. This expansion would inevitably far create more noise and disturbance to the local residents. This would also lead to devaluation of the surrounding and adjacent residential properties.

Clearly only 4 off road parking spaces are totally inadequate. The only spaces to park are, in theory, in West Avenue but those in the general vicinity of the property are usually taken. So if a license is granted there will be more staff and many more patrons and not being able to find spaces in west Ave they will try to park in Mill Road. Mill Rd is, of course, the A259 with a heavy traffic flow including two bus routes. Already there are frequent tail-backs (from the Grand Ave traffic lights) extending well back past West Ave.

We would suggest that a member of the Licensing Committee goes to view the property externally when he or she will see immediately that site is completely unsuitable for expansion to virtually a public house status which would be the case if a license were to be granted.

On a more positive note it would seem that the site would be suitable for 4 b&b rooms- unlicensed,

Yours faithfully,


[REDACTED]

Re: Licensing application - 14 West Avenue1 message

8 June 2022 at 10:52

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

Many apologies ...



Could I also add to my objection the following:

There is a Quaker Meeting House nearby - I understand that any meetings are held in silence and last for at least an hour.

There is a yoga group that meets nearby in Mill Road, in the daytime, evenings and weekends. Again these meetings are held in quiet reflection.

Two more reasons why this licence would be so inappropriate for this area.

There is a very large pub further down the road, and a wine bar also only minutes away in the Goring Road shops, for those wishing to enjoy a drink with friends.

Many thanks

On Wed, 8 Jun 2022, 10:15 Licensing Unit, <licensing.unit@adur-worthing.gov.uk> wrote:Dear 

We have noted your complaint but in order to log it on our system we require your address.

Thank you,


Administration AssistantOn Mon, 6 Jun 2022 at 15:24,  wrote:

I wish to object to 14 West Avenue becoming a licensed premises.

This area is a quiet residential area. There are care homes and a children's nursery nearby. It would be really inappropriate for this property to have a licence for alcohol from 11 am until (on some occasions), after midnight. It is inevitable that gatherings of people drinking alcohol will be noisy.

I live very close to this property and feel that, as this property only has facility for 4 parking spaces, it is inevitable that cars will park outside my property and be noisy late at night when people are leaving after their evening of drinking until the early hours.

I moved from the noise of Brighton to be able to enjoy the peace of quiet of this lovely conservation area. I also think this will have a detrimental affect on the property values in this area if this licence is granted.

Regards

Objection to New Premises Licence at Orchid House, West Avenue, Worthing

1 message

14 June 2022 at 10:17

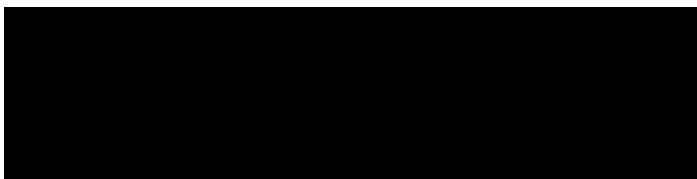

To: licensing.unit@adur-worthing.gov.uk

To the Licensing Unit

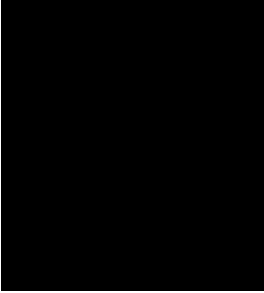
Please find attached as a PDF, my **Objection** to the application for **New Premises Licence at Orchid House, 14 West Avenue, Worthing, BN11 5LU**

Please acknowledge receipt of this letter of objection and confirm it has arrived in time to be taken into account.

Thank you.



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



13 June 2022

Objection to New Premises Licence at Orchid House, situated at 14 West Avenue, Worthing

I have become aware of the Blue Licence Application posted by 14 West Avenue, Worthing and have grave concerns.

It seems virtually no parking will be provided on site. Over the last few years, West Avenue (both to the north and particularly the south of Mill Road) has already become consistently full of parked cars. This is an overflow from residences, particularly blocks of flats in this road, trade vehicles working in Mill Road, commuters using West Worthing station, and even shoppers and diners visiting the shops and restaurants in Mill Road's parade of shops. Diners for Orchid House would inevitably put further pressure on this residential area and impact on residents who want to park outside their homes.

As there are no parking restrictions on either side along this part of Mill Road (which runs along the other boundary of 14 West Avenue), customers of the establishment are bound to resort to parking on this main road. It is a road heavily used by several bus routes, emergency services and large commercial and construction vehicles. Orchid House's patrons' parked vehicles would narrow the carriageways and cause serious traffic problems.

The hours of operation, particularly the sale of alcohol (off sales) are very extensive, from mid-morning until late at night, even on Sundays. This is likely to lead to relentless disturbance of residents nearby who had chosen to live in a peaceful residential area.

So often it is the case that drinking establishments (be they pubs, clubs, bars and even restaurants) facilitate loud and often violent drunken behaviour in the streets around. This is most unpleasant, even frightening, for residents in the area, particularly home owners whose properties can often suffer vandalism as a result. It would compromise people's right to enjoy their own homes in peace. It would also devalue those properties close by, by becoming an undesirable, no-longer-peaceful neighbourhood.

I do not believe that the proprietors of the business can possibly guard against these behaviours (prevent crime and disorder) or guarantee they can prevent public nuisance.

Orchid House (14 West Avenue) would be slap bang in the middle of residential dwellings and care homes that house vulnerable, sensitive and elderly people. This would be inappropriate use of a residential dwelling, and for its environs, and is not anywhere near the other commercial properties in the shopping parade.

14 West Avenue sits in the corner of a narrow conservation area, the character of which would inevitably suffer from the increase in vehicle and pedestrian movements.

On a different note entirely, I have researched at length the credentials of the directors of Colibri (UK) Ltd and I wish to alert you to **suspicious and poor business practice by the directors and their associates, across many years and many different (for the most part, failed) companies.**

Incorporated in 2018, this is a relaunch of a company that operated from 16 Feb 1988 - 27 Oct 2015, when it was subject to a compulsory strike off by Companies House, a cycle through which it had gone, and pulled back from, 4 other times. For most of its existence, this original version of the company remained dormant. It was based originally in Cardiff, then from 1994 in Hurstpierpoint, and eventually in Hove.

The 2 directors of the old Colibri (UK) Ltd were [REDACTED] and [REDACTED] and the final registered address: [REDACTED].
The 2 directors of the new Colibri (UK) Ltd are [REDACTED] and [REDACTED].
The connection is not immediately obvious, other than the birth dates.

