



WORTHING BOROUGH
C O U N C I L

26 September 2022

Worthing Licensing and Control Sub-Committee

Date:	4 October 2022
Time:	6.30 pm
Venue:	Remote via Zoom

Committee Membership: Councillors Russ Cochran, Sally Smith (Chair) and Samuel Theodoridi

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. Members and Officers may seek advice upon any relevant interest from the Monitoring Officer prior to the 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 - 54)

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

4. Licensing Act 2003 - Application for a variation to a premises licence (Pages 55 - 126)

To consider a report by the Director for Communities, copy attached as item 4

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

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



Licensing & Control Committee B

Sub-Committee

04 October 2022

Ward: Central

Licensing Act 2003 – Application for a new Premises Licence

'The Gin Tub'
10 High Street, Worthing, BN11 1NU

Report by the Director for Communities

1. Recommendation

- 1.1 That a Sub Committee of Licensing & Control Committee “B” consider and determine the application made on behalf of :

Brighton Bars Ltd.

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

2. Reasons for Hearing

- 2.1 The application has been the subject of formal representation by a responsible authority and 6 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 Brighton Bars Ltd. to the Licensing Authority, Worthing Borough Council, on 11 August 2022 for the grant of a new premises licence.
- 3.2 The application was made after the applicant secured the use of part of an established licensed premises.
- 3.3 The premises at 10 High Street has been a licensed premises for many years and traded under a premises licence [REDACTED] This licence covered the main cocktail

bar known as 'Ten Cocktail Bar' and a smaller adjoining unit known as the 'Craft Alehouse'

- 3.4 In May 2022 the premises was acquired by a new operator Saints & Sinners Bar & Club Ltd. who transferred the licence into their name and are intending to operate the cocktail bar under the name 'Saints & Sinners Bar' and are investing in a full refurbishment of the premises.
- 3.5 As part of their business model the 'ale house' is being let out to another independent operator, Brighton Bars Ltd., to be run as a completely separate business. As an independent company, rather than run the new business under the existing licence held by Saints & Sinners Bar & Club Ltd., Brighton Bars Ltd. considers it prudent and good practice to hold their own premises licence for the new separate bar they are in the process of opening. Hence this application.
- 3.6 10 High Street is an old church building that was converted into a public house over 30 years ago. Situated on the eastern side of High Street it comprises two separate but adjoining 2 floor units.
- 3.7 The road is a busy mainly commercial street running from Little High Street to the Steyne and is designated as part of the A259. There are now some residential dwellings and accommodation in what was formerly an office block next door to the premises and there are residential dwellings above some of the neighbouring shops and behind the building in Elm Road.
- 3.8 High Street contains a large multi storey car park which is situated directly opposite the licensed premises which is part of the Guildbourne shopping centre. There are a number of bars and restaurants in the vicinity.
- 3.4 Attached to the report are:
- A plan & photos of the area (Appendix A)
 - A plan of the site (Appendix B)
 - A copy of the application (Appendix C)
 - The representations made by the Responsible 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:

The sale of alcohol for consumption on the premises, the provision of late night refreshment and the provision of regulated entertainment in the form of live & recorded music.

- Sale of alcohol:
 - 11:00 hrs to 01:00 hrs (of the following morning) Monday - Wednesday
 - 11:00 hrs to 02:00 hrs (of the following morning) Thursday - Sunday

- Late Night Refreshment:
 - 23:00 hrs to 01:00 hrs (of the following morning) Monday - Wednesday
 - 23:00 hrs to 02:00 hrs (of the following morning) Thursday - Sunday
- Live Music:
 - 18:00 hrs to 23:00 hrs Monday - Sunday incl.
- Recorded Music:
 - 11:00 hrs to 01:00 hrs (of the following morning) Monday - Wednesday
 - 11:00 hrs to 02:00 hrs (of the following morning) Thursday - Sunday
- Opening to the Public:
 - 11:00 hrs to 01:00 hrs (of the following morning) Monday - Wednesday
 - 11:00 hrs to 02:00 hrs (of the following morning) Thursday - Sunday

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

4.3 The proposed designated supervisor (DPS) is Miss Francesca Green who has 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 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
 - 6 from members of the public

7. Relevant Representations

- 7.1 Detail of the relevant representation received is reproduced at Appendices D & E. They are considered to relate to the statutory licensing objectives as follows:
- Prevention of Crime & Disorder
 - Prevention of Public Nuisance
- 7.2 Sussex Police made a number of comments and listed a number of conditions that they consider are required to enable this premise to meet the licensing objectives if members were of a mind to grant a licence.
- 7.3 Worthing Pubwatch highlighted the importance of membership of Pubwatch to address crime & disorder issues in and around licensed premises.
- 7.4 Five further representations were received from the public expressing concerns regarding possible crime & disorder, anti-social behaviour and public nuisance implications that can be associated with alcohol sales. These are relevant to the Licensing Authority's consideration. Some of the information included in the representations, whilst of a serious nature, is regarded as not relevant to this licensing application. This includes representations regarding the activities at 'Ten Cocktail Bar', local demand for another bar, local amenity and other planning issues etc. and these should not be considered. However, the representations have been reproduced in their entirety and it is for members to carefully decide how much weight, if any, should be attached to some of the information included.
- 7.5 The applicant and all those that made relevant representations have been formally notified of this hearing and invited to attend.

8. Mediation

- 8.1 The Licensing Act 2003 encourages mediation.
- 8.2 Sussex Police expressed some concerns regarding the application and sought a number of conditions to address the licensing objectives. These have now been successfully mediated with the applicant, Brighton Bars 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.

Prevention of Crime and Disorder:

- *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 and 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.*
- *SIA trained & licensed door supervisors shall be deployed on the premises from 20.00hrs every Friday & Saturday evening and at other times when a documented Risk Assessment determines necessary.*
- *Whenever SIA door supervisors are on duty, they operate at a ratio of 1 per 100 customers or part thereof, although at all times with a minimum of two; be on duty until the premises has closed to the public, licensable activities has ceased and the venue is completely clear of patrons and all customers have dispersed from the immediate area.*
- *All SIA registered door supervisors wear and operate body worn video cameras with a recording facility. The body worn cameras records all the time the door supervisors are on duty. All recordings are stored for a minimum period of 31 days, with date and time stamping. Viewing of recordings is available upon the request of police, or authorised local authority officers, throughout the entire 31 days period. The premises will ensure there are sufficient spare batteries fully charged for the body worn cameras so there is no issue with cameras not recording due to flat batteries.*
- *The premises shall at all times maintain and operate a sales refusals log and an incident log will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty four (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.*
- *The management and premises will have an absolute zero tolerance policy towards drugs and drug misuse. Any illegal drugs seized or found will be documented and stored in a lockable 'drugs box'. Management will contact police once a month to inform them of any drug seizures and request the drugs are collected.*

- *Signage stating that the premises has a zero tolerance towards drugs will be displayed prominently at all entrances to the premises, and the entrances to all toilets on all floors.*
- *Individuals found to have drugs in their possession will be banned from the premises.*
- *Staff must ensure that all empty glasses and bottles are promptly cleared away from the public areas. Regular patrols are to be conducted, at least hourly.*
- *The premises are to have a designated floorwalker at all times that the premises are open for licensable activities and a policy in relation to monitoring of patrons to prevent and to minimise intoxication.*
- *The Licensee/DPS will maintain an active membership of pub-watch and attend the regular meetings.*

The prevention of public nuisance

- *All windows and doors to be kept closed after 21:00 hours and/or earlier if necessary dependent on the volume of that evening's entertainment and/or advice of the local authority.*
- *A notice to be placed prominently at all exits asking customers to leave quietly; staff to monitor the situation.*
- *The supply of alcohol will cease 30 minutes prior to the closure of the premises*

The protection of children from harm

- *The Premises Licence Holder shall ensure that all staff members 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*
 - *The premises protocol on Drugs and Spiking*
 - *the conditions on the premises licence*
- *Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed three months, with the date and time of the verbal reinforcement/refresher training documented. All such training undertaken by staff members shall be fully documented and recorded and signed and dated by both the employee and the DPS. All training records shall be kept on the premises and made available to officers of any responsible authority upon request.*
- *The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum. The recommended forms of ID that will be accepted are passports, driving licences with a photograph or Citizen Card or validated proof of age cards bearing the "PASS" mark hologram.*
- *Any person under the age of 18 years must be accompanied by a responsible person aged 18 or over.*
- *Persons under 18 years of age shall not be permitted on the premises after 21:00 hours.*

As a result Sussex Police have withdrawn their objections.

- 8.3 As a result of the conditions the applicant has agreed with Sussex Police Worthing Pubwatch have had their concerns addressed and consequently withdrawn their representation.
- 8.4 No information regarding any 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 of Brighton Bars Ltd. for its planned new bar to be known as the 'Gin Tub' situated at 10 High Street, Worthing and give reasons for that determination.**

**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:

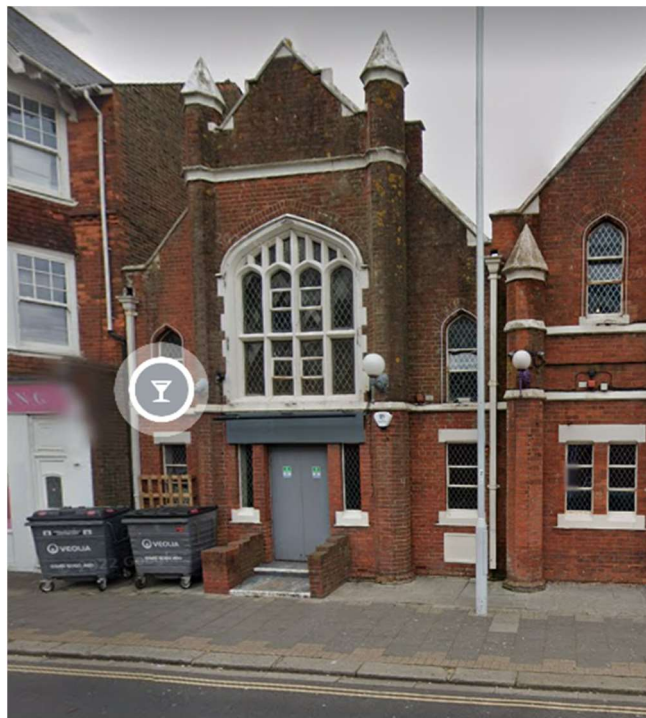
- Appendix A - Plan & photos of the area
- Appendix B - Plan of the site.
- Appendix C - The Application Form.
- Appendix D - Representation received from the Responsible Authority
- Appendices E - Representations received from the public objecting to the application
- Appendix F - Details of the mediation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

Portland House, Worthing

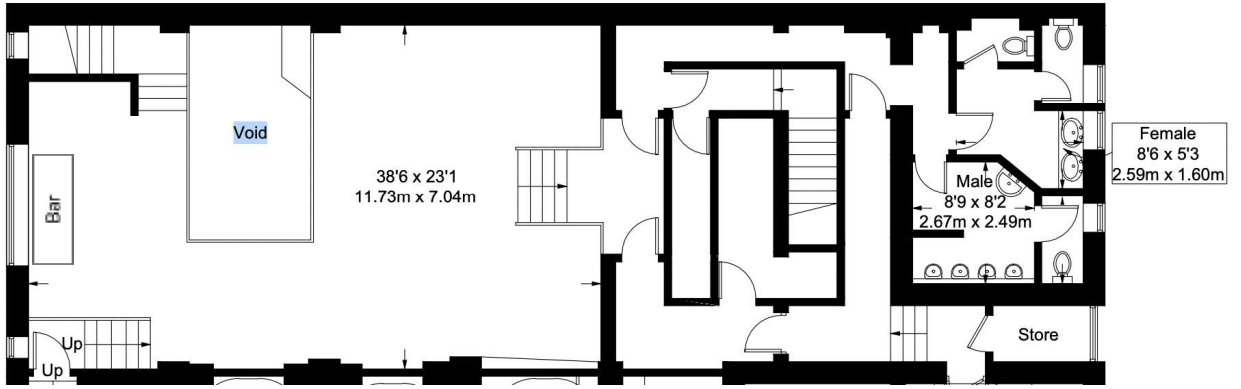
Ref: SJ/Lic.U/LA03/NEW – Gin Tub

Date: 23 Sept 2022.

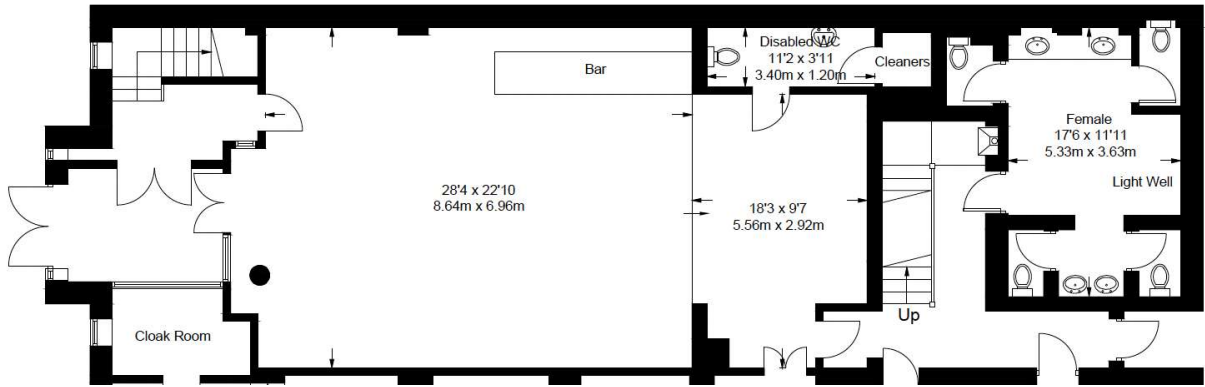
Appendix A
Plan & Photos of the Area







First Floor



Ground Floor

* 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

THEGINTUB

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

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant 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

VAT number

-

Legal status

If your business is registered, use its registered name.

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

Continued from previous page...

Your position in the business

Home country

Registered Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

The country where the headquarters of your business is located.

Address registered with Companies House.

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

Continued from previous page...

