



WORTHING BOROUGH
C O U N C I L

9 August 2023

Worthing Licensing and Control Sub-Committee B

Date:	17 August 2023
Time:	6.30 pm
Venue:	Gordon Room, Worthing Town Hall

Committee Membership: Councillors Henna Chowdhury (Chair), Claire Hunt and Dale Overton

Agenda

Part A

1. Declarations of Interest / Substitute Members

Members and Officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

2. Public Question Time

So as to provide the best opportunity for the Committee to provide the public with the fullest answer, questions from the public should be submitted by **midday** on **Monday 14 August 2023**.

Where relevant notice of a question has not been given, the person presiding may either choose to give a response at the meeting or respond by undertaking to provide a written response within three working days.

Questions should be submitted to Democratic Services - democratic.services@adur-worthing.gov.uk

(Note: Public Question Time will last for a maximum of 30 minutes)

3. Members Questions

Pre-submitted Members questions are pursuant to rule 12 of the Council & Committee Procedure Rules.

Questions should be submitted by **midday on Monday 14 August 2023** to Democratic Services, democratic.services@adur-worthing.gov.uk

(Note: Member Question Time will operate for a maximum of 30 minutes.)

4. Licensing Act 2003 – TEMPORARY EVENT NOTICE (TEN): HEARING TO CONSIDER A RESPONSIBLE AUTHORITIES NOTICE OF OBJECTION UNDER SECTION 105 OF THE LICENSING ACT 2003 (Pages 3 - 44)

To consider a report by the Director for Sustainability & Resources, copy attached as item 4.

Recording of this meeting

Please note that this meeting is being audio live streamed and a recording of the meeting will be available on the Council's website. This meeting will remain on our website for one year and will be deleted after that period. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Katy McMullan Democratic Services Officer 01903 221006 katy.mcmullan@adur-worthing.gov.uk	Shelley-Ann Flanagan Lawyer 01903 221095 shelley-ann.flanagan@adur-worthing.gov.uk

Duration of the Meeting: Three 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.



WORTHING BOROUGH
COUNCIL

Licensing & Control Committee

Sub-Committee

17 August 2023

Ward: Central

**TEMPORARY EVENT NOTICE (TEN):
HEARING TO CONSIDER A RESPONSIBLE AUTHORITIES NOTICE OF OBJECTION UNDER
SECTION 105 OF THE LICENSING ACT 2003**

Premises User: Mr Omar Rafique Venue: Angels Bar & Nightclub, 10 High Street, Worthing, BN11 1NU		
Report by the Director for Sustainability & Resources		

1. Recommendation

- 1.1 That a Sub-Committee of the Licensing & Control Committee considers and determines a Notice of Objection received from:

The A&W Environmental Protection Team

regarding a standard Temporary Event Notice (TEN) which was served by Mr Omar Rafique to authorise licensable activity on Sunday 27 August - Monday 28 August 2023 at the above venue.

2. Reasons for Hearing

- 2.1 .The TEN has been the subject of a Notice of Objection served by the Environmental Protection Team on public nuisance grounds and it therefore falls to members to consider and determine.

3. Background

3.1 Mr Rafique served a standard TEN on the Licensing Authority, Worthing Borough Council, on the 03 August 2023 to authorise licensable activities at his venue Angels Bar & Nightclub.

3.2 The TEN was correctly served on this authority and copied to Sussex Police and the A&W Environmental Health Team as required by the Act.

3.3 Mr Rafique is the current holder of a Premises Licence, 100001222, at Angels Bar & Nightclub. He has held the licence since December 2022. The licence authorises:

- The sale of alcohol for consumption on & off the premise:
 - 10.00hrs to 23.30hrs on Sunday
- The provision of regulated entertainment:
 - 10.00hrs to 23.30hrs on Sunday
- The opening hours of the premises:
 - 10:00hrs to 00:00hrs (midnight) on Sunday

The premises licence contains a number of conditions to promote the licensing objectives.

3.4 Mr Rafique is named on the premises licence as the Designated Premises Supervisor. He holds a Personal Licence issued by Worthing Borough Council.