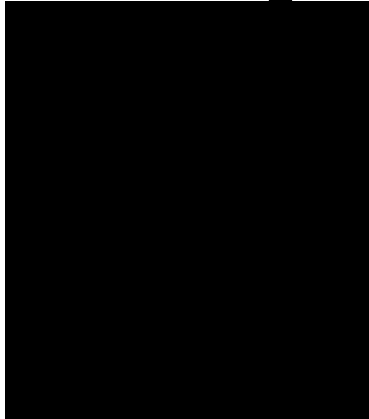
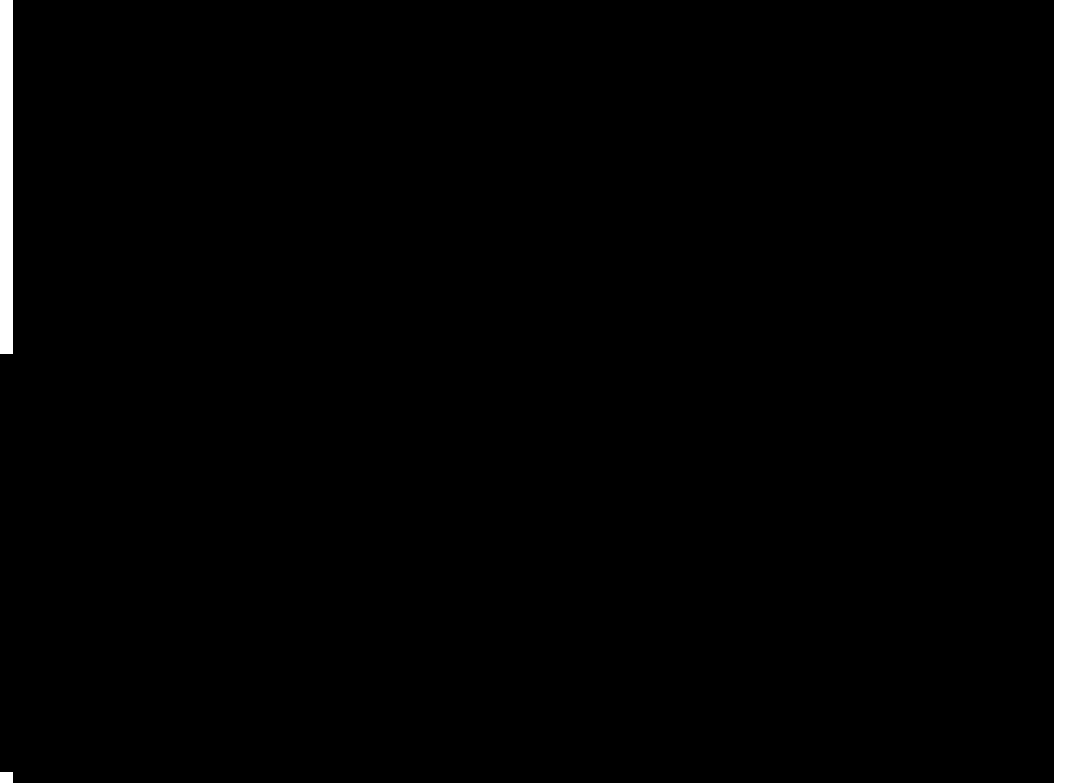
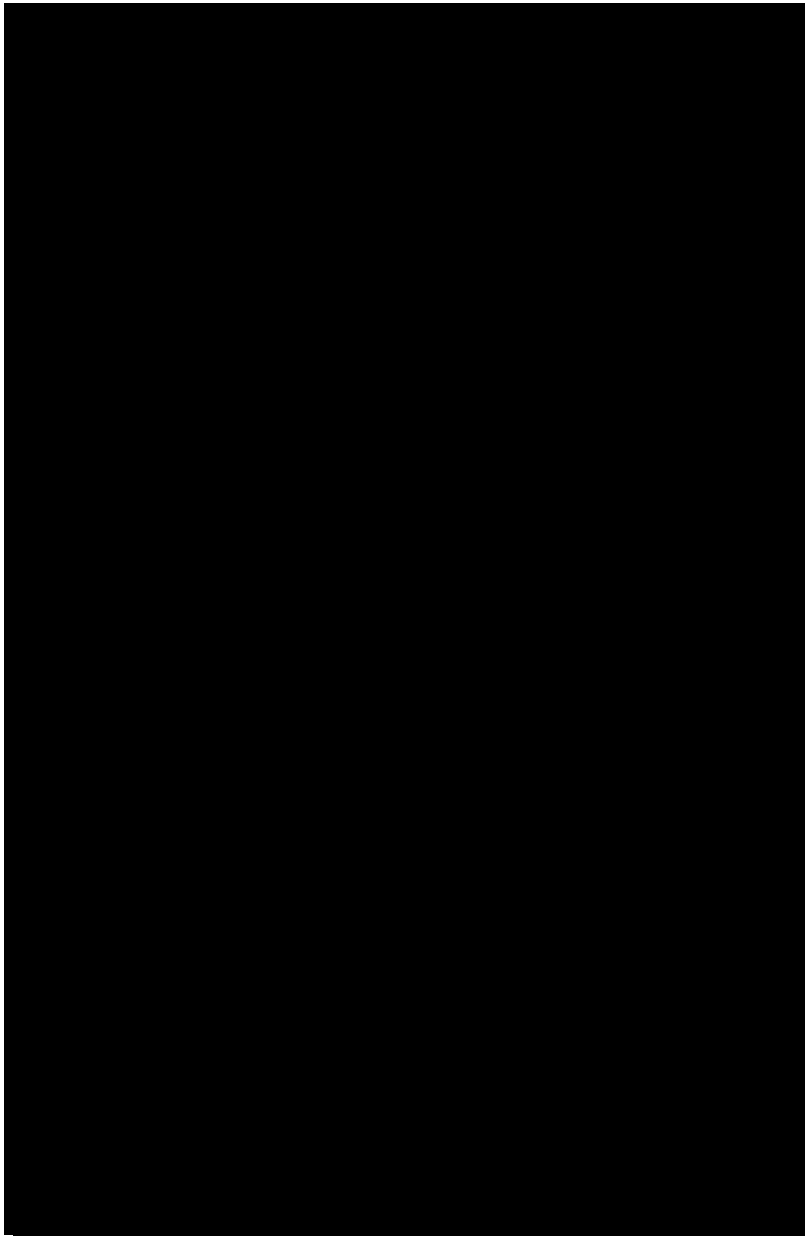
HOWEVER, I believe that [REDACTED] has also held directorships under the names [REDACTED] and (as above) [REDACTED] with [REDACTED] stated as their birth date [REDACTED].
ALSO, I believe that [REDACTED] has also held directorships under the names [REDACTED] and (as above) [REDACTED] with [REDACTED] stated as their birth date [REDACTED].

A third person who seems to have been associated with them through various companies is [REDACTED] with [REDACTED] stated as their birth date [REDACTED]

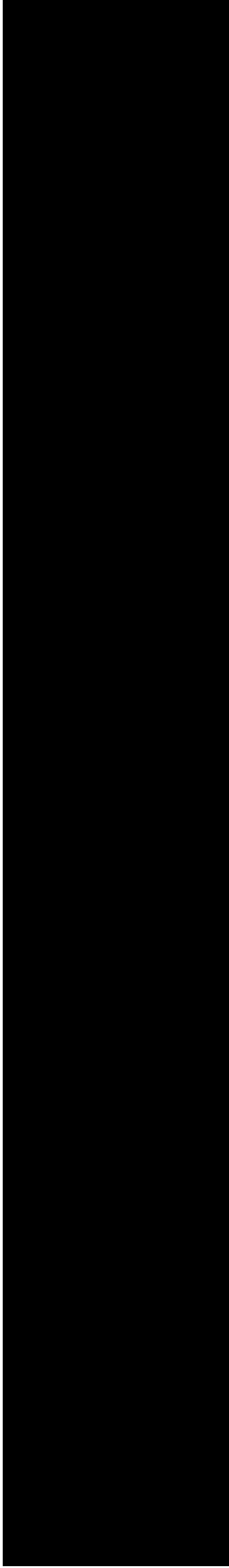
He has been a director of very many companies that he's incorporated but then never got up and running, or if he has, they have been short-lived, dormant, failed or been dissolved, wound up, or compulsorily struck off by Companies House. He appears to be an unreliable, incapable serial starter of companies. Here is a list of companies (not necessarily exhaustive) that the 3 people have been involved with:

[REDACTED]

[REDACTED]



The previous nature of their businesses have been many and varied (eg property management, insurance, activities of head offices, stand-up promotion, sound recording and music publishing, software consultancy and supply, info technology, property development, buying and selling of own real estate, retail store, and restaurants, bars or similar. So, not only does this [REDACTED] appear to have an appalling track record and a cavalier attitude to running a business, trying their hand at all manner of interests, they use slightly different names, incomplete dates of birth, and a set of addresses (with slight variations) that they seem to cycle through their various ventures. These are :



You have to ask why they feel the need to use different variations of names and addresses, and why so many slightly-tweaked company names.