Registered number (where applicable)

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

Address

Building number or name

Street

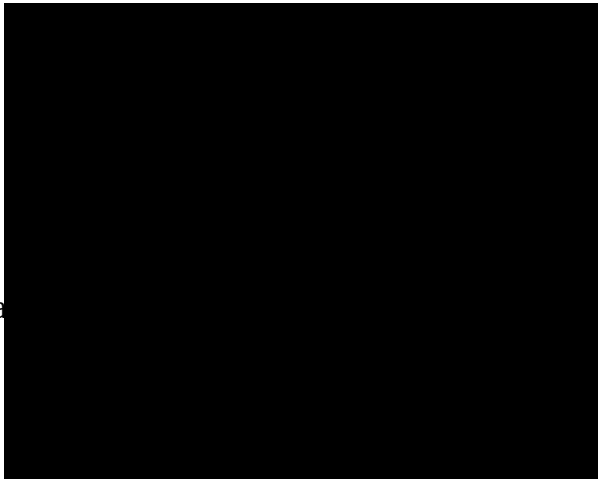
District

City or town

County or administrative area

Postcode

Country



Contact Details

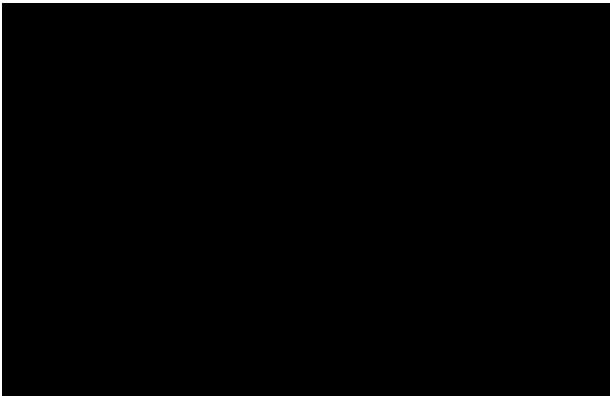
E-mail

Telephone number

Other telephone number

* Date of birth

* Nationality

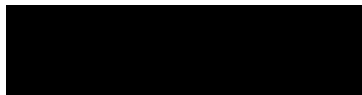


[Documents that demonstrate entitlement to work in the UK](#)

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?



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.

Continued from previous page...

Type of Premises- Cocktail Bar (over 18 only after 9pm)

The layout is predominantly seating, with limited bar service. Door supervisors every Friday and Saturday during peak periods and late nights.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

- Indoors Outdoors Both

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

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

Singers

State any seasonal variations for the performance of live music

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

Bank Holidays

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

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.

N/A

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

Continued from previous page...

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 playing recorded music

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

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

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

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

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.

24

Start

End

Continued from previous page...

TUESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

Continued from previous page...

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.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

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

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

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

Enter the contact's address

Building number or name

Street

District

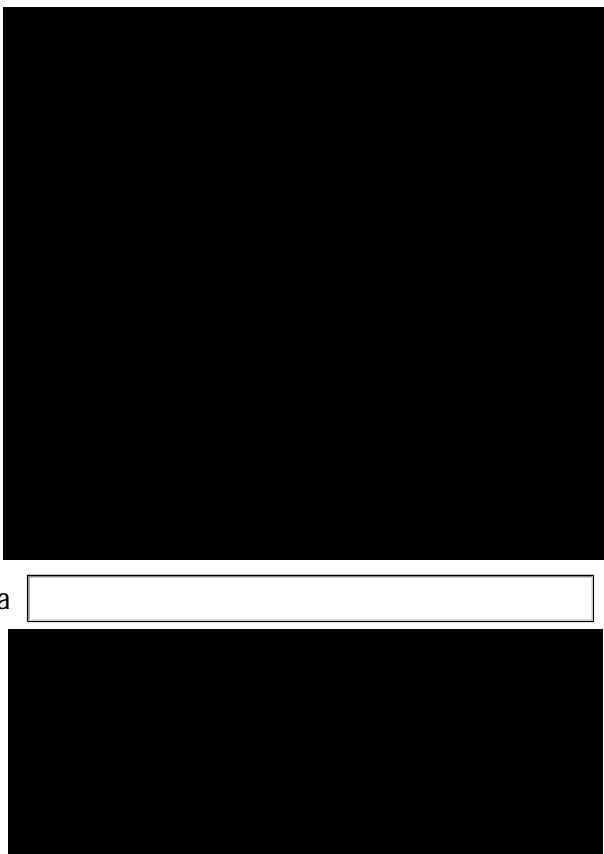
City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)



Continued from previous page...

Issuing licensing authority
(if known)

Brighton & Hove City Council

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

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.

NA

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 11:00

End 01:00

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 11:00

End 01:00

Start

End

WEDNESDAY

Start 11:00

End 01:00

Start

End

THURSDAY

Start 11:00

End 02:00

Start

End

Continued from previous page...

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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 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.

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 will be trained on all four licensing objectives every month.

b) The prevention of crime and disorder

Door supervisors every Friday and Saturdays from 8pm until close. During the week we will have supervisors on shift. Random bag searches. All staff to be trained in drug use and spike use protocols which we have introduced into our training programme. Refresher training will be given every single month with any relevant advise provided by the police and licensing. All new staff will be aware of how to prevent crime and disorder. Signage will be provided on the exit of the venue to ensure that customers leaving the venue late at night will not cause a nuisance to neighbors, door staff and supervisors will encourage guests to leave the building quietly and respectfully. Mobile response unit.

Continued from previous page...

c) Public safety

Building checks, toilet checks and surrounding properties checks to be carried out everyday by supervisor on shift. All fire regulations to be maintained by relevant authorities. First aid trained supervisors on shift.

d) The prevention of public nuisance

Signage outside and inside the building to prevent noise and nuisance. No drinks to be taken outside after 10pm and all outside furniture to be taken in at 10pm. Door staff will ID and random bag search guests.

e) The protection of children from harm

Challenge 25 training provided every week to all staff. No unaccompanied under 18's allowed in the premises. Challenge 25 posters displayed at the venue and online. Relevant ID will need to be provided and UV light used to check authenticity.

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 (£)

190.00

DECLARATION

Continued from previous page...

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

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

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

* Full name

* Capacity

* Date



Add another signatory

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="THEGINTUB"/>
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 >](#)

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



West Sussex Division Neighbourhood Licensing Team

24th August 2022

RE: APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003 FOR THE GIN TUB, 10 HIGH STREET, WORTHING, BN11 1NU.



I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds of the licensing objective(s) of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and the Protection of Children from Harm.

The application is for a Cocktail bar with in the town center of Worthing to provide on sales only. The application is for the provisions of live music, Recorded music, late night refreshments and the supply of alcohol **on the Premises**.

Hours open to the public: Monday to Wednesday – 11:00 to 01:00hrs. Thursday to Sunday – 11:00 to 02:00hrs.

Supply of alcohol: Monday to Wednesday – 11:00 to 0100hrs. Thursday to Sunday – 11:00 to 0200hrs.

Sussex Police have no objection to the principal of the application, however while the operating schedule provided identifies a number steps to address the licensing objectives, it is considered that additional measures are necessary. Sussex Police propose the following additional, amended conditions which should not prove onerous on the day-to-day operation of the premises:

Prevention of Crime and Disorder:

1. 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.

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

- 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 and 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.
2. SIA trained & licensed door supervisors shall be deployed on the premises from 20.00hrs every Friday & Saturday evening and at other times when a documented Risk Assessment determines are necessary.
 3. Whenever SIA door supervisors are on duty, they operate at a ratio of 1 per 100 customers or part thereof, although at all times with a minimum of two; be on duty until the premises has closed to the public, licensable activities has ceased and the venue is completely clear of patrons and all customers have dispersed from the immediate area.
 4. All SIA registered door supervisors wear and operate body worn video cameras with a recording facility. The body worn cameras records all the time the door supervisors are on duty. All recordings are stored for a minimum period of 31 days, with date and time stamping. Viewing of recordings is available upon the request of police, or authorised local authority officers, throughout the entire 31 days period. The premises will ensure there are sufficient spare batteries fully charged for the body worn cameras so there is no issue with cameras not recording due to flat batteries.
 5. The premises shall at all times maintain and operate a sales refusals log and an incident log will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty four (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
 6. The management and premises will have an absolute zero tolerance policy towards drugs and drug misuse. Any illegal drugs seized or found will be documented and stored in a lockable 'drugs box'. Management will contact police once a month to inform them of any drug seizures and request the drugs are collected.

7. Signage stating that the premises has a zero tolerance towards drugs will be displayed prominently at all entrances to the premises, and the entrances to all toilets on all floors.
8. Individuals found to have drugs in their possession will be banned from the premises.
9. Staff must ensure that all empty glasses and bottles are promptly cleared away from the public areas. Regular patrols are to be conducted, at least hourly.
10. The premises is to have a designated floor walker at all times that the premises are open for licensable activities and a policy in relation to monitoring of patrons to prevent and to minimise intoxication.
11. The Licensee/DPS will maintain an active membership of pub-watch and attend the regular meetings.

The prevention of public nuisance

12. All windows and doors to be kept closed after 21:00 hours and/or earlier if necessary dependent on the volume of that evening's entertainment and/or advice of the local authority.
13. A notice to be placed prominently at all exits asking customers to leave quietly; staff to monitor the situation.
14. The supply of alcohol will cease 30 minutes prior to the closure of the premises.

The protection of children from harm

15. The Premises Licence Holder shall ensure that all staff members 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
 - The premises protocol on Drugs and Spiking
 - the conditions on the premises licence

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

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

16. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum. The recommended forms of ID that will be accepted are passports, driving licences with a photograph or Citizen Card or validated proof of age cards bearing the "PASS" mark hologram.

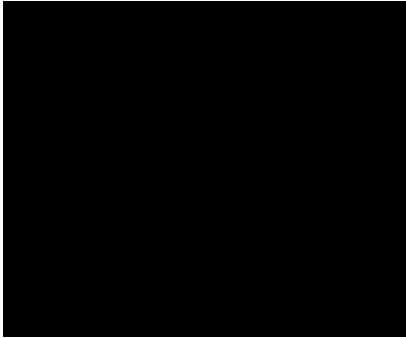
Sussex Police, Neighbourhood Licensing Team
Centenary House, Durrington Lane, Worthing,
West Sussex. BN13 2PQ
Telephone: 01273 404030

17. Any person under the age of 18 years must be accompanied by a responsible person aged 18 or over.

18. Persons under 18 years of age shall not be permitted on the premises after 21:00 hours.

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

Please contact this office on the number below or via email to ws_licensing_wor@sussex.pnn.police.uk should you wish to discuss this representation.



Sussex Police, Neighbourhood Licensing Team
Centenary House, Durrington Lane, Worthing,
West Sussex. BN13 2PQ
Telephone: 01273 404630



Dear Members of the Licensing Committee

I am writing in regard to a New Premises Licence Application made by Brighton Bars Ltd for a cocktail bar to be known as 'The Gin Tub'. The bar is to be situated at 10 High Street, Worthing, BN11 1NU.

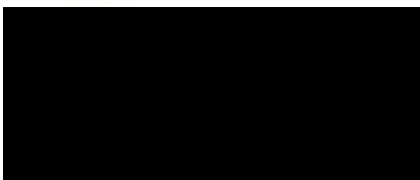
I consider that granting a new premises licence to undermine the licensing objectives for the following reasons:

1. The business known as 'The Gin Tub' (previously of Church Road, Hove) has a track record of being poorly managed, criminal activity and antisocial behaviour.
2. Swab tests carried out by Sussex Police indicated that a bulk amount of cocaine had been in the premises prior to the tests being carried out.
3. Brighton and Hove City Council Licensing Committee revoked the alcohol licence in December 2019, stating that: "We are not confident that the management will sustain lasting improvement and compliance as they do not appear to have understood their responsibilities and responded effectively at the appropriate stage."

I would respectfully request that the above points are given serious and full consideration by the current Licensing Committee.

It seems nonsensical that a business can have a licence revoked for criminal activity by a local authority and continue to be eligible to make an application to a neighbouring local authority.

Yours Faithfully,





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

License Application 'The Gin Tub' at 10 High Street Worthing OBJECTION

1 message

Dear Licencing team,

I am writing on behalf of myself and other residents of [REDACTED]

We are a residential building comprising of ten fully occupied flats adjacent to [REDACTED] [Worthing BN11 1NU](#) and are a mix of owner/occupiers and rentals these are 1–2-bedroom dwellings I have the consent of those who have not written to you individually to represent their objections, concerns and views on the proposed plans for The Gin Tub in addition to my own.

The occupants of [REDACTED] [Worthing BN111NU](#) are predominantly working people Most of us work at Worthing Hospital, due to the nature of our occupations we (including myself) do not hold traditional working 9-5 hrs . Other occupants include a retired couple in their 80's , a young child with special needs (attends a special needs school locally) and a young baby

At this point I would like to acknowledge the courteous, approachable manor of the new bar Manager, He has made adjustments to the noise levels of the existing Friday and Saturday nights although these are not ideal there has been a vast improvement. He has tried his best to limit our disturbance from live bands prior to this application, we do appreciate this, but given the new application we are left wondering what new noise levels we can expect.

1) Week Day Licensing Hours (noise objection)

[REDACTED] to the front of the building overlooking [REDACTED] My lounge shares a party wall with [REDACTED] High Street. Our bedroom is also adjacent to our lounge to the front of the building with a second bedroom at the rear of the dwelling.

I have already experienced the volume of the live entertainment and I refer to the drumming which sounds like it is actually in my lounge! This was despite my windows and the doors of [REDACTED] High street doors being shut we were still unable to watch our TV uninterrupted or hear it at a reasonable level . I am sure you will also appreciate there will be times we would like to open our windows of an evening and are unable to predict when this may be necessary to attain comfort, especially during the recent heatwave, the noise levels in this instance more than likely will become totally intolerable either musically or vocally, also due to the design of the rear of [REDACTED] High Street it is essentially a sound box amplifying the volume at the rear of all surrounding properties, which become even louder when the rear emergency exits are opened which happens frequently, it also prevents me personally from having visitors stay over for the weekend due to being unable to sleep due to the noise level.

There has been no indication of the level or nature of pre-recorded music Mon - Sunday, I would like to point out it is not unusual for the working residences here to have early shifts or to be on call overnight a good night's sleep is required to perform our duties safely.

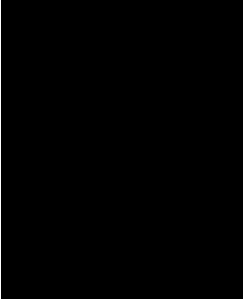
2) Weekday licensing hours (general objection)

My fellow residences and myself feel that given the application until 1am is later than most establishments within the area this will only serve to encourage those already intoxicated .We already experience the effects of this over Friday and Saturday and are aware of the implications on us and the residential area in general by way of people shouting, vomiting, urinating and the obvious use of substances within the local area (in Elm Road and the 'alley' connecting Elm Road and Warwick Gardens as well as High Street). We have also suffered from verbal abuse whilst entering and exiting our own

43

building . The ramp directly outside our front door and surrounding wall are our private property and the doorman are powerless to stop loitering customers trespassing and often come across the remnants of their night out in the immediate vicinity. We have been privy to or woken up by many an argument between drunken patrons and or staff/Doormen. Understandably we view the prospect of having this seven days a week is unacceptable. Also, just to remind all concerned when [REDACTED] (Bar Ten) and previous similar incarnations were granted licences [REDACTED] was still a commercial property this status changed nearly 6 years ago with its conversion to wholly residential.

