

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

The Gordon Room, Worthing Town Hall

21 August 2023, 6.30 pm

Councillor Henna Chowdhury (Chair)

Councillor Cathy Glynn-Davies

Councillor Claire Hunt

LCSC/13/23-24 Declarations of Interest / Substitute Members

There were no substitute Members.

There were no declarations of interest.

LCSC/14/23-24 Public Question Time

There were no questions from members of the public.

LCSC/15/23-24 Members questions

There were no questions from Members.

LCSC/16/23-24 Licensing Act 2003 – Application for a new Premises Licence.

Before the Sub-Committee was a report by the Director for Sustainability & Resources, which has 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 from Brooklands Cafe, Brooklands Park, Western Road, Worthing.

Presenting Officer outlined the application

The Licensing Officer outlined the application explaining that there had been 2 representations from members of the public and 1 from a responsible authority, Sussex Police. The latter had suggested a number of conditions and as a result mediation was successful, Sussex Police had withdrawn their objections and the conditions had been amended. The Applicant had also withdrawn the application for offsales of alcohol.

The public representors were concerned about public nuisance and anti-social behaviour. Although there had been no formal mediation between the Applicant and the public representors, one of them had informed the Licensing Officer that most of his concerns had been addressed with the exception of the hours applied for.

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

Questions from Members for the presenting Officer

There were none.

Representation from the applicant

The Applicant explained that the representation from Sussex Police was prompted because on the application form they had expressed an interest in offsales. This had been an error made by his agent and he clarified that they had never had an intention to have offsales as part of the licence. The provision of alcohol was intended as an accompaniment to their menu only.

In response to the concerns expressed by the public representors, the Applicant acknowledged that the park had suffered from antisocial behaviour in the past. However, they had conferred with the police and the council about CCTV which they had agreed to install and anticipated that this would be a deterrent to antisocial behaviour.

The applicant described how they would be having a broad menu of cooked food and were employing four chefs. The venue would not be offering beer on tap or cocktails and there would be no showing of televised sports. Generally the Cafe would be closing at 5.30 - 6 pm. The hours that had been applied for were to allow for any special events at the park that may need a later finish. All alcohol would be served in glasses on the premises eliminating the problem of plastic cups going out into the park. With regards to serving alcohol near children, the applicant pointed out that many other restaurants and cafes serving alcohol, such as Perch on Lancing Beach and Coast Cafe were also positioned in family areas without any detrimental results.

In addition, following discussions with the Council, the applicant would be instrumental in keeping toilets clean, open and usable.

Questions from Members to the applicant

Members enquired what training staff would be given regarding refusing to serve alcohol to customers who appeared inebriated. Members also raised concerns that, due to the cafe's situation, staff may be isolated towards the end of the day when fewer staff were left on premises.

The Applicant explained that they did not intend to ever run the premises on a skeleton staff. There would always be four or five members of staff present. Service staff would never be alone as kitchen staff would also be on the premises until the cafe closed, clearing up and doing the next day's prep. All staff would be fully trained in the serving and refusing of alcohol and a log book to note down any incidents for Sussex Police, would be kept at the premises.

In response to Members' queries regarding disturbance to nearby dwellings caused by any live music events, the applicant explained they would only consider having acoustic live music at the cafe during the afternoons.

Summing up of the applicant

The applicant summed up reiterating aspects of their representations.

The meeting adjourned to go into closed session at 7.05 pm and reconvened at 7.16 pm

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:

The application for a new premises licence for the sale of alcohol on the premises between 1100 hours and 2230 hours Monday to Sunday inclusive shall be granted.

The reason for the decision is:

The Licensing Sub-Committee noted that during mediation with Sussex Police the applicant had agreed to numerous additional conditions, these are detailed at paragraph 8.2 of the report. The Licensing Sub Committee was satisfied that with the addition of these conditions, and the sale of alcohol being restricted to on the premises only, the licensing objectives would not be undermined.

The meeting ended at 7.25 pm

Chair