Could it be that, by using these *slight* variations of addresses, [REDACTED] gets a separate listing each time at Companies House, so it is less obvious just how many companies he's tried to set up.

Putting all of this information together, these are not the type of people I would relish operating near my home. They don't appear to have a responsible attitude to running a business.

Therefore, I STRONGLY object to this latest venture being granted a New Premises Licence !

Please do not permit this evidently incompetent and irresponsible [REDACTED] to blight our neighbourhood by granting them a licence to sell alcohol.



Application for a New Premises Licence submitted by Colibri (UK) Ltd at Orchid House, 14 West Avenue, Worthing, West Sussex BN11 5LU

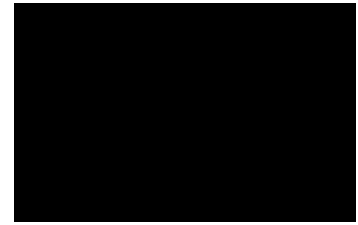
1 message

13 June 2022 at 16:32

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

Dear Sir/Madam

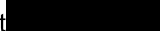
**The Licensing Unit
Adur and Worthing Councils
Portland House
44 Richmond Road
Worthing BN11 1HS**




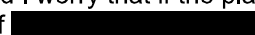
08 June 2022


Application for a New Premises Licence submitted by Colibri (UK) Ltd at Orchid House, 14 West Avenue, Worthing, West Sussex BN11 5LU

I wish to object to the above application.

I was told by our neighbours at  that there is a notice at the West Avenue gates about getting a permission to sell alcohol at [14 West Avenue, Worthing, West Sussex BN11 5LU](#) in the late hours - application for the retail sale of alcohol until 11.30 pm and for the provision of late-night refreshments until midnight 6 days a week.

I have not received any written notification about this application. Usually, I do not go to West Avenue by those gates, hence would not see this notice if the neighbours from our block of flats would not tell me. 14 West Avenue themselves never contacted us either, quite the opposite it looks as if they were hiding this plan from the neighbours which is against community spirit and very sad.

I have lived in  Our area is a quiet residential area and I worry that if the plan of selling late alcohol and refreshments next door goes ahead it would badly affect residents of  in general and myself personally.

I have post-traumatic stress disorder (PTSD) and therefore am particularly very scared of drunk people; the majority of residents at  are either elderly or disabled and need a peaceful neighbourhood.

Therefore, I ask that this licencing application be refused.

Yours faithfully,


Re: Orchard House

1 message

8 June 2022 at 13:06

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

No I live [REDACTED] from the proposed application
[REDACTED]

On 8 June 2022, at 10:09 am, Licensing Unit <licensing.unit@adur-worthing.gov.uk> wrote:

Dear [REDACTED]

We have noted your objection, but in order to log it on our system we require clarification of your address. I have searched our system and cannot find a record of a [REDACTED] Do you live outside of Adur and Worthing?

Thank you,

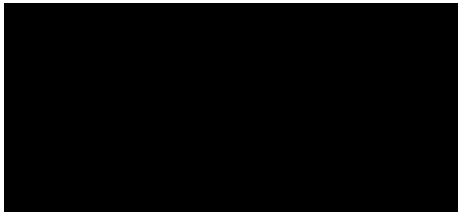
[REDACTED]
Administration Assistant

On Mon, 6 Jun 2022 at 11:56, [REDACTED] wrote:

I wish to object to the plans for licenced premises as there are so many elderly people living in this area. It is next door to a care home.

There is not enough parking in West Avenue and folk do not wish to hear the noise in the early hours. If they want this business they should provide their own parking

[REDACTED]



Thursday, 9 June 2022

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

Licensing.Unit@adur-worthing.gov.uk

Objection to New Premises Licence at Orchid House (14 West Avenue).

Grounds for objection;
The prevention of crime and disorder
The prevention of public nuisance

- Highway Access and Parking
- Loss of General Amenity
- Overdevelopment
- Privacy Light and Noise

We live on West Avenue and have serious concerns about this application for a late night licence until midnight.


We believe that the following material considerations are grounds for refusing the licence application;

Disturbance from noise, traffic, deliveries and cooking smells
Highway safety, increased traffic and reduced parking
Nuisance from drinking and smoking outdoors
Antisocial behaviour as a result of people drinking
Potential increase in crime and violence in the local area as a result of alcohol consumption
Increase in demand for street parking, because the premises cannot fulfil the required parking needs of such a venue.

The increase demand for parking on the street will lead to noise (starting cars and talking loudly) and late night disturbance on a very quiet residential street.

The introduction of a restaurant to service functions will introduce cooking smells and act as a disturbance.

Risk of creating a precedent. The risk of introducing a precedent is another major concern, even if this level of disturbance was able to be contained, a further such change would be certain to transform the nature of the conservation area and disrupt the local residents.

The conservation area would suffer by adverse effect of the development on the character and appearance of the conservation area. The Mill Road Conversation Area Appraisal document specifically mentions 14 West Avenue as follows; "Maintain and encourage frontage planting (in particular, the mature trees at Nos. 14 West Avenue and  make an important contribution to the street scene). Discourage the use of front gardens for car parking,

especially where this involves concreting or tarmacadaming the entire frontage - existing car parks could be landscaped."

The change of use will be detrimental to the amenities of the occupiers of adjoining residential properties, particularly by reason of the overbearing effect. The site is located in an overwhelmingly residential area where occupiers could reasonably expect a level of amenity concurrent with the property. The use of the property as a bar, function room and hotel introduces a diverse element that by reason of the use is likely to result in noise, disturbance and nuisance to the detriment of neighbours' residential amenity.

The area has many elderly residents, in both bungalows and in blocks of flats, for example [REDACTED] which is directly opposite 14 West Avenue. The residents in this area have moved to a quiet residential area to enjoy their final years in a peace and tranquillity. If the change of usage results in disturbance, especially late at night, then they will be denied this human right. Other, younger residents may have the choice to move homes, but the more elderly people would not be able to exercise that choice, moving so late in life is not an option for many.

The responsibilities of the council under the Human Rights Act, in particular Protocol 1, Article 1 states that a person has the right to peaceful enjoyment of all their possessions, which includes their home and other land.

Yours

[REDACTED]

Application of 14 West Avenue bn115lu1 message

20 May 2022 at 15:18

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

I am writing to OBJECT to the licence application of this residence.