Kind regards



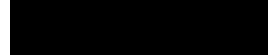
This message may contain confidential information. If you are not the intended recipient please:
i) inform the sender that you have received the message in error before deleting it; and
ii) do not disclose, copy or distribute information in this e-mail or take any action in relation to its content (to do so is strictly prohibited and may be unlawful).
Thank you for your co-operation.

NHSmial is the secure email, collaboration and directory service available for all NHS staff in England. NHSmial is approved for exchanging patient data and other sensitive information with NHSmial and other accredited email services.

For more information and to find out how you can switch visit [Joining NHSmial – NHSmial Support](#)

New premises Licence at the Gin Tub

24 August 2022 at 23:06



Dear Committee,

write to you as residents of in objection to the application for new premises licence for a cocktail bar to be known as "The Gin Tub" situated at Please find our reasoning below:

1.- The application aims to create a new and separate business, from the current Night club "Ten Cocktail Bar", which will operate from Monday until Sunday; The disruption to everyday life, including, loud music, screams, fights, and drunken people in our building door, was something my husband and I considered when buying the above mentioned flat. However, given "Ten Cocktail Bar" 's operating times, Thursdays (7 pm -2 am), Fridays (7 pm -2:30 am), and Saturdays (7 pm -3 am), we decided the compromise was acceptable, This said, according to the information included in the application pack, the new license and business, will operate practically from Monday to Monday with just a daily pause between 2:00 am and 11:00 am, Please find below a timetable created with the information available on the application:

Hour (24)	Monday				Tuesday				Wednesday				Thursday				Friday				Saturday				Sunday			
	Sale Alcohol	Late night Refreshment	Live Music	Recorded Music	Sale Alcohol	Late night Refreshment	Live Music	Recorded Music	Sale Alcohol	Late night Refreshment	Live Music	Recorded Music	Sale Alcohol	Late night Refreshment	Live Music	Recorded Music	Sale Alcohol	Late night Refreshment	Live Music	Recorded Music	Sale Alcohol	Late night Refreshment	Live Music	Recorded Music	Sale Alcohol	Late night Refreshment	Live Music	Recorded Music
01:00	x	x		x	x	x			x	x		x					x	x		x	x	x		x	x	x		x
02:00	x	x		x													x	x		x	x	x		x	x	x		x
11:00	x			x	x			x	x			x				x	x			x				x	x			x
12:00	x			x	x			x	x			x				x	x			x				x	x			x
13:00	x			x	x			x	x			x				x	x			x				x	x			x
14:00	x			x	x			x	x			x				x	x			x				x	x			x
15:00	x			x	x			x	x			x				x	x			x				x	x			x
16:00	x			x	x			x	x			x				x	x			x				x	x			x
17:00	x			x	x			x	x			x				x	x			x				x	x			x
18:00	x		x	x	x		x	x		x	x	x		x	x	x		x	x	x			x	x	x	x	x	x
19:00	x		x	x	x		x	x		x	x	x		x	x	x		x	x	x			x	x	x	x	x	x
20:00	x		x	x	x		x	x		x	x	x		x	x	x		x	x	x			x	x	x	x	x	x
21:00	x		x	x	x		x	x		x	x	x		x	x	x		x	x	x			x	x	x	x	x	x
22:00	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
23:00	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x

We hope the table helps visualize the committee the enormous difference and detrimental impact the new business will have on the life of the residents and neighbors of this potential new business High Street, Worthing BN11 1NU. Our building is home to children, the elderly, and people who, given the current circumstances, work from home. We beg the committee to take into consideration the impact that a practically always open bar will have on the residents of the building. Loud music leaking into our flats (due to poor isolation of the premises at High Street, Worthing), could result in sleep deprivation, stress, depression, and many other illnesses. Please review the article published by the "National Library of Medicine" available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4608916/#:~:text=Nocturnal%20noise%20has%20been%20shown,Basner%20et%20al>, for your reference. Drunk and disorderly people on our doorsteps during the day could affect our young residents and have a negative impact on those of us who currently work from our homes as the sound can easily travel into our homes. A potential "cocktail bar", that might be quiet and sedate during the day, can suddenly come alive with music bursting out and those who have had a little too much to drink spilling out onto the streets and raising their voices. Furthermore, the smoking ban introduced in 2007 means more people will hang around outside the "bar". The noise of just a handful of conversations can easily travel on disturbing our peace and quiet.

2.- Previous poor management of "The Gin Tub" and criminal behavior: This business has a record of being poorly managed attracting therefore criminal behavior. The management was given multiple opportunities to correct its shortcomings but did close to nothing to correct them. Especially concerning are the comments raised by the panel of councillors who decided to withdraw the license away from the business "The panel is very concerned that the management has not taken the issue of class A drug use in their premises seriously enough despite the evidence, interventions and warnings from the police...We are not confident that the management will sustain lasting improvement and compliance as they do not appear to have understood their responsibilities and responded effectively at the appropriate stage". If this business has failed to comply and was denied a license in Hove, why should it be granted in Worthing? Are our residents less worthy of a tranquil life?. For more information on this subject, we would like to ask the committee to check the multiple news articles regarding the poor management of the business, Please also review the map of criminal activities of Worthing available at <https://www.pdl.co.uk/pu/you-area/sussex-pdl/worthing-central/?tab=CrimeMap> when taken your decision.

3.- Devaluation of our property's price: Our "life's investment" could be damaged by the potential opening of a second and separate business opening next door to our building at High Street, Worthing BN11 1NU most likely due to the potential for noise and general disruption of the peace and quiet as well as the potential increase of criminal activities.

We greatly ask the committee to consider this email, our voices, and our points of view carefully when taking its decision,

We thank you in advance for allowing us to express ourselves and our objections.

Yours Faithfully,



The Licensing Unit

ADUR-WORTHING ~~Adur & Worthing Council~~
Licensing Unit
RECEIVED
07 SEP 2022

TOWN HALL
BN 11 9HA

5th September '22.

Re ~~New premises~~ ~~Application~~

Dear Sirs,

Do WE* really want to encourage a business with 'an appalling track record of noise and criminal behaviour' to set up here in WORTHING?

My wife and I are proud to live here and be part of the vibrant Worthing scene and this application will do nothing to contribute and improve what is now a much sought after living experience.

There is an abundance of similar businesses in the town for the revellers to enjoy, so please can we have a few more years of peace and tranquility at this end of town.

Yours sincerely,

* Our residential neighbours to the rear of the said premises, and
Our friends at Adur-Worthing Council to whom we are indebted.

The Gin Tub situated and 10 High Street Worthing BN11 1NU

1 message

17 August 2022 at 21:12

[REDACTED]

Good Evening,

We have noticed a new application has been made for the The Gin Tub situated and [REDACTED] [High Street Worthing BN11 1NU](#)

I, as the Chairman of Worthing Pubwatch would like to make a representation. We as Worthing Pubwatch would like to add to the conditions of its licence if granted

1) Be an active member of Worthing Pubwatch and attend regular meetings during such time that a scheme remains in existence.

With these conditions added to the licence we feel this will help minimise crime and Disorder within Worthing.

Kind regards

[REDACTED]

Objection to licence application for The Gin Tub

1 message

[REDACTED]

[REDACTED]

I wish to outline my objections to the New Premises Licence application made by The Gin Tub situated at [REDACTED] [High Street, Worthing BN11 1NU](#).

As I understand it, the application is for 7 nights per week, allowing the sale of alcohol , recorded music and live music until either 1am or 2am each night.

I am a local resident, I live at the rear of the premises and already have a lot of disruption, noise, and unhygienic waste to deal with as a result of the current situation. Currently the nightclub is only open on Friday and Saturday evenings and I have made numerous complaints about noise and mess to the manager.

I consider this application to be completely unnecessary and in conflict with the needs of the local residents. This application is potentially very disruptive to the residents of the surrounding area. It is very difficult to sleep when the business is in operation so I am often trying to catch up with sleep during the week due to weekend disturbance.

My flat in [REDACTED] is my sole residence, and I work locally contributing to the local economy, culture and tourist offer in Worthing. I am extremely concerned about how the increased disturbance will affect my mental health and ability to work. In addition to the noise disturbance there is often urine, blood, broken glass or vomit in front of my front door after the nightclub is open.

The area adjacent and behind this business is fundamentally a residential area so I feel very strongly that the detrimental effect on quality of life for local residents should be understood when considering this application.

As per the council's policy I am giving my personal details as requested below:

[REDACTED]

Prevention of Crime and Disorder:

1. 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 and 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.
2. SIA trained & licensed door supervisors shall be deployed on the premises from 20.00hrs every Friday & Saturday evening and at other times when a documented Risk Assessment determines are necessary.
3. Whenever SIA door supervisors are on duty, they operate at a ratio of 1 per 100 customers or part thereof, although at all times with a minimum of two; be on duty until the premises has closed to the public, licensable activities has ceased and the venue is completely clear of patrons and all customers have dispersed from the immediate area.
4. All SIA registered door supervisors wear and operate body worn video cameras with a recording facility. The body worn cameras records all the time the door supervisors are on duty. All recordings are stored for a minimum period of 31 days, with date and time stamping. Viewing of recordings is available upon the request of police, or authorised local authority officers, throughout the entire 31 days period. The premises will ensure

there are sufficient spare batteries fully charged for the body worn cameras so there is no issue with cameras not recording due to flat batteries.

5. The premises shall at all times maintain and operate a sales refusals log and an incident log will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty four (24) months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
6. The management and premises will have an absolute zero tolerance policy towards drugs and drug misuse. Any illegal drugs seized or found will be documented and stored in a lockable 'drugs box'. Management will contact police once a month to inform them of any drug seizures and request the drugs are collected.
7. Signage stating that the premises has a zero tolerance towards drugs will be displayed prominently at all entrances to the premises, and the entrances to all toilets on all floors.
8. Individuals found to have drugs in their possession will be banned from the premises.
9. Staff must ensure that all empty glasses and bottles are promptly cleared away from the public areas. Regular patrols are to be conducted, at least hourly.
10. The premises is to have a designated floor walker at all times that the premises are open for licensable activities and a policy in relation to monitoring of patrons to prevent and to minimise intoxication.
11. The Licensee/DPS will maintain an active membership of pub-watch and attend the regular meetings.

The prevention of public nuisance

12. All windows and doors to be kept closed after 21:00 hours and/or earlier if necessary dependent on the volume of that evening's entertainment and/or advice of the local authority.
13. A notice to be placed prominently at all exits asking customers to leave quietly; staff to monitor the situation.
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The protection of children from harm

15. The Premises Licence Holder shall ensure that all staff members 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
- The premises protocol on Drugs and Spiking
- the conditions on the premises licence

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

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

16. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum. The recommended forms of ID that will be accepted are passports, driving licences with a photograph or Citizen Card or validated proof of age cards bearing the "PASS" mark hologram.

17. Any person under the age of 18 years must be accompanied by a responsible person aged 18 or over.

18. Persons under 18 years of age shall not be permitted on the premises after 21:00 hours.

Re: LA 2003 Premises Licence Hearing - The Gin Tub

1 message

[REDACTED]

Good Morning [REDACTED]

I have noted that Sussex Police has withdrawn their application. However point 11 under the crime and disorder. It states

The Licensee/DPS will maintain an active membership of pub-watch and attend the regular meetings.

If the applicant has agreed to the condition then I am willing to withdraw my objection too.
I hope this is okay?

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

Consultation on the above application has now closed. Six representations regarding the application were received during the consultation period from members of the public and one from a Responsible Authority, in this case Sussex Police.

In such circumstances the Licensing Act 2003 encourages mediation and if agreement cannot be reached then the application is referred to a Licensing & Control Sub-Committee to consider at hearing. Your representation has been forwarded to the applicant and you may be contacted directly to discuss your concerns.

I have scheduled a hearing to consider the application for **Tuesday 4 October 2022 at 18:30hrs.** The hearing, if required, will be held online via Zoom and details to join the meeting will be forwarded in due course.

Under the Licensing Act 2003 the Licensing & Control Sub-Committee that will determine the application can only consider matters that relate to the licensable activities proposed by this application and consider if the licensable activities carried out in the way proposed would undermine the Licensing Objectives. These being:

- The Prevention of Crime & Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Harm to Children

The Sub-Committee cannot consider, under the Licensing Act, issues such as public amenity, congestion, parking, road safety, need or demand or even, as in this case, that the area is predominantly residential. Whilst such representations highlight serious concerns these are planning matters that have been considered by the Planning Committee and a Licensing Committee cannot consider.

As I have stated, mediation is encouraged and I am aware that the applicant and Sussex Police have mediated successfully. As a result a comprehensive set of conditions have been agreed and would become enforceable conditions of any licence granted and added to those already volunteered by the applicant in the application. Consequently, Sussex Police have withdrawn their objections to a licence being granted subject to the conditions being imposed on any licence granted and I enclose a copy of them.

In case further mediation with those making representation is unsuccessful or considered impractical a hearing has been scheduled and you will find attached the formal hearing notice relating to the Sub-Committee hearing that may sit to consider the above application.

At any hearing all written representations are considered and the applicant and those that have made representation, and expressed their intention in advance, are given an opportunity to address members if they wish. Having registered to address the committee you will be able to highlight any relevant points you have made in your written representation but will not be able to introduce any new arguments or evidence.

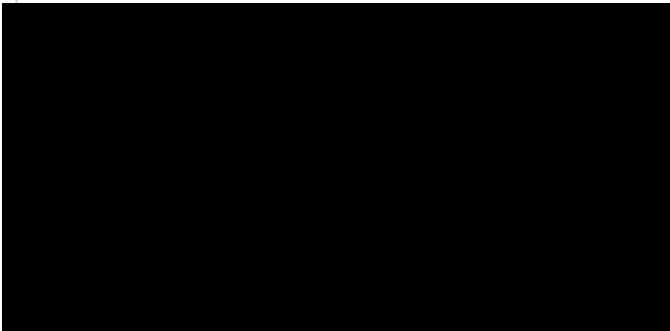
If you would like to attend please forward your name & email address at least 5 days prior to the hearing and the Zoom log on details will be forwarded to you. If you would like to address the committee you must register your intention 5 working days prior to the hearing at: licensing.unit@adur-worthing.gov.uk

The Committee papers relating to this application will be published 5 working days prior to the hearing on the A&W Councils' website at:
<https://democracy.adur-worthing.gov.uk/ieListMeetings.aspx?Committeed=171>

If you have any queries regarding this matter please do not hesitate to contact the licensing unit at: licensing.unit@adur-worthing.gov.uk

The formal hearing notice is attached.

Regards



This email and any attachments are confidential and intended solely for the persons addressed. If it has come to you in error please send it back to us, and immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in any attachment. Whilst every care has been taken to check this e-mail for viruses, it is your responsibility to carry out checks upon receipt.







