

**Minutes of a Meeting of the
WBC Licensing and Control Sub-Committee 'B' of
Worthing Borough Council**

The Gordon Room, Worthing Town Hall

3 August 2023, 6.30 pm

Councillor Richard Mulholland (Chair)

Councillor Russ Cochran

Councillor Hilary Schan

LCSC/5/23-24 Declarations of Interest / Substitute Members

There were no substitute members.

There were no declarations of interest.

LCSC/6/23-24 Public Question Time

There were no questions from members of the public.

LCSC/7/23-24 Members questions

There were no questions from members.

LCSC/8/23-24 Licensing Act 2003 – Application for a Variation to a Premises Licence

Before the Sub-Committee was a report by the Director for Sustainability & Resources, which had been circulated to all Members, a copy of which is attached to the signed copy of these minutes as item 4. Members were requested to consider and determine an application for a variation to a premises licence for Jungle Nightclub, Chatsworth Road, Worthing.

Presenting Officer outlined the application

The Licensing Officer outlined the application and explained that it was assumed that the increase in hours also applied to an increase in late night regulated entertainment.

The applicant confirmed that the Licensing Officer had provided an accurate outline of the application.

Questions from Members for the presenting Officer

A Member asked about the Police and Public Health representation that had been withdrawn. Specifically if requirements had been agreed around quiet rooms, smoking

area opening times and CCTV/Bodyworn Cameras. The presenting officer informed the Committee that the premises had reduced the originally sought opening hours significantly and the Police had withdrawn their representation. Additional measures were therefore not being sought and would not be part of the approved variation unless volunteered by the Applicant.

A question was asked about the mediation process and Members were told that this had been carried out by electronic means.

Those making representations

Those who had made a representation were not present at the meeting.

Representation from the applicant

Members were told that the application had been a business decision to reflect the changing nature of the night time economy and the position of the business left by the previous owners.

Questions from Members to the applicant

A Member asked about the Police and Public Health representation that had been withdrawn. Specifically if requirements had been agreed around quiet rooms, smoking area opening times and CCTV/Bodyworn Cameras. Members were told that a quiet room and safe space for women was currently provided and this was a priority for the management. It was recognised that the bodyworn cameras needed to be updated.

Summing up of the applicant

The applicant summed up reiterating aspects of their representation.

The meeting adjourned to go into closed session at 6.52 pm and the committee retired to consider its decision.

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

- The statutory licensing objectives
- Worthing Borough Councils Statement of Licensing Policy
- Guidance under section 182 by the Home Secretary and Licensing Act 2003.
- The application, written/oral representations made at the hearing and in writing.
- The Committee also gave regard to human rights legislation and the rules of natural justice.
- In discharging its functions the Committee did so with a view to promoting the Licensing objectives, the relevant objectives here were Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety.

Resolved:

That the application to vary the premises licence shall be granted with the reduced opening hours and amendment to condition 4 that were agreed with Sussex Police during mediation.

Therefore, the hours will be:

Friday

Opening hours 19:00 hrs to 03:30 hrs of the following morning

Late night refreshment and provision of regulated entertainment to match the opening hours

Alcohol sales 19:00 hrs to 03:10 hrs of the following morning

Saturday

Opening hours 19:00 hrs to 03:30 hrs of the following morning

Late night refreshment and provision of regulated entertainment to match the opening hours

Alcohol sales 19:00 hrs to 03:10 hrs of the following morning

Amendment of Condition 4 under 'Annexe 2: 27 November 2017

This will now read:

Last entry to the premises for new customers on a Friday and Saturday will be 02:30 hrs of the following morning.

The reason for the decision is:

The Licensing Sub-Committee noted that the variation to the hours, agreed after mediation, would only constitute an additional 40 minutes to the opening hours, and licensable activities on Friday nights and an additional 10 minutes to the opening hours and licensable activities on Saturday nights and, as such, the Licensing Sub Committee was satisfied that along with the amended condition, the licensing objectives would not be undermined.

Advice to parties:

Those who have made representations in connection with this application are reminded that they may appeal against this decision within 21 days by giving notice to the Magistrates Court.

Interested parties are reminded that they may apply for a review of this licence "after a reasonable interval" pursuant to Section 51 of the Licensing Act. Any licence granted under the Licencing Act 2003 does not override any planning restrictions on the premises nor any restrictions that may be attached to the lease of these premises.

The applicant is reminded that it is a criminal offence under the Licensing Act 2003 to carry on licensable activities from any premises when you do not have a licence in place and you may be prosecuted.

The meeting ended at 6.52 pm

Chair