I live next door to these disruptive neighbours and their grand plans . On grounds of length of late night drinking times in a residential area of West Worthington. 11.00 am and 1130 pm at night Monday to Friday is unfair and unrealistic to expect us to put up with noise, light , music and anti social behaviour which will last long after the last orders and into the early hours of the next morning .

As to extending to midnight to sell food to midnight would compound the problem including rubbish and possible Rat infestations in the area. No rubbish bins are local and if served in garden of such property which has been refused on previous applications what time will the disruption end certainly not at midnight .

It is a selfish greedy application which will cause a detrement to all local residents health so late at night every day of the week .

I strongly plead with you to refuse such an thoughtless enterprise

Yours

[REDACTED]

[Sent from Yahoo Mail on Android](#)

9th June 2022

TO: The Licensing Unit

RE: Application for a new premises licence at 14 West Avenue
Worthing, West Sussex, BN11 5LU.

Adm & Worthing Council
Licensing Unit
RECEIVED

10 JUN 2022

Dear Sir/Madam,

14 West Avenue is a house which at one time was used as offices, a use which had minimal impact on this quiet, residential area. In the last few years the house has been put to other uses with occasional disturbance to local residents at night. Allowing the retail sale of alcohol on and off the premises would effectively turn this house into a pub and have a highly detrimental impact on the amenity of the surrounding residential properties, producing an increase in noise and traffic and making parking in West Avenue even more problematic.

Part of the driveway at 14 West Avenue has recently been hard-landscaped to form a large, paved area with brick pillars supporting a framework to which lighting is attached. This could indicate regular, commercial use of the garden at night if licensable activities were to be allowed.

The retail sale of alcohol on and off the premises up until 23:30 and the provision of late night refreshment until midnight six days a week would severely, adversely affect the quality of life of neighbouring residents, who would face the prospect not only of noise increased during the day but also of having their sleep disturbed six days a week by the activities at 14 West Avenue, and by customers arriving and leaving.

I would be grateful if you would take into account the quiet nature of this residential area and the needs of the existing residents when deciding this application.

Yours faithfully,

RE: Re: New Premises License - Orchard House, 14 West Avenue, Worthing.

1 message

9 June 2022 at 10:21

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

Dear [REDACTED]

My address is [REDACTED]

Kind regards,

[REDACTED]

From: [REDACTED]@adur-worthing.gov.uk <[REDACTED]@adur-worthing.gov.uk> **On Behalf Of** Licensing Unit
Sent: 09 June 2022 10:14
To: [REDACTED]
Subject: [EXTERNAL]Re: New Premises License - Orchard House, [14 West Avenue, Worthing](#).

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear [REDACTED]

We have noted your objection to this premises licence application. In order to log it on our system, we require some clarification of your address, you have stated your address as [REDACTED] which appears on our system as [REDACTED]. Can you please specify your [REDACTED] for us?

Thank you,

[REDACTED]

On Thu, 9 Jun 2022 at 07:37, [REDACTED] wrote:

[REDACTED]

70 Dear Sir/Madam,

I hereby raise concerns for the proposed New Premises License application to Orchard House, [14 West Avenue, Worthing](#), as follows:

- Likelihood of noise disturbance
- Potential criminal activity
- Alcohol fuelled disorder
- Increased parking
- Negative impact of property values

Thanking you in advance for your consideration.

Kind Regards,



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This E-Mail is confidential and for the exclusive attention of its intended recipient(s). It may contain legally privileged information. If you are not the intended recipient, you are expressly prohibited from reviewing, retaining or disseminating its contents and you are kindly requested to notify us immediately and to permanently delete it from your computer. Please note that inbound or outbound E-Mails are routinely and automatically scanned and filtered for malicious or unsolicited content, however we accept no liability for any failure thereof, and would advise that you seek your own means of anti-virus, or anti-spam protection.

The Body Shop International Limited. Registered Office: Watersmead, Littlehampton, West Sussex BN17 6LS. Registered in England No. 1284170.

New Premises licence at Orchid House 14 West Avenue Worthing BN11 5LU.

1 message

13 June 2022 at 13:26

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

To whom it may concern,

We the undernamed wish to object to the above mentioned becoming a licensed premise for the following reasons :-

Noise when entering and leaving premises especially late at night in a residential area where elderly people are tucked up in bed by their carers long before proposed closing hours.

Noise from garden area where people may be drinking and smoking.

Antisocial behaviour as a result of people drinking.

Potential increase of crime, violence and public disorder in the area as a result of alcohol consumption.

Increased demand for parking with only 4 parking slots associated with the business. Customers and staff will be obliged to park in the adjoining roads leading to further noise and disturbance.

West Avenue is part of a well established residential area where people expect to live quietly and securely. A licence granted inappropriately could change these expectations.

[REDACTED]

[REDACTED]

Sent from [Mail](#) for Windows

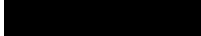
New Premises Licence at Orchid House, 14 West Avenue - Objection

1 message


6 June 2022 at 11:59

To: @adur-worthing.gov.uk

Dear Sir or Madam

I am writing to strongly object to the above Blue Licence Application. I live at  and would be grateful if you could take the following concerns into consideration when considering this application:

West Avenue and Mill Road are fully residential areas which benefit from quiet and peaceful surroundings. It is not an appropriate area to open such a business and there is no precedent for it. There are plenty of restaurants and bars on Goring Road which already meet the needs of the people in the area.

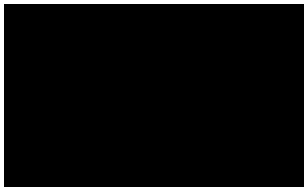
My  and I am extremely concerned about noise, both from people in the garden and entering and leaving the property. I purchased my flat because it was in a quiet area. Had I wished to live next to a noisy bar I would have bought a property in the town centre. I am extremely concerned about it reducing the value of my property.

Whilst I am by no means a teetotaler, alcohol consumption undeniably leads to increased noise and anti-social behaviour, including violence. There are many elderly people living in this area and it will cause them concern. It is simply not an appropriate location.

[14 West Avenue](#) only has 4 parking spaces, which is clearly not enough for a restaurant and bar. Therefore it will inevitably mean both parts of West Avenue becoming even more clogged up with parked cars than it is now. The parking situation is already difficult in this road without the extra pressure of more people arriving. I often see cars parked unsafely, obscuring driveways and blocking pavements as it is. The road cannot take any further burden.

I am sure you will see from the above information that the application is completely unsuitable and potentially catastrophic for this lovely quiet area. Please ensure my objections are raised. They are in line with the **licensing objectives** regarding the **prevention of crime and disorder** and the **prevention of public nuisance**.

With best regards and many thanks



Re: Objection to license application consultation closes 14.06.22

1 message

13 June 2022 at 09:30

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

Hi

I am at [REDACTED]

Regards

[REDACTED]

On Mon, 13 Jun 2022, 09:18 Licensing Unit, <licensing.unit@adur-worthing.gov.uk> wrote:

Hi [REDACTED]

We have received your objection but in order to process it on our system we require your exact address.

Thank you,

[REDACTED]
Administration Assistant

On Mon, 13 Jun 2022 at 08:25, [REDACTED] wrote:

I wish to object to the new premises license application for Orchid House. [14 West Avenue, Worthing, BN11 5LU](#).