**Licensing & Control Committee B
Sub-Committee**

**Date of Hearing: 4 October 2022
Ward: Central**

Licensing Act 2003 – Application for a Variation to a Premises Licence

**Karma on the Beach
40 Marine Parade, Worthing, BN11 1OG**

Report by the Director for Communities

1. Recommendation

- 1.1 That a Sub Committee of Licensing & Control Committee “B” considers and determines the application made by:

Karma Express Ltd.

for a Variation to Premises Licence LN/100001360 which authorises the sale of Alcohol & Provision of Regulated Entertainment at the above bar & kitchen.

2. Reasons for Hearing

- 2.1 The application has been the subject of formal representation by two responsible authorities and two 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 Karma Express Ltd. to the Licensing Authority, Worthing Borough Council, on 11 August 2022 for the grant of a variation to its premises licence.
- 3.2 Karma on the Beach is a new venue situated in a town centre terrace of residential and commercial properties in Marine Parade directly opposite the promenade and beach. The unit was formerly operated as a restaurant and was most recently known as ‘Boutique Turkish & Mediterranean Restaurant’

- 3.3 It occupies a ground floor unit with front patio and has been operated as a licensed restaurant since at least 2005 under various names. The terrace contains two other licensed premises with the nearest 'The Escape Bar & Grill' directly next door.
- 3.4 There are a large number of residential flats in the vicinity, the nearest directly above Karma on the Beach.
- 3.5 Karma Express Ltd. has been the licence holder since May 2022 and since the acquisition the premises have remained closed whilst extensive renovations and refurbishment has been conducted.
- 3.6 On acquisition the premises licence was the subject of a variation in May 2022 to remove a number of 'restaurant conditions' to allow the sale of alcohol without the requirement to consume food, thus allowing it to operate as a bar.
- 3.7 The current premises licence is attached at **Appendix C**. However, in summary, the current licence authorises:
- Sale of Alcohol:
 - 12:00 hrs to 23:30 hrs Sunday
 - 10:00 hrs to 00:00 hrs (midnight) Monday - Saturday
 - Recorded Music:
 - 19:00 hrs to 23:30 hrs Sunday
 - 19:00 hrs to 00:00 hrs (midnight) Monday - Saturday
 - Live Music & Dance:
 - 19:00 hrs to 23:00 hrs Monday - Sunday incl.
 - Late Night Refreshment:
 - 23:00 hrs to 23:30 hrs Sunday
 - 23:00 hrs to 00:00 hrs (midnight) Monday - Saturday
 - Opening to the Public:
 - 11:30 hrs to 00:00 hrs (midnight) Sunday
 - 10:00 hrs to 00:30 hrs (of the following morning) Monday - Saturday

Appendix C

- 3.8 Attached to the report are:
- A plan & photos of the area (Appendix A)
 - A plan of the venue (Appendix B)
 - The current premises licence (Appendix C)
 - The application (Appendix D)
 - The representations made by the Responsible Authorities (Appendix E)
 - The representations made by the Public (Appendix F)
 - The mediation that has been conducted (Appendix G)

4. The Application

- 4.1 The Application is attached at **Appendix D**. However, in summary, the application is seeking a variation to the licence to authorise:

Extension of the hours for the sale of alcohol on the premises, the provision of recorded music and the sale of late night refreshment on Thursday, Friday & Saturday nights to:

- Alcohol Sales for consumption on the premises:
 - 12:00 hrs to 23:30 hrs Sunday
 - 10:00 hrs to 00:00 hrs (midnight) Monday - Wednesday
 - **10:00 hrs to 02:00 hrs (of the following morning) Thursday - Saturday**
- Recorded Music:
 - 19:00 hrs to 23:30 hrs Sunday
 - 19:00 hrs to 00:00 hrs (midnight) Monday - Wednesday
 - **19:00 hrs to 02:00 hrs (of the following morning) Thursday - Saturday**
- Late Night Refreshment
 - 23:00 hrs to 23:30 hrs Sunday
 - 23:00 hrs to 00:00 hrs (midnight) Monday - Wednesday
 - **23:00 hrs to 02:00 hrs (of the following morning) Thursday - Saturday**
- Opening to the Public:
 - 11:30 hrs to 00:00 hrs (midnight) Sunday
 - 10:00 hrs to 00:30 hrs (of the following morning) Monday - Wednesday
 - **10:00 hrs to 02:30 hrs (of the following morning) Thursday - Saturday**
- The timings for alcohol off sales and the provision of live music & dancing are unaffected.

No other changes were proposed by the application.

- 4.2 There is a comprehensive set of conditions on the licence. The licence holder considers these to have been successful in promoting all the licensing objectives and no application is made to amend or remove any of these current conditions.

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 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

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

SPECIFIC CONSIDERATIONS

Alcohol – On & Off Sales

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

Alcohol

Public Houses and Bars – On Sales

- 7.14 *Worthing contains a wide variety of pubs and bars that contribute to the town's appeal and its character. They provide food and refreshment for residents and for people working in and visiting the borough. They also provide venues for live music which, aside from its cultural benefits and its enjoyment by customers, often has a positive effect on licensing objectives. However, premises that primarily serve alcohol, with or without the provision of any ancillary playing of music, can give rise to public nuisance for residents and other businesses, particularly where there is a concentration of such premises. This is principally due to noise from the premises and from patrons when they leave. In addition pubs and bars present opportunities for crime and they can also give rise to disorder.*
- 7.15 *The Licensing Act 2003 details a number of mandatory conditions where a licence authorises the supply of alcohol: these cover: a Designated Premises Supervisor for the premises who holds a Personal Licence whenever alcohol is sold, sales of alcohol*

to be authorised by a personal licence holder, no irresponsible alcoholic drink promotions, free tap water to be available, set measures for the sale of alcohol and age verification measures.

7.16 The Licensing Authority regards these as the minimum required and will expect applicants to have regard to additional measures appropriate for their premise, area and character of business to demonstrate his/her promotion of the Licensing Objectives. If the proposals are inadequate and representation has been received the council may impose conditions as it deems appropriate or even refuse an application.

6. Consultation

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

- Responsible Authorities - 2 X Representations
 - A&W Environmental Protection Team
 - Sussex Police
- Other Persons
 - 2 letters of representation received from the public.

7. Relevant Representations

7.1 Detail of the relevant representations received are reproduced at **Appendix E & F**. 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 require removal from the licence to be replaced with updated conditions they consider required to enable this premise to meet the licensing objectives if members were of a mind to grant the variation.

7.3 Adur & Worthing Councils' Environmental Protection Team made a number of comments regarding their concerns that granting the extended hours will negatively impact on the prevention of public nuisance objective with particular regard to the effect of increased noise on residents living in the direct vicinity of the premises.

7.3 Two representations were received from the public which have expressed concerns regarding possible crime & disorder, noise and public nuisance implications that can be associated with late night alcohol sales and entertainment.

7.4 The applicant, the responsible authorities and members of the public that made representation have been formally notified of this hearing and invited to attend.

8. Mediation

- 8.1 The Licensing Act 2003 encourages mediation.
- 8.2 The applicant has conducted mediation with all the parties that made representation.
- 8.3 Sussex Police sought an amended set of conditions to address the licensing objectives and these have now been successfully mediated with the applicant. The Licence holder agreeing that if the variation were granted the following conditions would be amended and a new set of conditions placed on the licence as enforceable conditions of licence in addition to those already in place on the licence:

Removal of the following conditions:

- *The Conditions consistent with the Embedded Restrictions of the Justices' 'Restaurant' Licence (Licensing Act 1964) contained in Section H of the current licence. With the exception of the condition regarding New Years Eve'*
- *The current conditions regarding CCTV provision.*
- *The current age verification condition*
- *The current requirements regarding an incident log.*

To be replaced with the following new conditions to be added to the new varied licence (in addition to the remainder of the conditions already on the licence):

- *Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas including the entrance to the premises and the outside area. The system shall be on and recording at all times the premises licence is in operation.*
 - *The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside and outside the premises at all times.*
 - *CCTV footage will be stored for a minimum of 31 days.*
 - *The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police or authorised officer recent data or footage with the absolute minimum of delay when requested. The CCTV system will have internet connectivity, in order to facilitate the uploading of requested footage to Sussex Police Digital media systems.*
 - *The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. The time will be amended promptly when British Summer Time starts and ends.*
 - *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 licensing team immediately (and a receipt or acknowledgement obtained) & 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.

- *SIA registered door staff will operate at the premises every Thursday, Friday and Saturday night (at a ratio of 1 per 100 customers or part thereof, although at all times with a minimum of two) from 22:00 until twenty minutes after close or all customers have vacated the premises, and the premises is locked and secured.*
- *Security Industry Authority (SIA) door supervisors must be deployed at the premises at any time when the licence holder identifies by way of a suitable and sufficient written risk assessment that SIA door supervisors and other security measures are necessary. It must also consider busy periods such as Bank Holidays, Christmas and New Year, Seasonal Variations and other Town Centre Events along with any special events at the premises such as live music, discos, screening of sporting events and other similar functions or entertainment. The risk assessment will also cover any requirement for polycarbonate, shatterproof, safety drinking vessels, ticket only events, entry restrictions and last entry times.*
- *The risk assessment will consider the necessity for door staff at events both during the day and at night when occupancy capacity limits may be reached, and it is a necessity to closely monitor and control access to the venue.*
- *The written risk assessment must be available on the premises for inspection by police and authorised officers of the Licensing Authority. This written risk assessment is to be reviewed and updated as necessary and at least annually and must take into account information or guidance offered by the police and the licensing authority.*
- *All SIA registered door supervisors shall wear and operate body worn video cameras with a continual recording facility and sound recording whilst on duty. The body worn cameras will be recording all the time the door supervisors are on duty whether inside the premises or in the vicinity of the premises. All recordings shall be stored for a minimum period of 31 days, with date and time stamping. Viewing of recordings shall be made available upon the request of police, or authorised local authority officers, throughout the entire 31 days period. The premises will ensure there are sufficient spare batteries fully charged for the body worn cameras so there is no issue with cameras not recording due to flat batteries.*
- *Whenever SIA door supervisors are on duty, they must be provided in accordance with the following:*
 - *At a ratio of 1 per 100 customers or part thereof, although at all times with a minimum of two;*
 - *On duty until the premises has closed to the public, licensable activities has ceased and the venue is completely clear of patrons and all customers have dispersed from the immediate area;*
 - *Must wear clearly marked reflective jacket or tabard (and not just an armband) in order that they can be readily identifiable;*
 - *Must be equipped with clickers or other device(s) in order that they can accurately measure and ensure that the maximum capacity of the premises is complied with a written record being kept; and*
 - *Must monitor/supervise any queue of customers waiting to gain access to the premises.*
- *SIA door supervisors shall complete incident logs prior to the end of their shift. Records shall be maintained at the premises containing the full name, date of birth, and SIA badge number of every Door Supervisor. The record shall include all dates and times when a Door Supervisor is employed. If Staff are employed through an agency the name and address of the agency must be included. The Door Supervisor records will be kept at the premises and made immediately available to officers of any responsible authority upon request.*
- *Those performing the role of door supervisor shall not perform any other role when engaged for the purpose of door supervision activities.*

- *Door supervisors shall be fully briefed prior to work with clear written instructions regarding their specific duties including an awareness of persons banned from the premises. These records shall be made available to the local licensing authority and/or Sussex Police upon request. Door staff will ensure that vulnerable customers (especially with vulnerability through drink and/or drugs consumption) are properly cared for.*
- *An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises and any refusals of alcohol. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a month. The log book should be kept on the premises and be available for inspection at all times the premises are open by officers of any responsible authority. The incident log will record the following:*
 - *All crimes or incidents reported to or occurring at the venue including the immediate outside area and smoking area.*
 - *All ejections of patrons*
 - *Any complaints received*
 - *Any incidents of disorder*
 - *All seizure of drugs or offensive weapons*
 - *Any faults in the CCTV system*
 - *Any refusal of the sale of alcohol*
 - *Any visit by a relevant authority or emergency service, with the full name, job title and authority which the visitor represents recorded.*
- *The designated premises supervisor or a member of the management team who is a personal licence holder shall be present on the premises as the primary responsible person from 21:00 on Friday & Saturday evenings until closing.*
- *The premises will be active and participating members of the local pub watch or Business Crime Reduction Partnership if one of those schemes is operating in the area.*
- *The premises management will ensure that any crime scene is preserved (without being cleaned), and cordoned off to preserve evidence until the police arrive. Staff and door staff will be trained (and receive regular refresher training) for this requirement.*
- *All persons under the age of 18 years of age shall be accompanied by a responsible adult in the premises after 21:00.*
- *No persons under 18 years of age shall be allowed in the premises after 22:00.*

As a result Sussex Police has withdrawn its objections. (Appendix F)

- 8.4 The Environmental Protection Team has been seeking proof that the proposed licensable activities will not adversely affect the residents living in the vicinity and the appropriate noise surveys and management plans are being sought. No information regarding the results of this mediation has been provided to date. Members will be informed if there are any developments.
- 8.5 Worthing Pubwatch has withdrawn their representation as a result of the conditions agreed between the applicant and Sussex Police which included a condition regarding Pubwatch or Business Crime Reduction Partnership membership.
- 8.6 Mediation between the applicant and the neighbour that made representation is ongoing but no information regarding the results of this mediation 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 variation, pursuant to s 35 of the Act the following options available to the Sub-Committee:
- A. To grant the variation, as requested,
 - B. To grant the variation as requested but with additional conditions appropriate to the promotion of the specific licensing objectives on which relevant representations have been received.
 - C. Reject the whole or part of the application.
- 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:
- A. The applicant may appeal against any decision to modify the conditions of the licence.
 - B. The applicant may appeal against a rejection in whole or part of an application.
 - C. 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 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 Variation to the Premises Licence at the 'Karma on the Beach' bar & kitchen situated at 40 Marine Parade, Worthing made on behalf of Karma Express Ltd. and give reasons for that determination.**

Director for Communities

Tina Favier

Principal Author and Contact Officer:

Simon Jones

Public Health & Regulation Team Leader - Licensing

Tel: 01273 263191 or Email: 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:

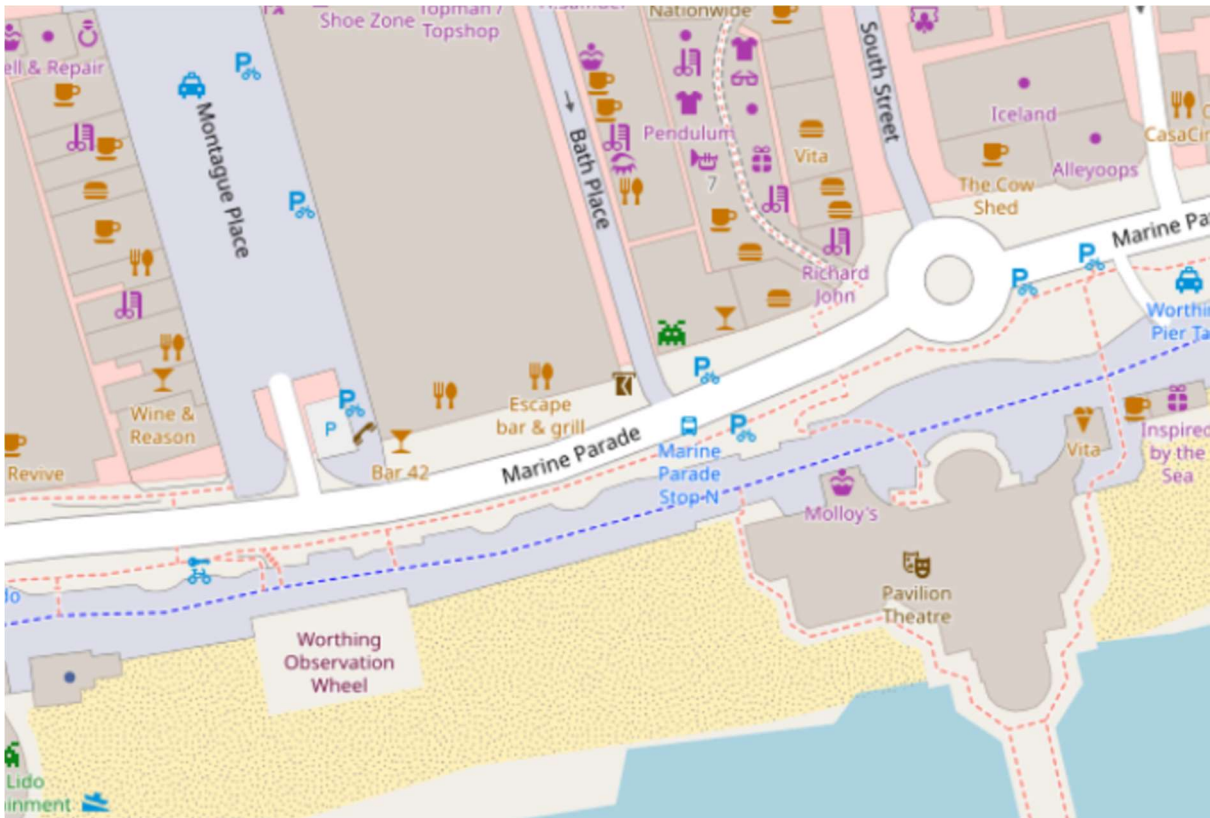
- Appendix A - Plan of area.
- Appendix B - Plan of the building.
- Appendix C - Current Premises Licence
- Appendix D - The Application Form.
- Appendix E - Representations received from the Responsible Authorities
- Appendix F - Representations received from the public
- Appendix G - Mediation

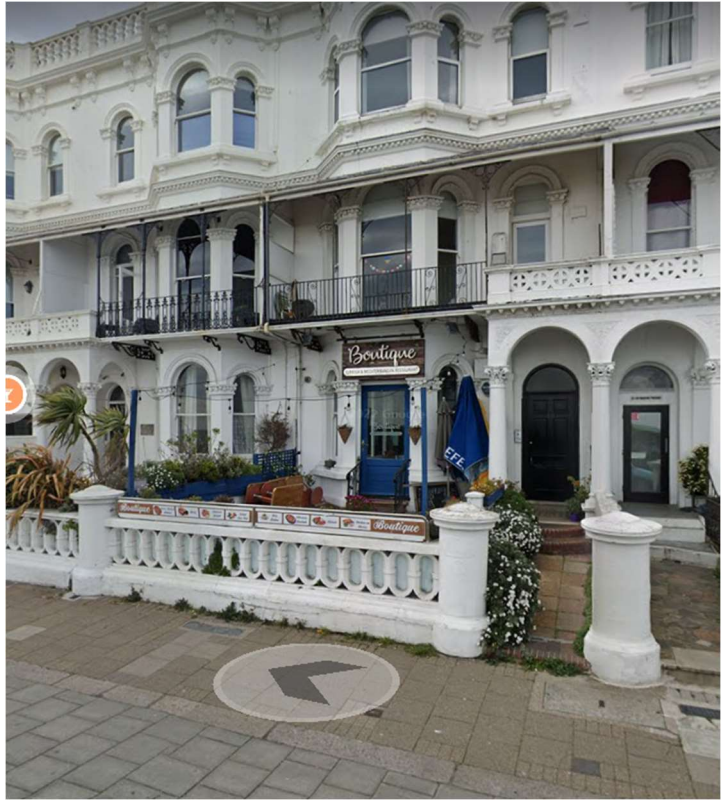
Portland House, Worthing

Ref: SJ/LicU/LA03/VAR – Karma on the Beach

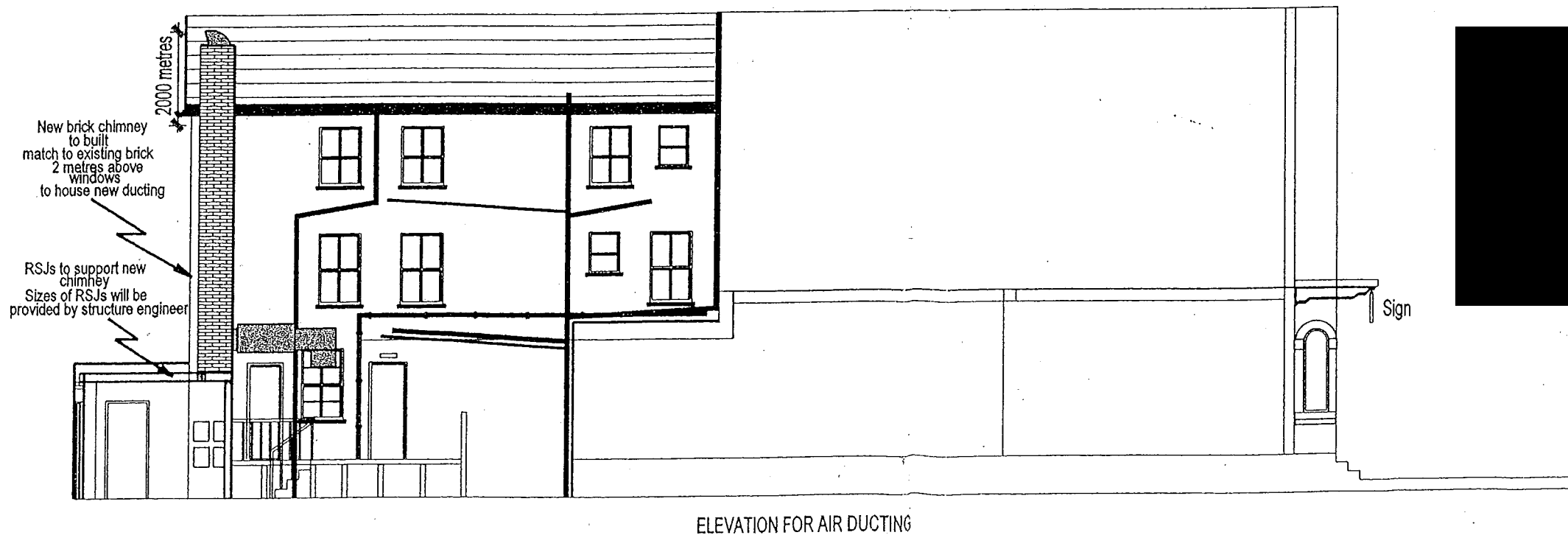
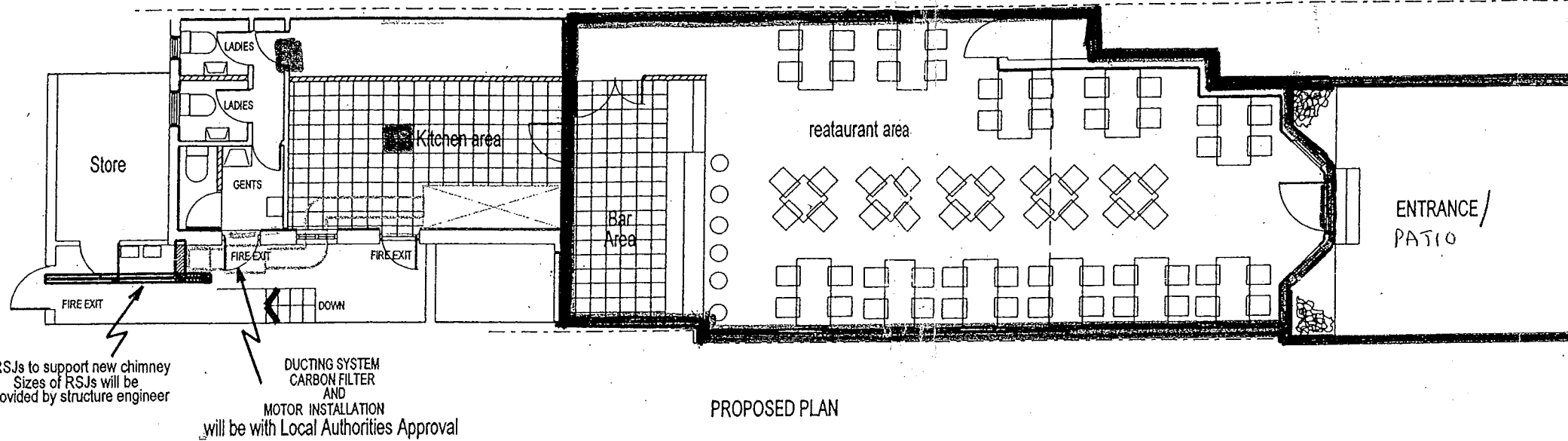
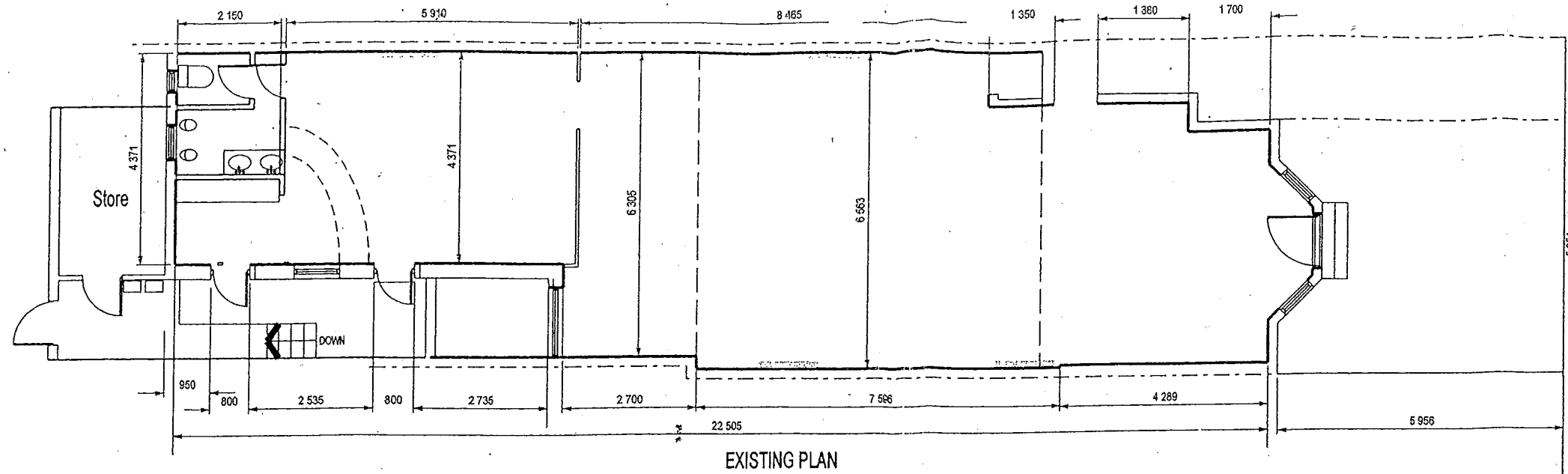
Date: 22 September 2022

Appendix A
Plan & Photos of Area





40 MARINE PARADE



NOTES:
Do not scale any dimensions,
This drawing is copy righted.

— = EXTENT OF LICENSED AREA

■ = FIRE EXTINGUISHER/
FIRE BLANKET.

— = Illuminated Fire EXIT

REVISIONS

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date:	06-02-2004
drawn by:	Z. F. ARAL
scale:	1-100
drawing no.:	ZFA141003-001



WORTHING BOROUGH
COUNCIL

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

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

Premises Licence Number - LN/100001360

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Karma on the Beach
40 Marine Parade
Worthing
BN11 1OG

Telephone number

Licensable activities authorised by the licence

See attached Schedule

The times the licence authorises the carrying out of the licensable activities

See attached Schedule

Opening hours of the premises

Location : Restaurant

Day	Start	Finish
Sunday	11:30	00:00
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	00:30
Saturday	10:00	00:30

Non Standard Timings & Seasonal Variations

Where the licence authorises alcohol whether these are on and/or off supplies

ON & OFF

Part 2 – Premises Licence Holder Details

Name

Karma Express Ltd.

Registered Address

[Redacted Address]

Registered number of holder

13941227

Designated Premises Supervisor Details (Where the premises licence authorises for the supply of alcohol)

Name

[Redacted Name]

Registered Address

[Redacted Address]

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

Personal Licence Number :

[Redacted Licence Number]

Licensing Authority :

Worthing Borough Council

Schedule 1 – Licensable Activities authorised by this Licence

Times the licence authorises the carrying out of the licensable activities

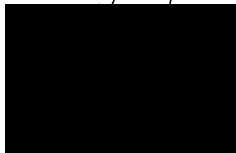
Location : Restaurant		
Activities : Alcohol ON & OFF Sales/Supply (M)		
Day	Start	Finish
Sunday	12:00	23:30
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:00
Saturday	10:00	00:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • Good Friday 12.00 to 23.30hrs. • Christmas Day 12.00 to 23.30hrs. • New Year's Eve from the end of permitted hours until the start of permitted hours New Year's Day. 		

Location : Restaurant		
Activities : Late Night Refreshment (L)		
Day	Start	Finish
Sunday	23:00	23:30
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:00
Saturday	23:00	00:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • New Year's Eve from 23.00hrs to 05.00hrs on New Year's Day. 		

Location : Restaurant		
Activities : Live Music (E), Perform Dance (G)		
Day	Start	Finish
Sunday	19:00	23:00
Monday	19:00	23:00
Tuesday	19:00	23:00
Wednesday	19:00	23:00
Thursday	19:00	23:00
Friday	19:00	23:00
Saturday	19:00	23:00
Non Standard Timings & Seasonal Variations		

Location : Restaurant		
Activities : Recorded Music (F)		
Day	Start	Finish
Sunday	19:00	23:00
Monday	19:00	00:00
Tuesday	19:00	00:00
Wednesday	19:00	00:00
Thursday	19:00	00:00
Friday	19:00	00:00
Saturday	19:00	00:00
Non Standard Timings & Seasonal Variations		

Signed on behalf of the issuing licensing authority



Senior Licensing Officer

Date : 12 August 2022

Annexe 1: Mandatory Conditions

A. Mandatory conditions: Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

B. Mandatory conditions: Door supervision

Where employed each such individual must be licensed by the Security Industry Authority.