3.5 Attached to the report

- A map & photos of the area (Appendix A)
- A plan of the venue (Appendix B)
- A copy of the current premises licence (Appendix C)
- A copy of the Temporary Event Notice (Appendix D)
- A copy of the Notice of Objection (Appendix E)

4. The Temporary Event Notice

4.1 The TEN can be found at appendix D and relates to the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment at the venue for up to 300 persons for a 'Bank Holiday Birthday Celebration'. It seeks to extend the hours for licensable activity at the venue by three & a half hours to 03:00 hrs of the following morning on Sunday 27 August (into the morning of Monday 28 August).

4.2 The conditions, restrictions and timings present on the venue's premises licence do not carry over to the TEN.

4.3 Any premises is entitled to accommodate 20 TENs per calendar year with an aggregate maximum of 26 days per annum.

5. Consultation

5.1 Copies of the TEN were served on Sussex Police and the A&W Environmental Health Team in accordance with the provisions of the Act. These are the only consultees and the only parties that can object to a TEN.

6. Relevant Representation

6.1 As a result of the consultation a Notice of Objection was received by this Authority from the A&W Environmental Protection Team on 07 August 2023 and a copy of the notice was served by them on Mr Rafique.

6.3 The Notice of Objection was properly made.

7. The Notice of Objection

7.1 A&W Environmental Health Team's Notice of Objection is attached as Appendix E. However, in summary, the team is objecting to the events on the prevention of public nuisance grounds.

7.2 The outline of their objection is that :

There is an outstanding Abatement Notice, served on Angels on 26 July 2023, which followed investigations into a large number of noise complaints about loud music from the premises. These complaints continue. Therefore it is our opinion that the extended hours proposed in the TEN are likely to give rise to a public nuisance in the vicinity.

7.3 The A&W Environmental Health Team and Mr Rafique have been invited to attend the Sub-Committee hearing.

8. Promotion of the Licensing Objectives

8.1 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.

8.2 In carrying out its licensing functions, the licensing authority must also have regard to the Licensing Act Guidance (S182) issued by the Secretary of State and its own Statement of Licensing Policy.

9. Consideration

9.1 The following paragraphs from the Revised guidance issued under section 182 of the Licensing Act 2003 (July 2023) are considered particularly relevant.:

Section 7 covers Temporary Event Notices (TENs)

General

7.2 *The system of permitted temporary activities is intended as a light touch process, and as such, the carrying on of licensable activities does not have to be authorised by the licensing authority on an application. Instead, a person wishing to hold an event at which such activities are proposed to be carried on (the*

“premises user”) gives notice to the licensing authority of the event (a *“temporary event notice”* or *“TEN”*).

- 7.6 *The police or EHA (“relevant persons” for the purposes of TENs) may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider on the basis of the statutory licensing objectives and decide whether the event should go ahead. A relevant person may also intervene by agreeing a modification of the proposed arrangements directly with the TENs user (see paragraph 7.36). If a relevant person sends an objection, this may result in the licensing authority imposing conditions on a TEN but only where the venue at which the event is to be held has an existing premises licence or club premises certificate. When giving a TEN, the premises user should consider the promotion of the four licensing objectives. The licensing authority may only otherwise intervene if the statutory permitted limits on TENs would be exceeded (see paragraphs 7.15-7.22).*

Police and environmental health intervention

- 7.33 *If the police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice must be given within the period of three working days following the day on which they received the TEN.*
- 7.34 *Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue, or issue a counter notice to prevent the event going ahead. As noted above, there is no scope for hearings (or appeals) in respect of late TENs and if objections are raised by the police or EHA in relation to a late TEN, the notice will be invalid and the event will not go ahead.*

Modification

- 7.37 *As noted above, the police or EHA (as “relevant persons”) may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified (for example, by changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration). The other relevant person has to agree for the modification to be made. There is no scope under the 2003 Act for the modification of a late TEN.*

Applying conditions to a TEN

- 7.38 *The 2003 Act provides that only the licensing authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. The licensing authority can only do so:*
- *if the police or the EHA have objected to the TEN;*