I am a resident at [REDACTED] which is situated in a wholly residential area and was purchased for this reason. I do not object to Orchid House being run as a B&B. However, to have a licensed premises with restaurant on my doorstep is a huge concern to our expectations as residents to have a peaceful and safe surroundings to our homes.

My concerns around noise and disturbance when people enter and leave a licensed premises are significant and further increased if the license also includes take away services with delivery drivers arriving and leaving at all hours. Guests would have to park outside other residential properties increasing the likelihood of noise disturbance. Parking is already limited and would be further restricted by visitors to a bar in this residential area. As a single woman, I am already concerned by the distance I am sometimes forced to park away from my home when arriving back from work in the evening. As the local crime statistics show, the two highest areas of concern in our street are violent and sexual crimes (49) and antisocial behaviour (38) both of which are likely to be exacerbated by having a licensed premises deposited in the heart of our residential area.

I am concerned about noise nuisance from guests who have consumed alcohol using a garden area or being outside to smoke. This area is wholly residential and so collective or group noise, even if chatter or laughter will be disturbing to the peaceful use of our own gardens and indoor spaces later in the evenings especially in summer when windows need to be open.

I am concerned about antisocial behaviour from exiting guests and potential littering from those accessing take away food or alcohol. I am concerned about street drinking from those unable to access alcohol elsewhere locally at these late times. I am concerned about potential increases to drug traffic with dealers having an extra avenue to exploit with large numbers of people gathering at Orchid House.

In summary, as a householder in this wholly residential area, I object to a change of use to licensed premises as inappropriate to the needs and wishes of the local residents.

Sincerely

License Objection - New Premises License at Orchid House

1 message

12 June 2022 at 22:10

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

License Objection - New Premises License at Orchid House

Dear Sir/Madam,

I would like to object to the license request at Orchid House. This area is a residential and most people would have chosen to live here due to how quiet and

peaceful it can be. The granting of the license will impact the noise level and reduce the quality of life for people in this area. In fact, the premise in question backs

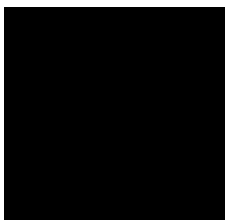
on to someone's garden, so I don't see how it would be acceptable to having people making noise late a night next a house.

Just down the road at Goring shops is several pubs and bars already. I know these bars struggle to make a living, so I also believe that granting a drinking license, in an area

it's not needed, will have a possible impact on them.

My third reason is parking. Parking is already difficult in this area. People already struggle to get a parking spot, and this will not be helped by adding more parking problems.

Regards,



Licensing objection - 14 West Avenue, Worthing

1 message

13 June 2022 at 14:44

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

Dear Worthing Licensing Unit,

I'd like to register my objection to the alcohol licencing application made by the owners of 14 West Avenue.

I live with my family at

My details are:

I am objecting to the application for 'New Premises Licence at Orchid House' on the following grounds:

"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 Licensing Authority 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 Licensing Authority 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."

We are greatly concerned about noise disturbance from patrons of the premises. On-site parking will be provided for four cars only which will be inadequate for patrons and staff resulting in more cars parking along the road which will inevitably result in noise disturbance for West Avenue residents.

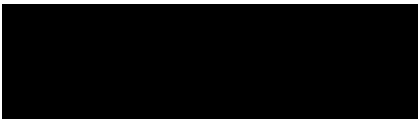
"4.29 Patrons may no longer smoke inside licensed premises and consequently may go outside to smoke. Applicants and existing licence holders are encouraged to assess whether the noise from such patrons could potentially disturb nearby residents and whether there is potential for smoke to drift to nearby residential properties."

We are concerned about increased noise pollution from patrons smoking in the gardens of [14 West Avenue](#).

"Section 6.4 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)."

The application references a closing time of 12am on Mondays to Saturdays which exceeds the normal night time sleeping period defined above. Any increased noise disturbance will be detrimental to West Avenue residents but late night disturbance is of particular concern from a mental health perspective.

Thanks and best wishes



Orchid House Objection.pdf

1 message

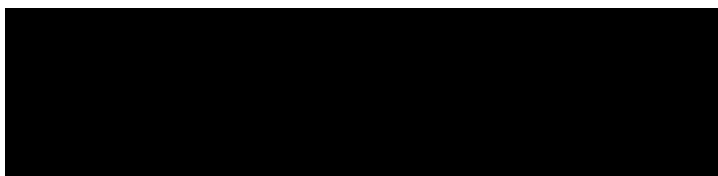
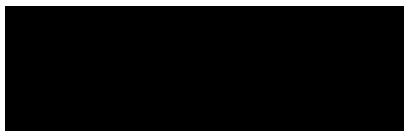
14 June 2022 at 11:32


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

Please find attached a letter objecting to the application for a Premises Licence at 14 West Avenue known as 'Orchid House'.

Please confirm receipt.

Many thanks,





The Licensing Unit
Adur and Worthing Councils
Portland House
44 Richmond Road
Worthing
BN11 1HS
By email to licensing.unit@adur-worthing.gov.uk

14 June 2022

To whom it may concern,

Re: Premises Licence 14 West Avenue ('Orchid House'). Objection.

We are aware of an application for a Premises Licence to sell alcohol both on and off the premises and provide late night refreshment under the Licensing Act 2003 for a property at 14 West Avenue known as 'Orchid House'.

We wish to oppose and object to the application made for a number of reasons as set out below.

The premises for which the licence has been made are in an entirely residential area and the grant of a licence would be to instigate a potential source of anti-social behaviour, and significant nuisance to neighbours on West Avenue and Mill Road.

Orchid House is adjacent to the Quakers Meeting House and a dementia care home (Lavender House) both of which are long established. The grant of a Premises Licence in this location would be completely disruptive to those immediate and vulnerable neighbours with customers and staff accessing and egressing the building late at night and throughout the weekend and additionally commercial refuse and recycling collections and kitchen noise.

The application for a Premises Licence includes 4 parking spaces for use of customers and two parking spaces for the retained dwelling, but this provides no parking either for further customers of the restaurant which looks to have a number of indoor and outdoor tables (in excess of 4 tables and therefore more cars than the 4 spaces provided), or staff who would presumably be expected to park on West Avenue and may be leaving late at night.

The Premises Licence application seeks to instigate a commercial bar and restaurant with indoor and outdoor tables on to a quiet residential street, in a conservation area. Additional traffic and parking, noise from customers and staff and general noise of a restaurant and bar will cause unwelcome nuisance and disturbance to residents of West Avenue and Mill Road.

Additionally, as the Licence Application in respect of Orchid House seeks to be able serve alcohol and sell alcohol for off premises consumption it aims to attract customers who are not invested in eating at the restaurant, or staying in the bed and breakfast rooms, and therefore a further source of anti-social behaviour.

The Premises Licence application in respect of Orchid House is entirely inappropriate in all the circumstances and should be rejected.

Your faithfully,



Dear

I hope this letter finds you well.