C. Mandatory conditions: Irresponsible Promotions

The responsible person must ensure that staff do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. An irresponsible promotion is any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises

- Drinking Games including any game or activity that requires or encourages (or is designed to require or encourage) individuals to drink a quantity of alcohol within a time limit, or to drink as much as possible. This does not include “drinking up time”, shortly before the end of licensed hours.
- Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective.
- Promotional posters or promotional material on, or in the vicinity of, the premises which can be reasonably considered to condone, encourage or glamorise antisocial behaviour or refer to drunkenness favourably.
- Dispensing alcohol directly into the mouth of a customer by a member of staff. This includes activities such as the “dentist’s chair”. This prohibition does not apply where a person is not able to drink without assistance because of a disability.

D. Mandatory conditions: Free Drinking Water

Free potable water must be provided on request to customers where it is reasonably available on the premises.

E. Mandatory conditions: Age Verification

An age verification policy for the premises must be produced, implemented and details made available to authorised officers upon request. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- a holographic mark, or
- an ultraviolet feature

F. Mandatory conditions: Small Alcohol Measures

The responsible person must ensure that where any of the following alcoholic drinks are sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

These measures must be displayed in a menu, price list or other printed material which is available to customers on the premises. Customers must be made aware that these measures are available.

Where a customer orders a drink listed above but does not specify the alcohol measure, the customer must be made aware of the range of measures available. This can be either verbally or by ensuring they have seen the printed materials on which their availability is listed. If the responsible person is satisfied that the customer has been made, and continues to be, aware of the range of measures available, the responsible person does not need to repeat that information in relation to each sale.

G. Mandatory conditions : Permitted Price

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

Where —

- P is the permitted price*
- D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and*
- V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;*

“relevant person” means, in relation to premises in respect of which there is in force a premises licence —

- the holder of the premises licence*
- the designated premises supervisor (if any) in respect of such a licence, or*
- the personal licence holder who makes or authorises a supply of alcohol under such a licence;*

Full details regarding this condition can be found in the Home Office Guidance on banning the sale of alcohol below the cost of duty plus VAT for suppliers of alcohol and enforcement authorities in England & Wales dated May 2014.

H. Conditions consistent with the Embedded Restrictions of the Justices' 'Restaurant' Licence (Licensing Act 1964)

1. Permitted Hours

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

On New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day.

Restrictions

The above restrictions do not prohibit during the first thirty minutes after the permitted hours for alcohol sales the consumption of alcohol on the premises by persons taking meals there when the alcohol was supplied for consumption as ancillary to the meals;

Source Section 95 Licensing Act 1964

2. Late Night Refreshment

The Licence may also provide and permit the consumption of late night refreshment for a period of 30 minutes after the permitted hours for the sale of alcohol set out above, and on New Years Eve until 05.00hrs on New Years Day.

I. The specific conditions converted from the Justices' 'Restaurant' Licence (Licensing Act 1964)

1. It is an implied condition of this licence that suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the premises.

Annexe 2: Conditions consistent with the Operating Schedule

1. 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.
2. All off sales will be sold in sealed containers. All off sales of alcohol must accompany the sale of a meal.
3. 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.
4. Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.
5. 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 drunkFurther verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed three months, with the date and time of the verbal reinforcement/refresher training documented.
6. 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.

7. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises and any refusals of alcohol. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a month. The log book should be kept on the premises and be available for inspection at all times the premises are open by officers of any responsible authority.
8. There shall be no regulated entertainment outdoors and doors and windows kept closed during regulated entertainment.
9. The flat directly above the restaurant will be used and occupied solely by staff and/or the owners of the restaurant.
10. The noise from regulated entertainment shall not exceed 80dB at any time, measured as a 1 minute LAeq at any position in the premises greater than 1 metre from a loudspeaker.
11. An age verification policy will be implemented to stop alcohol sales to underage persons.
12. Controls will be put in place to stop people congregating and not social distancing on or around the premises whilst drinking the takeaway alcohol and eating food they have bought from the premises.
13. Patrons will not be permitted to take drinks in open containers to consume whilst smoking or otherwise congregating outside of the designated areas shown on the premises licence plan.
14. Conditions for off sales/alcohol delivery service:
 - For external deliveries alcohol may only be delivered to a residential or business address.
 - The person accepting the delivery must be aged 18 years or over. Where the person accepting delivery appears to be under 25, a recognised photographic ID must be produced prior to delivery. 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.
 - Customers ordering alcohol for delivery to a residential or business address must have their age verified. This process will be documented, the records of which must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.
 - All advertising (including flyers and internet sites) which advertise the availability of alcohol will state that a challenge 25 policy is in force and the recommended forms of ID that will be accepted.
 - Where the premises contracts a third party to deliver alcohol on their behalf, the premises will ensure that the above conditions are adhered to by the third party.

Annexe 3: Conditions attached after hearing by the Licensing Authority

None

Annexe 4: Plans

See attached plan certified dated 6 February 2004



WORTHING BOROUGH
COUNCIL

Licensing Act 2003 – Sections 16 and 18
Premises Licence Summary – Part B

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

Premises Licence Number - LN/100001360

Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

[Redacted]

Telephone number [Redacted]

Licensable activities authorised by the licence

See attached Schedule

The times the licence authorises the carrying out of the licensable activities

See attached Schedule

Opening hours of the premises

Location : Restaurant

Day	Start	Finish
Sunday	11:30	00:00
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	00:30
Saturday	10:00	00:30

Non Standard Timings & Seasonal Variations

Where the licence authorises alcohol whether these are on and/or off supplies

ON & OFF

Premises Licence Holder Details

Name

Karma Express Ltd.

Registered Address

[Redacted Address]

Registered number of holder

[Redacted Number]

Designated Premises Supervisor Details (Where the premises licence authorises for the supply of alcohol)

Name

Mr Omar Mohammad Rafique

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

Personal Licence Number :

[Redacted Number]

Licensing Authority :

Worthing Borough Council

State whether access to the premises by children is restricted or prohibited

Restricted

Schedule 1 – Licensable Activities authorised by this Licence

Times the licence authorises the carrying out of the licensable activities

Location : Restaurant		
Activities : Alcohol ON & OFF Sales/Supply (M)		
Day	Start	Finish
Sunday	12:00	23:30
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:00
Saturday	10:00	00:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • Good Friday 12.00 to 23.30hrs. • Christmas Day 12.00 to 23.30hrs. • New Year's Eve from the end of permitted hours until the start of permitted hours New Year's Day. 		

Location : Restaurant		
Activities : Late Night Refreshment (L)		
Day	Start	Finish
Sunday	23:00	23:30
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:00
Saturday	23:00	00:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • New Year's Eve from 23.00hrs to 05.00hrs on New Year's Day. 		

Location : Restaurant		
Activities : Live Music (E), Perform Dance (G)		
Day	Start	Finish
Sunday	19:00	23:00
Monday	19:00	23:00
Tuesday	19:00	23:00
Wednesday	19:00	23:00
Thursday	19:00	23:00
Friday	19:00	23:00
Saturday	19:00	23:00
Non Standard Timings & Seasonal Variations		

Location :	Restaurant	
Activities :	Recorded Music (F)	
Day	Start	Finish
Sunday	19:00	23:00
Monday	19:00	00:00
Tuesday	19:00	00:00
Wednesday	19:00	00:00
Thursday	19:00	00:00
Friday	19:00	00:00
Saturday	19:00	00:00
Non Standard Timings & Seasonal Variations		

Signed on behalf of the issuing licensing authority



Senior Licensing Officer

Date : 12 August 2022



Adur & Worthing Councils
Licensing Unit
RECEIVED
11 AUG 2022
..... Initials



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

Application for a full variation of a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We KARMA EXPRESS LIMITED(insert name(s) of applicant) being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises licence number

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Part 2 – Applicant Details

Daytime contact telephone number

Email address (optional)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname First names

Current postal address if different from premises address

Post Town Postcode

Part 3 - Variation

Please tick ✓

Do you want the proposed variation to have effect as soon as possible?

If not do when do you want the variation to take effect from?

Day	Month	Year

If your proposed variation would mean that 5000 or more people are expected attend the premises at any one time please state the number expected to attend

Please describe briefly the nature of the proposed variation (please read guidance note 1)

Extend permitted licensure hours and late night refreshment to be in line with our competitors.

Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if the application to vary is successful.

Provision of regulated entertainment

Please tick ✓

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for performing play (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			
			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)		
Thur						
				Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	00.00	02.00			
Fri	00.00	02.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat	00.00	02.00			
Sun					

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 5)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e),(f)or(g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	Will the entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)		
Day	Start	Finish		Indoors		
Mon			Please give further details here (please read guidance note 3)	Outdoors		
				Both		
Tue						
Wed				State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur						
Fri			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within e), f) or g) at different times to those listed in the column on the left, please list. (please read guidance note 5)			
Sat						
Sun						

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	00-00	02-00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri	00-00	02-00			
Sat	00-00	02-00			
Sun					

J

Sale of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon			State any seasonal variations for the sale of alcohol (please read guidance note 4)		
Tue					
Wed			Non standard timings. Where you intend to use the premises for the sale of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Thur	00-00	02-00			
Fri	00-00	02-00			
Sat	00-00	02-00			
Sun					

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)	State any seasonal variations (please read guidance note 4)																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day</th> <th style="width: 35%;">Start</th> <th style="width: 35%;">Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td></td> <td></td> </tr> <tr> <td>Tue</td> <td></td> <td></td> </tr> <tr> <td>Wed</td> <td></td> <td></td> </tr> <tr> <td>Thur</td> <td>00.00</td> <td>02.30</td> </tr> <tr> <td>Fri</td> <td>00.00</td> <td>02.30</td> </tr> <tr> <td>Sat</td> <td>00.00</td> <td>02.30</td> </tr> <tr> <td>Sun</td> <td></td> <td></td> </tr> </tbody> </table>	Day	Start	Finish	Mon			Tue			Wed			Thur	00.00	02.30	Fri	00.00	02.30	Sat	00.00	02.30	Sun			Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5)
Day	Start	Finish																							
Mon																									
Tue																									
Wed																									
Thur	00.00	02.30																							
Fri	00.00	02.30																							
Sat	00.00	02.30																							
Sun																									

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

1.

Please tick ✓

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

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

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of the premises licence

waiting for previous variation to be issued.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) **General – all four licensing objectives (b, c, d, e) (please read guidance note 9)**

as before

b) **The prevention of crime and disorder**

as before

c) **Public safety**

as before

d) **The prevention of public nuisance**

as before

e) **The protection of children from harm**

as before

Please tick ✓

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent. (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature 

Date

Capacity

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Karma on the Beach, 40 Marine Parade, Worthing, BN11 1OG

1 message



Hi Simon,

I am objecting to this application on the grounds of public nuisance.

There is a residential flat immediately above the premises that is occupied by a private tenant who will be affected by noise from the premises.

Condition 9 of the existing licence states "*The flat directly above the restaurant will be used and occupied solely by staff and/or the owners of the restaurant.*" It appears this condition is currently being breached and I therefore invite the committee to reject the current application.

As I understand, this condition was put forward by the applicant at the time to negate the need to improve the sound insulation between the property.

Yours sincerely



Adur & Worthing Councils
Portland House, [44 Richmond Road, Worthing, West Sussex, BN11 1HS](#)
Environmental Health





Sussex Police
Serving Sussex

www.sussex.police.uk

West Sussex Division
Neighbourhood Licensing Team

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

[REDACTED]

[REDACTED]

31st August 2022

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

Dear Mr Jones,

RE: APPLICATION FOR VARIATION OF THE PREMISES LICENCE FOR KARMA ON THE BEACH, 40 MARINE PARADE, WORTHING, BN11 1OG. 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 variation application on the grounds of the prevention of crime and disorder and the protection of children from harm.

Historically this premises has been a restaurant with supply of alcohol until midnight and closure at 00:30. This variation application seeks to extend the hours for the supply of alcohol (on sales) and late night refreshment until 02:00 on a Thursday, Friday and Saturday with opening hours until 02:30. Although food will be available, the premises can now operate as a café bar. Hence it is now necessary to update the licence accordingly to promote the licensing objectives.

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

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

Telephone: 101 | 01273470101

Removal of the following existing conditions on the licence (in red):

H. Conditions consistent with the Embedded Restrictions of the Justices'

'Restaurant' Licence (Licensing Act 1964)

Restrictions

The above restrictions do not prohibit during the first thirty minutes after the permitted hours for alcohol sales the consumption of alcohol on the premises by persons taking meals there when the alcohol was supplied for consumption as ancillary to the meals; Source Section 95 Licensing Act 1964.

2. Late Night Refreshment

The Licence may also provide and permit the consumption of late night refreshment for a period of 30 minutes after the permitted hours for the sale of alcohol set out above, and on New Years Eve until 05.00hrs on New Year's Day.

I. The specific conditions converted from the Justices' 'Restaurant' Licence (Licensing Act 1964)

1. It is an implied condition of this licence that suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the premises.

NB: the condition "On New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day is to remain on the licence.

Annexe 2: Conditions consistent with the Operating Schedule

1. 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.

An age verification policy will be implemented to stop alcohol sales to underage persons.

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

New conditions to be added to the new varied licence (in addition to the remainder of the conditions already on the licence):

The Prevention of Crime and Disorder:

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

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The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. The time will be amended promptly when British Summer Time starts and ends.

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SIA door staff and risk assessment:

SIA registered door staff will operate at the premises every Thursday, Friday and Saturday night (at a ratio of 1 per 100 customers or part thereof, although at all times with a minimum of two) from 22:00 until twenty minutes after close or all customers have vacated the premises, and the premises is locked and secured.

Security Industry Authority (SIA) door supervisors must be deployed at the premises at any time when the licence holder identifies by way of a suitable and sufficient written risk assessment that SIA door supervisors and other security measures are necessary. It must also consider busy periods such as Bank Holidays, Christmas and New Year, Seasonal Variations and other Town Centre Events along with any special events at the premises such as live music, discos, screening of sporting events and other similar functions or entertainment. The risk assessment will also cover any requirement for polycarbonate, shatterproof, safety drinking vessels, ticket only events, entry restrictions and last entry times.

The risk assessment will consider the necessity for door staff at events both during the day and at night when occupancy capacity limits may be reached, and it is a necessity to closely monitor and control access to the venue.

The written risk assessment must be available on the premises for inspection by police and authorised officers of the Licensing Authority. This written risk assessment is to be reviewed and updated as necessary and at least annually and must take into account information or guidance offered by the police and the licensing authority.