- *if that objection has not been withdrawn;*
- *if there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given;*
- *and if the licensing authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.*

7.39 *This decision is one for the licensing authority alone, regardless of the premises user's views or willingness to accept conditions. The conditions must be notified to the premises user on the form prescribed by regulations.*

9.2 Members must take into consideration the following when determining the application:

- The statutory licensing objectives
- Worthing Borough Council's Statement of Licensing Policy
- Guidance issued by the Secretary of State
- The Notice of Objection received from the A&W Environmental Health Team
- Any statements made by the premises user and the A&W Environmental Health Team.

9.3 These are the only matters to be addressed by the authority when considering this notice. The statutory licensing objectives are the only grounds on which an objection can be made by Sussex Police & Environmental Health Authority and the only grounds on which an authority will be able to serve a Counter Notice stopping a Temporary Event Notice.

9.4 When considering this 'Notice of Objection' the following options are available to the Sub-Committee:

- Uphold the 'Notice of Objection' and issue a Counter Notice stopping the event going ahead.
- Reject the 'Notice of Objection' allowing the temporary event to proceed.
- Partially accept the 'Notice of Objection', allow the event to go ahead but impose one or more of the conditions that are in place on the venue's premises licence.

Members should note that these are the only options and they may not attach any terms, conditions, limitations or restrictions that they might consider appropriate to impose to allow the event to go ahead.

9.5 The A&W Environmental Health Team may mediate with the server of the TEN and may withdraw their 'Notice of Objection' at any time if their concerns are addressed.

9.6 Members are required to give reasons for their decision.

10. Legal Implications

10.1 Section 181 and Schedule 5 of the Act provides rights of appeal to the Magistrates' Court in respect of Temporary Event Counter Notices:

- The premises user may appeal against a counter notice issued by the Licensing Authority.
- The Responsible Authority may appeal against a decision by the Licensing Authority not to issue a counter notice.

- 10.2 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.
- 10.3 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.
- 10.4 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.
- 10.5 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 'Notice of Objection' issued by the A&W Environmental Protection Team in response to the Temporary Event Notice served by Mr Omar Rafique for an event at Angels Bar & Nightclub on 27-28 August 2023 and give reasons for that determination.**

Director of Sustainability & Resources

Paul Brewer

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://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1174009/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_July_2023_.pdf
- 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 current Premises Licence
- Appendix D - The Temporary Event Notice served
- Appendix E - Notice of Objection received from the Responsible Authority