My name is [REDACTED] and I am owner and prospective Designated Premises Supervisor of Orchid House, located at 14 West Avenue, Worthing, by the junction with Mill Road. We are in fact neighbours, as Orchid House will be a family business using part of the property as a small restaurant, following grant of planning permission. [REDACTED]
[REDACTED]

On 17th May we applied for a Premises Licence to the local licensing authority, following all the correct procedures, including a pale blue notice on the outside of the property, and an advertisement in the local newspaper. A 28 day consultation period then ran from 17th May until 14th June, during which time responsible authorities, including the Police, and any other person, had the right to register a “relevant representation” against our application, ie relevant to at least one of the four licensing objectives:

The Prevention of Crime & Disorder

Public Safety

Prevention of Public Nuisance

Protection of Children from Harm

The only responsible authority to make contact was the Police, who acknowledged the comprehensive nature of our application in terms of the above objectives, but suggested a couple of amendments, which we agreed with perfectly happily. As a result, as you may be aware, the Police have not lodged a representation against our application.

Unfortunately, several at least partly relevant representations have been received by the licensing authority from local residents, quite possibly in some cases as a result of viewing our public notice but not reading through the application in full, which is perfectly understandable.

A hearing has been set for Monday 11th July via Zoom, but we would like to do our utmost to ensure all the local residents who have objected have the opportunity to view both our application in full, discuss their concerns in person, and be shown round the intended licensed area of the premises, so they can as they see fit, either retain, amend or withdraw their representation.

You are receiving this letter as you were one of the objectors, and we would very much like to meet you at our property between the hours of 18:30 and 20:00 on Friday 1st July, when some food and refreshments will be available for you to try while you are with us.

In case you are unable or do not wish to attend, we would like to ensure you are aware of the following elements of the application, of which you may not currently have knowledge.

- Customers will be welcome on a pre-booked basis only, and provided access by means of our electric gates
- Off sales will therefore only be available to customers already on the premises for on sales, and in a sealed container eg a bottle of favourite wine to take home
- Hours of trading will therefore be dependent on advance bookings, so if there were no bookings on a particular day, we would not trade.
- Customers using the restaurant and bar will be seated whilst consuming alcohol. Alcohol will be supplied by waiter/waitress service to customers seated at tables only. Customers may

go and stand at the bar and be supplied alcohol, where they will be reminded of the requirement to be seated before beginning to consume their purchase.

- When planning permission was granted, permission to provide 4 car parking spaces for customers was given within the gated entrance. These will be made available exclusively for customers, subject to availability, where there is also a secure cycle store for those preferring to cycle rather than drive.
- We will have a list of preferred taxi numbers for customers' use who will collect their passengers from outside, and leave their engine turned off while waiting.
- There will be no draught beer available for sale, just a select range of high quality international beers and lagers by bottle, besides a carefully selected choice of boutique wines and champagnes, plus a menu of sophisticated cocktails and comprehensive range of soft drinks.
- There will be comprehensive coverage of the licensed premises with CCTV.
- The Challenge 25 policy will operate at all times.
- Children (under 18s) will only be allowed to enter the licensed premises if accompanied by an adult.
- The premises is set up to accommodate a maximum of 28 customers in the garden (until 9pm only), a total of 25 in the two adjoining dining rooms, and there are just 12 seats around 2 tables in the bar area.

As you can see this is a far cry from a typical public house, rather a "chic and unique" hideaway where customers can book and enjoy a relaxed atmosphere in a beautiful and restful environment, while enjoying fantastic food and drinks much of which will be produced on the premises.

We look forward to meeting you if possible, on Friday 1st of July, and to enjoying our company and service in the future.

Kind regards

.....



Orchid House, 14 West Avenue, Worthing, BN11 5LU



- *Please do respond no later than Wednesday 29th June to let us know if you are coming.*

New premises licence for Colibri UK Ltd, 14 West Avenue, Worthing, BN11 5LU

1 message

13 June 2022 at 11:09

To: "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>, "simon.jones@adur-worthing.gov.uk" <simon.jones@adur-worthing.gov.uk>

Dear Worthing Licensing,

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

Acceptance of the new and revised conditions by [REDACTED] for the applicant Company is below on this page.

Thanks.

[REDACTED]
Police Licensing Officer

Direct Dial: [REDACTED]

Licensing office: [REDACTED]

[REDACTED]@sussex.police.uk

Neighbourhood Police Licensing Team

[REDACTED]

From: [REDACTED]

Sent: 10 June 2022 14:36

To: [REDACTED]

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

Subject: Fwd: New premises licence for Colibri UK Ltd, 14 West Avenue, Worthing, BN11 5LU

****External Email- Think before you click. If you do not trust the sender, do not click on any links or open any attachments.** [REDACTED]

Good afternoon [REDACTED]

Many thanks for your email yesterday with regard to the premises licence application for Colibri UK Ltd at [14 West Avenue, BN11 5LU](#).

Both my client [REDACTED] (see below) and myself have read through your proposed conditions to support the four licensing objectives, and both of us are in agreement that the amendments therein are acceptable to us, and therefore may be adopted in place of the original conditions proposed.

Thank you for your attention in this matter, and I have copied in the Licensing Team, so that they are aware.

Kind regards

[REDACTED]
Licensing Consultant

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

From: [REDACTED]
Date: Fri, 10 Jun 2022, 8:02 am
Subject: Re: New premises licence for Colibri UK Ltd, [14 West Avenue, Worthing, BN11 5LU](#)

Dear [REDACTED]

I hope all is well with you.

I have read through [REDACTED] suggestions and amendments and there is nothing on there that appears arbitrary.

We are therefore happy to comply and accept [REDACTED] proposed amendments as set out below.

Many thanks and kindest regards,

[REDACTED]
[REDACTED]

From: [REDACTED]

Sent: 9 June 2022 23:08

To: [REDACTED]

Cc: [REDACTED]

Subject: FW: New premises licence for Colibri UK Ltd, [14 West Avenue, Worthing, BN11 5LU](#)

Hi [REDACTED]

I hope you are well.

The police have contacted me today, and have proposed some minor amendments to our application. [REDACTED] has not actually referred to making a representation, but it would be good to hear if you find these amendments acceptable, 85

as that will effectively remove that risk.

When replying, please copy me in on my [REDACTED] address as I don't pick up [REDACTED] emails on my phone, and I have an event virtually all day tomorrow.

I will find a way of responding to [REDACTED] before the weekend if I can.

Best regards

[REDACTED]
Sent from [Mail](#) for Windows

From: [REDACTED]
Sent: 09 June 2022 15:23
To: [REDACTED]
Subject: New premises licence for Colibri UK Ltd, [14 West Avenue, Worthing, BN11 5LU](#)

Dear [REDACTED]

Hello. I have had a look at your premises licence application for the above venue thank you and I have made a few requested amendments to the conditions, which I have set out in full below for you.

As you will see, the principal changes are the CCTV and the challenge 25 and staff training.

The condition that alcohol will be *predominantly* by waiter/waitress service to people seated at tables causes some concern as you will immediately appreciate that such wording will be very difficult and apply and enforce. I have amended the wording slightly below to try and keep everyone happy and hopefully find a workable compromise.

No doubt you will consult with your client and come back to me.

Many thanks.

THE PREVENTION OF CRIME AND DISORDER

Alcohol will be supplied by waiter/waitress service to customers seated at tables only. Customers may go and stand at the bar and be supplied alcohol, where they will be reminded of the requirement to be seated before beginning to consume their purchase.

With the exception of residents and their bona fide guests, no alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol.

Off sales will be restricted to existing customers already on the premises for on sales. There will no off sales to members of the public walking in off the street.

All off sales will be in sealed containers only.

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. The system shall be on and recording at all times the premises licence is in operation.