All SIA registered door supervisors shall wear and operate body worn video cameras with a continual recording facility and sound recording whilst on duty. The body worn cameras will be recording all the time the door supervisors are on duty whether inside the premises or in the vicinity of the premises. All recordings shall be stored for a minimum period of 31 days, with date and time stamping. Viewing of recordings shall be made available upon the request of police, or authorised local authority officers, throughout the entire 31 days period. The premises will ensure there are sufficient spare batteries fully charged for the body worn cameras so there is no issue with cameras not recording due to flat batteries.

Whenever SIA door supervisors are on duty, they must be provided in accordance with the following:

- At a ratio of 1 per 100 customers or part thereof, although at all times with a minimum of two;
- On duty until the premises has closed to the public, licensable activities has ceased and the venue is completely clear of patrons and all customers have dispersed from the immediate area;

- Must wear clearly marked reflective jacket or tabard (and not just an armband) in order that they can be readily identifiable;
- Must be equipped with clickers or other device(s) in order that they can accurately measure and ensure that the maximum capacity of the premises is complied with a written record being kept; and
- Must monitor/supervise any queue of customers waiting to gain access to the premises.

SIA door supervisors shall complete incident logs prior to the end of their shift. Records shall be maintained at the premises containing the full name, date of birth, and SIA badge number of every Door Supervisor. The record shall include all dates and times when a Door Supervisor is employed. If Staff are employed through an agency the name and address of the agency must be included. The Door Supervisor records will be kept at the premises and made immediately available to officers of any responsible authority upon request.

Those performing the role of door supervisor shall not perform any other role when engaged for the purpose of door supervision activities.

Door supervisors shall be fully briefed prior to work with clear written instructions regarding their specific duties including an awareness of persons banned from the premises. These records shall be made available to the local licensing authority and/or Sussex Police upon request. Door staff will ensure that vulnerable customers (especially with vulnerability through drink and/or drugs consumption) are properly cared for.

Incident log:

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

- All crimes or incidents reported to or occurring at the venue including the immediate outside area and smoking area.
- All ejections of patrons
- Any complaints received
- Any incidents of disorder
- All seizure of drugs or offensive weapons
- Any faults in the CCTV system
- Any refusal of the sale of alcohol
- Any visit by a relevant authority or emergency service, with the full name, job title and authority which the visitor represents recorded.

The designated premises supervisor or a member of the management team who is a personal licence holder shall be present on the premises as the primary responsible person from 21:00 on Friday & Saturday evenings until closing.

The premises will be active and participating members of the local pub watch or Business Crime Reduction Partnership is one of those schemes is operating in the area.

The premises management will ensure that any crime scene is preserved (without being cleaned), and cordoned off to preserve evidence until the police arrive. Staff and door staff will be trained (and receive regular refresher training) for this requirement.

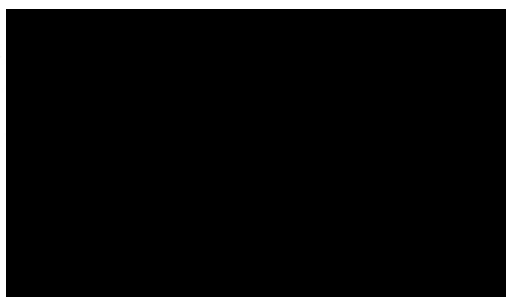
All persons under the age of 18 years of age shall be accompanied by a responsible adult in the premises after 21:00.

No persons under 18 years of age shall be allowed in the premises after 22:00.

I enclose an email confirmation from Mr Rafique confirming acceptance of the above changes and new licence conditions on behalf of the applicant Company.

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,



Enc

Karma on the Beach 40 Marine Parade Worthing BN11 1OG

1 message

Vine Vijay Kumar <worthinpubwatch@gmail.com>

17 August 2022 at 21:16

Good Evening,

We have noticed a new application has been made for the Karma on the Beach [40 Marine Parade Worthing BN11 1OG](#)

I, as the Chairman of Worthing Pub watch would like to make a representation. We as Worthing Pub watch would like to add to the conditions of its licence if granted

1) Be an active member of Worthing Pub watch and attend regular meetings during such time that a scheme remains in existence.

With these conditions added to the licence we feel this will help minimise crime and Disorder within Worthing.

Kind regards

--

Karma on the Beach

1 message

9 September 2022 at 10:18

Thu, 8 Sept, 14:22 (19 hours ago)

Good Afternoon,

I would like to add some points to my objection following on from my letter dated 7th September.

The licensing objective I would like to point to is the prevention of Public Nuisance and the impact of noise transferring into our property. We are already experiencing significant noise due to building works often carried out after hours, music and ambient noise.

All of our property sits above the premises, our living space overlooks the bar terrace, intended for outdoor seating. The main bar is directly under my bedroom and the kitchen area is directly under my daughter's and grandson's bedroom.

We believe our living and working lives will be significantly impacted by the extension of the license almost giving it club status. We already have two late-night bars along that stretch of Marine parade where there are approximately 35 flats and homes. We already have noise created by those operating late at night and in the early hours of the morning, for example leaving the premises and emptying glass into bins. These cause us a range of disturbances that impact our living, working and sleeping. I believe these will be worsened by allowing the license extension. This refers to points 4.25 to 4.28.

We do have a problem with cars parking on the pavement outside our property at night including taxis or pick-ups. Banging of doors, and noise arising from raised voices due to drinking are frequent. It is my belief that no attempt has been made to soundproof noise from the bar area and we already hear talking, radios and power tools from that space, that is even when we are just living normally not yet at night so I believe that will be massively heightened when open. There is very little between our space and theirs. Even on the current hours given, there should be consideration for potential disturbance arising from entertainment or activities held within this licensed premises.

Referring to 4.26 of the licensing policy, there are currently already some disturbances from Air Conditioning units for the premises which are very noisy and aren't switched off until the occupiers leave. One is outside my bedroom window and the other is below my daughter's bedroom. Kitchen smells, noise and back and forth to the bins are a huge concern in terms of being disturbed. We already have that but this will be directly outside our sleeping spaces.

Our front shared doorway is a concern, we are worried that will have to navigate past noisy patrons at all times of the day and night to get into our home.

Referencing point 4.29 smoking outside the space is a concern. I have a three-year-old grandson living here and the terrace is directly below, we will be unable to open our windows during the day should it be busy. I'm concerned noise from such patrons could potentially disturb us and nearby residents and whether there is potential for smoke to drift to us and nearby residential properties.

We all work long hours and our home is our sanctuary. We love living in a vibrant area but this change of use in effect, from a peaceful restaurant to a late-night bar with music will be not only a nuisance to us but also a public nuisance.

Kind regards,

On Thu, 18 Aug 2022 at 22:19

Good evening,

I have only just noticed today that the above bar has posted up an application to vary the license that I wasn't aware of.

On further investigation it is to extend the opening hours to 2am for three nights a week, meaning that people can be there until 2.30am, with music.

I wholeheartedly object to this on the grounds it will significantly impact our lives here. As previously stated we have been here five years, moving in when the premises was a restaurant and have had ambient music and coming and going which was never a problem.

This is an entirely different proposal.

I appreciate that escape have those hours but the owner after much intervention from the council (2 years, late night visits etc) has worked hard on soundproofing and music limiters as far as I'm aware Karma has not. During mediation the owner did talk about doing it but I don't believe he has. The build is on finishing touches so I don't believe soundproofing has been addressed. Also all our living space including bedrooms is directly above them and currently we can even hear when they have the radio on in the day,

I can only have nightmares about having music and a noisy bar under my bed until 2am all the time.

The owner is chatty, friendly and approachable. He's showed us round and has been very open.
I'm surprised he never mentioned this and it's a shame that I had to find out for myself especially as there is a deadline I could of missed.

This will change our lives and is causing so much anxiety about our home and the impact, was happy to agree 12 but not 2.

Kind regards,

█



[REDACTED]

[REDACTED]

[REDACTED]

Although I have acoustic qualifications, I am not qualified to give you architectural advice on how best to insulate the existing structure. It would be better if you speak to an independent acoustician, with architectural experience. How you want to use the licenced premises and the level of music are you looking for should be your starting point. The acoustician can look at this and most probably with the aid of a music noise compressor in the premises, be able to advise on the level of sound insulation required. The compressor will remove the low frequency noise that is structurally difficult to contain.

The objective should be that music noise is inaudible in the upstairs property.

If this can be achieved then Environmental Health would withdraw its representation on this variation of licence.

Regards

[REDACTED]

[REDACTED]

[REDACTED]

Thanks for the response to our license application

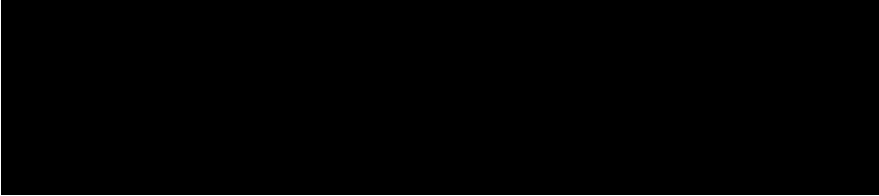
We would like to talk with you in terms of sound proofing and would welcome a visit/chat at your earliest

[REDACTED]

[REDACTED]

Group Karma

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Re: 40 marine parade

1 message

[REDACTED]

[REDACTED]

[REDACTED]

As previously mentioned in my earlier e-mail, the objective is that music played on the premises, regardless of whether it is background, should be inaudible in the upstairs property. Your appointed acoustician can advise on how this objective can be achieved and will advise you on the maximum noise levels that can be played within the premises to achieve this. This advice should also cover low frequency noise. As you will appreciate, I need to be able to make informed decisions on this matter, and to date I have been provided with no noise information whatsoever.

Please note that the revised guidance under S182 of the Licensing Act 2003, paragraph 8.47, states: "Applicants are expected to provide licensing authorities **with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.**"

Without any basic information on the current sound insulation between the properties how can the Council be sure that the condition you propose would be appropriate for the premises? Additionally, it is not just music noise, we also have to consider how patron noise or mechanical noise (Kitchen extract etc) may affect residents' sleep above, given the extended opening hours you are requesting.

It would be negligent of me to withdraw my objection at this stage without consideration to such essential information.

Regards

[REDACTED]

[REDACTED]

[REDACTED]

Just need to know what resistance you want us to achieve from 80dbs? Of noise (background tv music)

Can we suggest a condition that noise does not exceed this level with recordable meters installed for inspection?

Can this be a compromise?

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Although I have acoustic qualifications, I am not qualified to give you architectural advice on how best to insulate the existing structure. It would be better if you speak to an independent acoustician, with architectural experience. How you want to use the licenced premises and the level of music are you looking for should be your starting point. The acoustician can look at this and most probably with the aid of a music noise compressor in the premises, be able to advise on the level of sound insulation required. The compressor will remove the low frequency noise that is structurally difficult to contain.

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[Redacted]

[Redacted]

[Redacted]

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[Redacted]

[Redacted]

Group Karma

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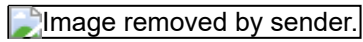
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[Redacted]

[Redacted]





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Karma on the beach 40 marine parade bn11 3qa

1 message

[REDACTED]

[REDACTED]

Please find attached which I am assured is adequate for our needs

I can also confirm that the Air Conditioning is permanently off and our last kitchen orders will be 10.45pm – so extraction will be off by 11.00pm

We have 2 applications going through at the moment

1 minor variation to remove the condition of staff/owner residing upstairs (which was not enforced for the last 10 years,)

2 full variation for amending hours (an agreement is in place with the tenant upstairs to 1.00am)

[REDACTED]

[REDACTED]

[REDACTED]

Good Morning

As requested.

Kind Regards

[REDACTED]

Falcon Energy, Unit J, Foundry Close, Foundry Lane, Horsham, RH13 5TX
Tel/Fax: 01403 253439 mail:info@falconenergy.co.uk



Please **CLICK THE LINK** below to see our sister company Athena Cleaning Services Ltd



 **24986 (40 Marine Parade).pdf**
1783K

Variation application for Karma on the Beach - police representation

1 message

[REDACTED]

Dear Worthing Licensing,

Please find attached our representation in respect of the above variation application.

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

Thanks.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Neighbourhood Police Licensing Team

West Sussex Division, Centenary House, Durrington Lane,

Worthing, West Sussex, BN13 2PQ

[REDACTED]

****External Email- Think before you click. If you do not trust the sender, do not click on any links or open any attachments. Further information can be found [here](#)****

Please can you come back to me.

I will come back to you separately on the posters questions as you have to have official permission from our Media Relations Dept at HQ before you can display the Sussex Police badge on any posters etc.

Thanks.



-

Removal of the following existing conditions on the licence (in red):

H. Conditions consistent with the Embedded Restrictions of the Justices'

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Restrictions

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-

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All SIA registered door supervisors shall wear and operate body worn video cameras with a continual recording facility and sound recording whilst on duty. The body worn cameras will be recording all the time the door supervisors are on duty whether inside the premises or in the vicinity of the premises. All recordings shall be stored for a minimum period of 31 days, with date and time stamping. Viewing of recordings shall be made available upon the request of police, or authorised local authority officers, throughout the entire 31 days period. The premises will ensure there are sufficient spare batteries fully charged for the body worn cameras so there is no issue with cameras not recording due to flat batteries.

Whenever SIA door supervisors are on duty, they must be provided in accordance with the following:

- At a ratio of 1 per 100 customers or part thereof, although at all times with a minimum of two;
- On duty until the premises has closed to the public, licensable activities has ceased and the venue is completely clear of patrons and all customers have dispersed from the immediate area;
- Must wear clearly marked reflective jacket or tabard (and not just an armband) in order that they can be readily identifiable;
- Must be equipped with clickers or other device(s) in order that they can accurately measure and ensure that the maximum capacity of the premises is complied with a written record being kept; and
- Must monitor/supervise any queue of customers waiting to gain access to the premises.

SIA door supervisors shall complete incident logs prior to the end of their shift. Records shall be maintained at the premises containing the full name, date of birth, and SIA badge number of every Door Supervisor. The record shall include all dates and times when a Door Supervisor is employed. If Staff are employed through an agency the name and address of the agency must be included. The Door Supervisor records will be kept at the premises and made immediately available to officers of any responsible authority upon request.

Those performing the role of door supervisor shall not perform any other role when engaged for the purpose of door supervision activities.

Door supervisors shall be fully briefed prior to work with clear written instructions regarding their specific duties including an awareness of persons banned from the premises. These records shall be made available to the local licensing authority and/or Sussex Police upon request.

Door staff will ensure that vulnerable customers (especially with vulnerability through drink and/or drugs consumption) are properly cared for.

Incident log:

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

- All crimes or incidents reported to or occurring at the venue including the immediate outside area and smoking area.
- All ejections of patrons
- Any complaints received
- Any incidents of disorder
- All seizure of drugs or offensive weapons
- Any faults in the CCTV system
- Any refusal of the sale of alcohol
- Any visit by a relevant authority or emergency service, with the full name, job title and authority which the visitor represents recorded.