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

CCTV footage will be stored for a minimum of 31 days

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

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

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

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

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

A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all times whilst the premises is open.

An incident log shall be kept at the premises for at least 12 months, and made available on request to an authorised officer of the licensing authority or the Police Licensing Unit, which will record the following:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs, offensive weapons, fraudulent ID or other items
- (f) any failures or faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a responsible authority or emergency service

PUBLIC SAFETY

An accredited First Aid trained person must be on duty at all times when the premises operate for licensable activities.

A pre-opening check will be completed every day prior to opening the premises to the public, to ensure no slipping hazards nor tripping hazards are present, fire exits are clear, and further, any compromise to the safety of customers or staff is rectified prior to opening to the public that day.

PREVENTION OF PUBLIC NUISANCE

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.

Outside tables and chairs (in the garden) shall be rendered unusable by 21:00 hours each day with guests required to transfer inside, or settle any open tab and depart.

Any rubbish, including bottles, shall be disposed of in outside receptacles or outside areas between 08:00 hours and 22:00 only.

All deliveries will be made to the premises between 08:00 hours and 19:00 hours.

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, official photographic identity cards issued by EU states bearing a hologram or ultraviolet feature.

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 (including family members and friends) engaged or to be engaged, in selling alcohol at the premises shall receive 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 twelve 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.

Entry by children under the age of 18 to the premises will be prohibited unless accompanied by an adult over the age of 18.

[Redacted]

Police Licensing Officer

[Redacted]

Neighbourhood Police Licensing Team

[Redacted]

[Redacted]

[REDACTED]
Date: Mon, 4 Jul 2022 at 10:21

Subject: Hearing 11th July 2022 re Premises Licence Application for Colibri (UK) Ltd, Orchid House, 14 West Avenue, Worthing, BN11 5LU

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

Cc: Simon Jones <simon.jones@adur-worthing.gov.uk>, [REDACTED]
[REDACTED]

Good morning to you

I writing to advise, as agent for the applicant, Colibri (UK) Ltd, of my intention to attend the remote (Zoom) hearing next Monday 11th July, scheduled for 18:30, in relation to the Premises Licence Application for the premises to known as Orchid House, 14 West Avenue, Worthing, BN11 5LU. I also advise that [REDACTED] Director and nominated Designated Premises Supervisor for the premises will also attend, and be available to comment on certain points of detail arising during the hearing, if requested to do so.

As you are aware, following a few points of detail raised by [REDACTED] we successfully mediated with Sussex Police very quickly and easily by adopting all of their suggested amendments. There were no other representations made by other responsible authorities.

There have however been a total of 20 representations made by local residents that have been judged to be at least partially relevant to Licensing Objectives. In the interests of achieving mediation, a letter was hand delivered to every one of them, in which [REDACTED] invited all to attend an "open house" session on Friday 1st July between 18:30 and 20:00, to discuss their concerns directly with myself and [REDACTED] as well as providing the opportunity of viewing all areas of the property for which a Premises Licence is being sought.

All addressees were urged to reply in order for the premises to prepare appropriate quantities of food and refreshments, with the following results:

14 properties neither replied, nor attended

4 replied with the intention to attend, which they did (a total of 6 people)

2 replied with apologies that they were unable to attend on 1st July, requesting that an alternative time and date be arranged (as I write neither has been set)

The six people who attended for four different properties stayed for nearly the full duration of the meeting, and conversations were both civilised and constructive. Indications were given privately by two of the attendees that they were now satisfied that the Licensing Objectives were going to be adequately addressed.

At present, no amendments to the application have been agreed by any party, but [REDACTED] and myself will discuss this matter later today – *please can you advise the deadline for receiving any amendments proposed.*

██████████ has received a number of letters of support for her application, which I attach as I intend to refer to them in brief at the hearing next Monday. I have also attached the letter of invitation sent out to all objectors which I have referred to above.

I look forward to hearing from you.

Kind regards

██████████

Licensing Consultant

██████████

Sent from [Mail](#) for Windows

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████████████████████

Democratic Services Officer, Adur & Worthing Councils

████████████████████

████████████████████

██

Website: <https://www.adur-worthing.gov.uk>

Address: Democratic Services, Worthing Town Hall, Chapel Road,
Worthing



[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
27th June 2021

Dear Madam,

I am a local resident and a business owner, I have seen your blue alcohol notice on your gate as I am out walking with my wife. I am aware that you will be a high-end restaurant and bar and having walked past your premises on so many occasions, I have seen the progress you have made in beautifying the gardens.

I am looking forward to coming along to sample your food and wine and I will certainly be bringing my family for afternoon tea and a glass of wine or champagne.

Can you please keep me updated on when you are likely to open?

Wishing you all the best and success.

Kind regards,

[REDACTED]

To whom it may concern

Re: Application for a premises license at Orchid House, 14 West Avenue, Worthing, BN11 5LU.

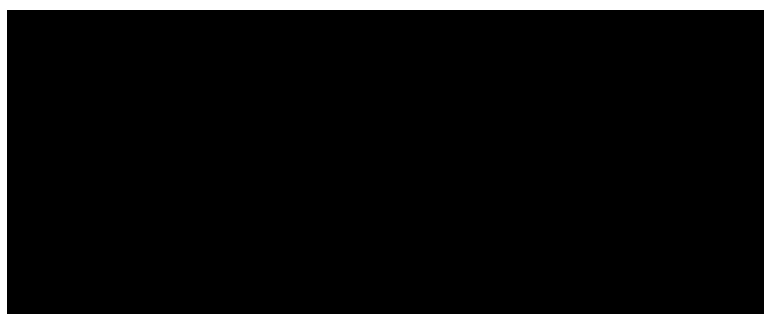
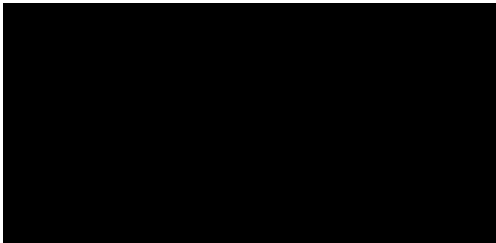
I write in support of the above application. As an enterprising borough it is right that novel and innovative business ideas are given proper consideration and the chance to thrive.

I am aware of the planning history of the address referred to in this application and feel that there is no evidence whatsoever that the very reasonable application for a promised license should pose a problem to the immediate neighbours or wider area. Indeed, the application should be welcomed.

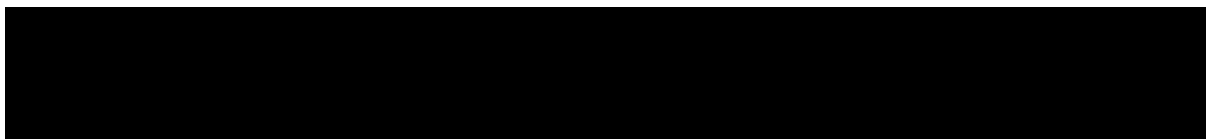
The committee will be well aware of the thriving micropub economy in Worthing that is based on well-run premises, decent clientele and a focus on socialising over a drink rather than “boozing”. It is my firm belief that the offering put forward in this application is very much in the spirit of the former rather than the latter.

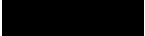
Fear of change should not outweigh the benefits that change can bring. Nor should fear or prejudice prevent local people from being given the chance to establish a thriving local business. I therefore urge the committee to grant the application as requested.