The designated premises supervisor or a member of the management team who is a personal licence holder shall be present on the premises as the primary responsible person from 21:00 on Friday & Saturday evenings until closing.

The premises will be active and participating members of the local pub watch or Business Crime Reduction Partnership is one of those schemes is operating in the area.

The premises management will ensure that any crime scene is preserved (without being cleaned), and cordoned off to preserve evidence until the police arrive. Staff and door staff will be trained (and receive regular refresher training) for this requirement.

All persons under the age of 18 years of age shall be accompanied by a responsible adult in the premises after 21:00.

No persons under 18 years of age shall be allowed in the premises after 22:00.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

Thank you for the response

Firstly the marketing gaff we made in the party flyer was literally a means of attracting new business for food, after which we would have moved them onto The Escape on the seafront from karma lounge, unfortunately someone repeated the same flyer for Karma on the beach.

As to all the other questions we would work with an external security firm to manage the risk – who we would employ Thursday to Saturday

We already have an active live cctv installed with panic buttons, but would welcome any advice and suggestions

[REDACTED]r

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

[REDACTED]

[REDACTED]

Hello. Sussex police are in receipt of your variation application for Karma on the Beach ([40 Marine Parade, Worthing](#)) to extend its licensable activities until 02:00 and close at 02:30.

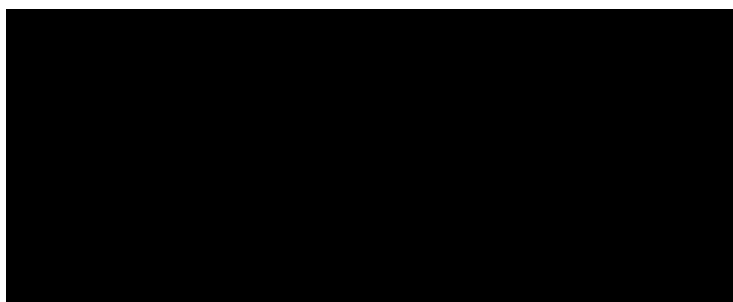
I had a browse online and noted that parties, stag and hens, discos and live music are all being advertised/promoted.

I note that on the existing licence there is no requirement for door staff as currently the supply of alcohol etc finishes as midnight with closure at 00:30. What interests me is that you are now applying to have licensable activities until 02:00 and close at 02:30. However in part M of the application where you state what steps you are proposing to take to promote the licensing objectives, you have put “as before” in all sections.

As Karma on the Beach can now effectively be run as a nightclub and this is supported by the advertising promoting parties, stag and hen, live music and discos, please can you confirm for me how the premises is going to be operated, and what security arrangements (especially the provision of SIA door staff) there will be? How will conflict, disorder, intoxication, ejections etc be dealt with? What measures will be in place please to prevent intoxicated people and those we would rather not have in our venues from entering and causing problems? Of course the big question is violence against women and girls, and keeping vulnerable people safe. If persistent troublemakers are on the Worthing Pub Watch banned list and cannot get past door staff at any other premises, how is Karma on the Beach going to deal with them please?

How is the new venue with extended hours going to be run with special attention to the above points please?

Thanks.



Neighbourhood Police Licensing Team

West Sussex Division, Centenary House, Durrington Lane,

Worthing, West Sussex, BN13 2PQ

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<https://www.sussex.police.uk/report-online>

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Re: Opening Hours

1 message

Hi [REDACTED]

Thank you for your response.

Last orders is down to you but I feel 1am for customers to leave the premises is where I am in this matter. Stretching it out to 1.30 isn't that far off 2am. As previously discussed at length impact to us will be huge. As you've all said your primary business is to be a restaurant.

I'm not working in Worthing tomorrow but am on Thursday if that's workable for you? 80 is at the very top of what's allowed/appropriate so should be the limit rather than the target.

Hopefully this is still workable for you to avoid a hearing.

Kind regards,

[REDACTED]

Thanks for the response.

Am happy to agree last orders at 1.00am Thursday, Friday and Saturday with say 30mins drinking up time.

In terms of soundproofing we have already mentioned that we only want background music from the TV and have suggested to Environmental health that this could be achieved by a condition implanted into the license with a recordable device installed so one could check.

Would you be happy with this? One last point we want to do some resistance testing of noise tomorrow, to check in your flat what disturbance 80dcbls would be. Ill text you when we start so you can pop down if you want to and we can hear the level in your apartment

Kind Regards

[REDACTED]

[REDACTED]

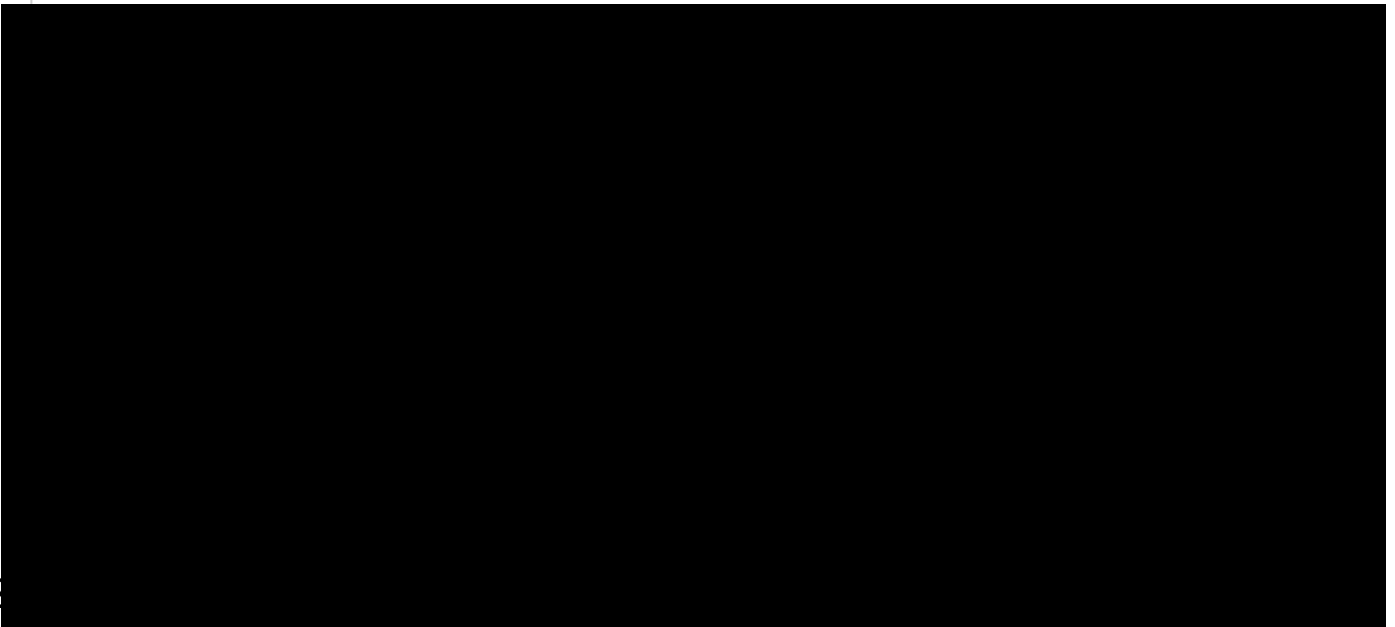
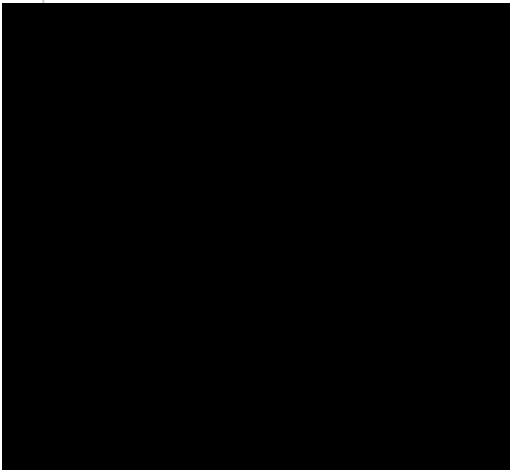
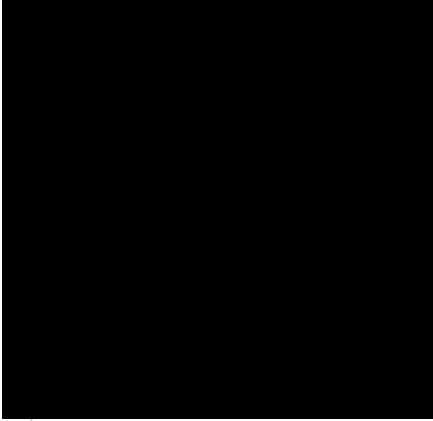
Having discussed this with you and your team, I would be happy to agree to extending the opening time to 1 am. The concerns still remain but I felt reassured by your commitment to working together

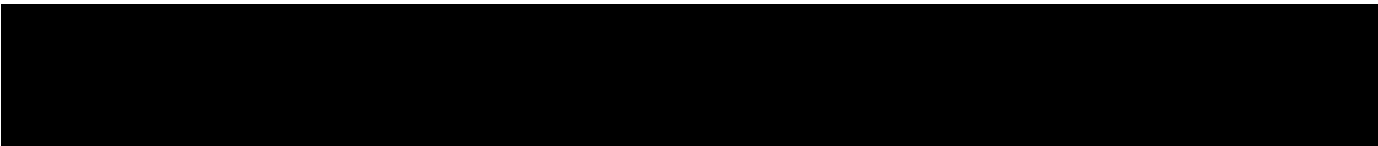
to ensure you open and we live reasonably undisturbed. I have been assured regarding soundproofing and genuinely hope that works.

In line with other premises close by and similar in nature I hope you find this time agreeable.

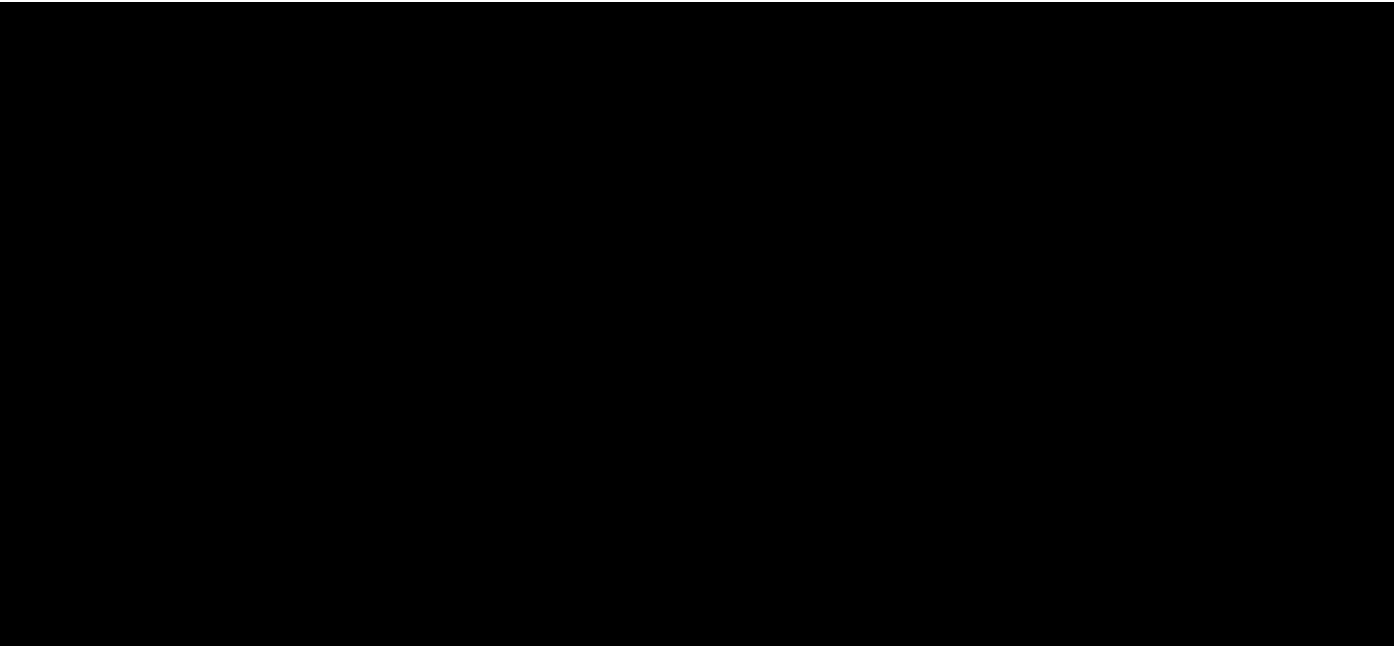
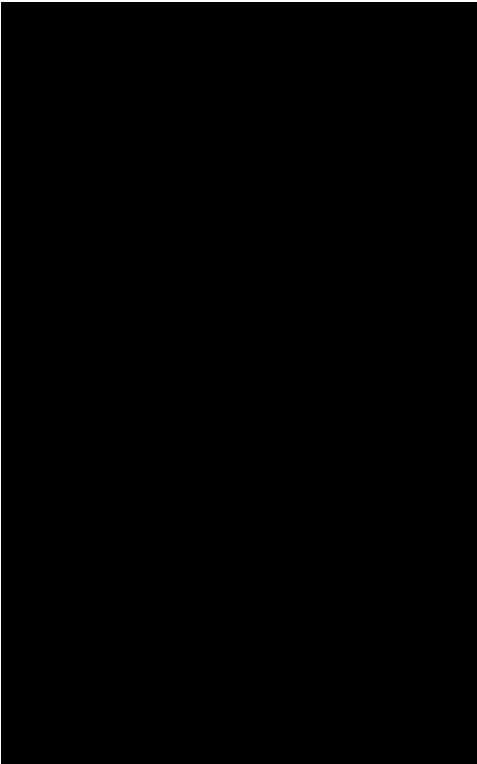
I have copied in Simon who would need an email from you formally offering to amend the hours we are seeking. I will then withdraw my objection subject to the changes to the application.

Kind regards,





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Re: Karma on the Beach

1 message

[REDACTED]

[REDACTED]

Good afternoon Simon,

Our concerns have now been addressed and we will withdraw our representation.

Kind regards

[REDACTED]

On Mon, 12 Sep 2022 at 11:14, Simon Jones [REDACTED] wrote:

[REDACTED]

As part of the negotiations with Sussex Police the licence holder at the above premises has agreed the following condition:

The premises will be an active and participating member of the local Pub Watch or Business Crime Reduction Partnership whilst one of those schemes is operating in the area.

This will become an enforceable condition of licence if a variation is approved.

Can you please confirm that Pub Watch's concerns have been addressed and your representation is withdrawn.

Thank you.

[REDACTED]



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[REDACTED]