Faithfully,



Sent via Google Apps




Orchid House
14 West Avenue,
Worthing,
West Sussex
BN11 5LU

22nd June 2022

Dear 

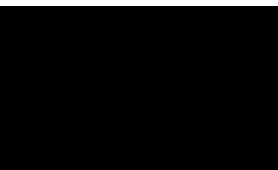
I am writing to you as a local resident in Goring, to let you know that myself and many others have been highly anticipating the opening of your restaurant and bar. We cannot wait to sample your culinary delights as well as spend time in the beautifully landscaped gardens with a glass of wine.

Worthing is a very up-and-coming location and named one of the seven most desired areas in a recent survey, with this in mind there must be growth within the town and it would be good to see such a unique, family run, small business open and be given the chance to offer something wonderful to the community.

I feel this type of business is exactly what is needed in Worthing to build a fantastic town and offer the people what they want. Especially as we should now be supporting small/local businesses to grow.

We look forward to your opening soon.

Kind Regards,



Goring Resident

Orchid House
14 West Avenue,
Worthing,
West Sussex
BN11 5LU

25th June 2022

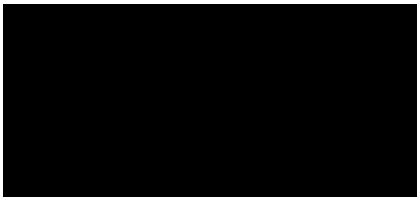
Dear 

I noticed you are opening a new restaurant and you have applied for a premises licence. Having spoken to someone in your garden, I was informed that you will be operating on a booking only basis. I was privileged enough to be shown around your gardens and I feel what you are proposing to offer is exactly what Worthing needs. As a local resident and business owner, I personally welcome an exclusive place in a beautiful setting such as yours which will hopefully not only attract much needed economic tourism to the area but also, I believe it will upgrade the reputation of Goring from a retirement village to hopefully an attractive place that will enable the local people to visit and enjoy without the need to travel long distances. From what I saw, I am certain people will eagerly book to sample your food, wine and inviting hospitality, if only they knew of your existence.

My family and I shall look forward to your opening.

Please keep me updated on menus and opening times.

Many thanks,



Orchid House
14 West Avenue
Worthing,
West ASussex
BN11 5LU

21st June 2022

TO WHOM IT MAY CONCERN:

Dear Sirs,

I have lived in Worthing for 14 years and I have known [REDACTED] for over 20 years both as a lawyer and a successful business owner. She is respected amongst those that know her as being highly professional, honest, trustworthy and dependable.

She has decided to pursue her dreams of cooking and working alongside her mother. This is admirable and I wish them both tremendous success and I look forward to dining in their restaurant and sampling their wines.

Yours faithfully,

[REDACTED]

**Orchid House
14 West Avenue
Worthing**

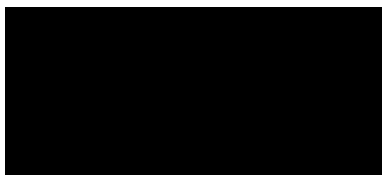
22nd June 2022



**Good to talk to you the other day.
Really hope you get the alcohol license.
You have worked so hard on the restaurant idea.
I'm sure that when everybody in Worthing finds out your plans,
they are going to be lining up round the block to get a table.
You and your family have worked really hard on the project, and
you are so close to opening, so fingers crossed you will be open
soon.**

All the best, and good luck with the license.

Kind Regards,



Orchid House
14 West Avenue
Worthing
West Sussex
BN11 5LU

24th June 2022

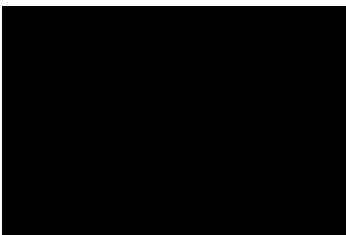
Dear 

My friends have told me about your plans to open a fine dining room/afternoon tea facility at The Orchid House and I must say this is a great idea. They were impressed by your gardens and it is apparent that in the area we only seem to have the option of take-aways, Asian restaurants, coffee shops, micro-pubs and a Carvery, none of which offer what you will and all of which seem to be centred around the busy Goring Road shops.

The Tea Rooms will no doubt give the elderly residents nearby a chance to experience a facility with a focus on the serenity of the attractive Orchid House gardens. I understand that this will be an exclusive Bookings only option and I look forward to making this a venue for my friends and family to enjoy.

Please keep us informed as to when you expect to be open.

Yours,



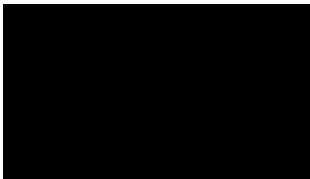
Orchid House
14 West Avenue,
Worthing

To whom it may concern,

Just a quick note having noticed your alcohol licence application. I think this is something that would really benefit this area. Obviously would need to be done right, but I'm sure that is part of the plan. I've been taking an interest in how you have been renovating that building, and if you put as much effort into the restaurant, as you have into the improvements of the house and gardens, I'm sure you will be a great success.

Keep up the good work, and I look forward to popping in when you're open.

All the best.



Orchid House
14 West Avenue,
Worthing
West Sussex
BN11 5LU

23rd June 2022

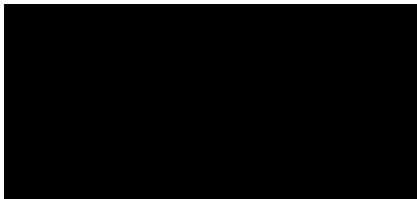
Dear Orchid House,

I live in Worthing and my friends who live close to your new restaurant have told me about it.

I certainly will look forward to visiting as it is easy for my wife and I to hop on the bus to Goring. We do not have any similar options in our immediate locality.

Please let us have your Booking details and let us know your opening days/times.

Yours sincerely,



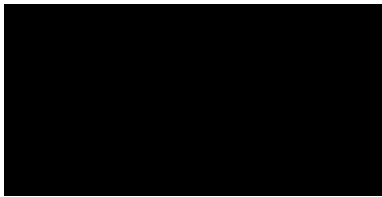
Orchid House
14 West Avenue
Worthing

Dear Orchid House,

I noticed the sign on your entrance gate to the new Orchid House and must say that I feel this will be a beautiful setting for such a restaurant. It is certainly a place that as a local I will be keen to frequent. I have some elderly friends who live close by and I am sure they also will be delighted to join me in trying your new restaurant.

Please let us have more details about the Menu and your opening times.

Regards,



Orchid House
14 West Avenue
Worthing

23rd June 2022

Dear 

After the conversation you and I had at your gates, I thought I would write in support of your new venture which I think is exciting and just what Worthing needs. I write of course on behalf of myself and my family. We live close to your location, and I walk my dog along West Avenue many times a week.

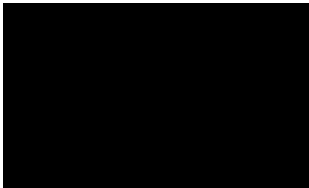
I think the mother and daughter team is excellent and I love your concept about offering luxury afternoon teas and a glass of Champagne, especially when you both make everything in-house.

My family and I look forward to coming along to your restaurant.

Wishing you every success, especially in these hard times.

You certainly have our support.

Kind regards,



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