Town Hall, Worthing

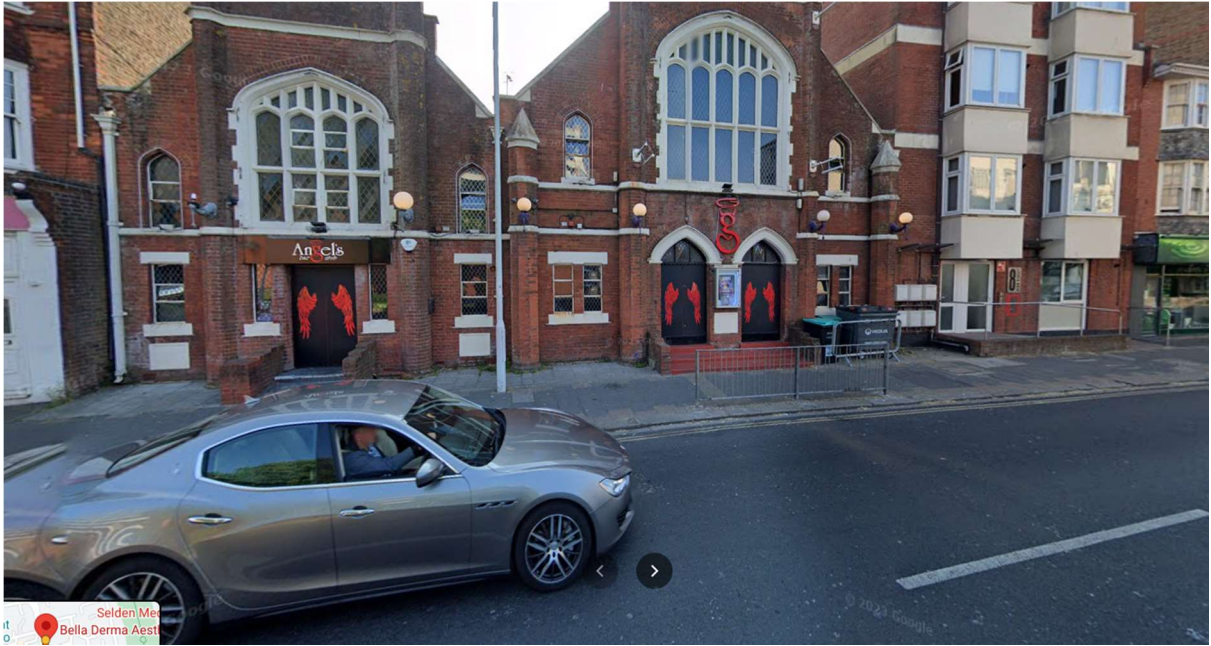
Ref: SJ/Lic.U/LA03/TEN - Angels

Date: 08 August 2023.

Appendix A – Map & Photos of Area

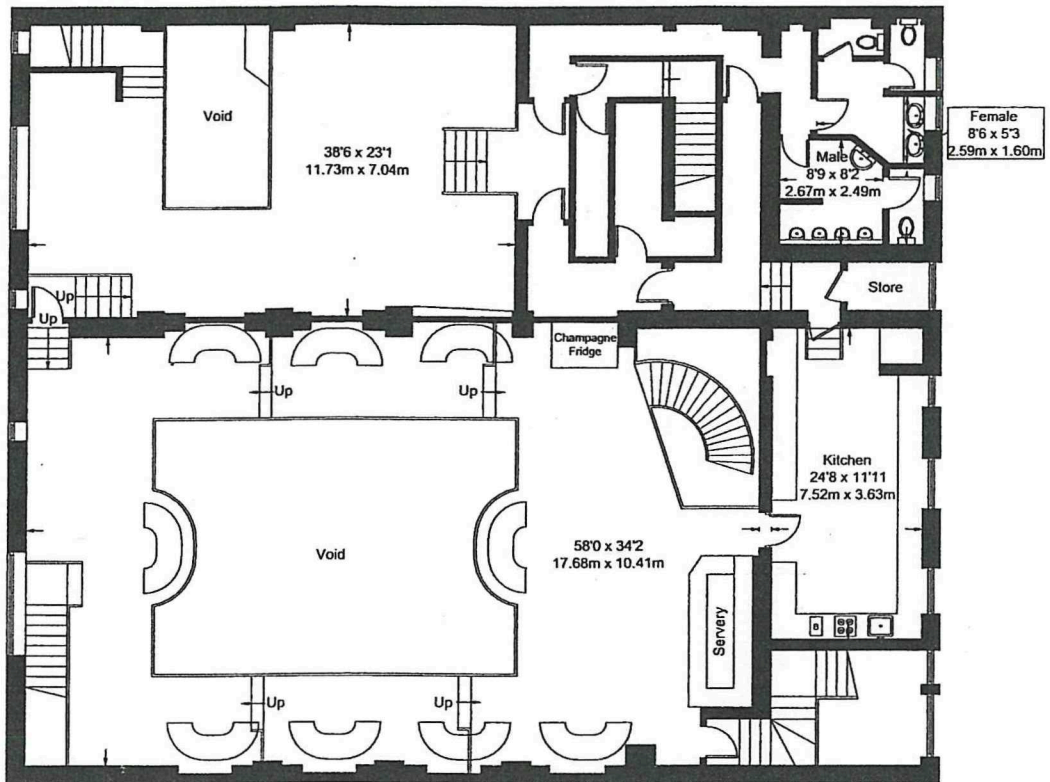
Appendix A - Map & Photos of Area



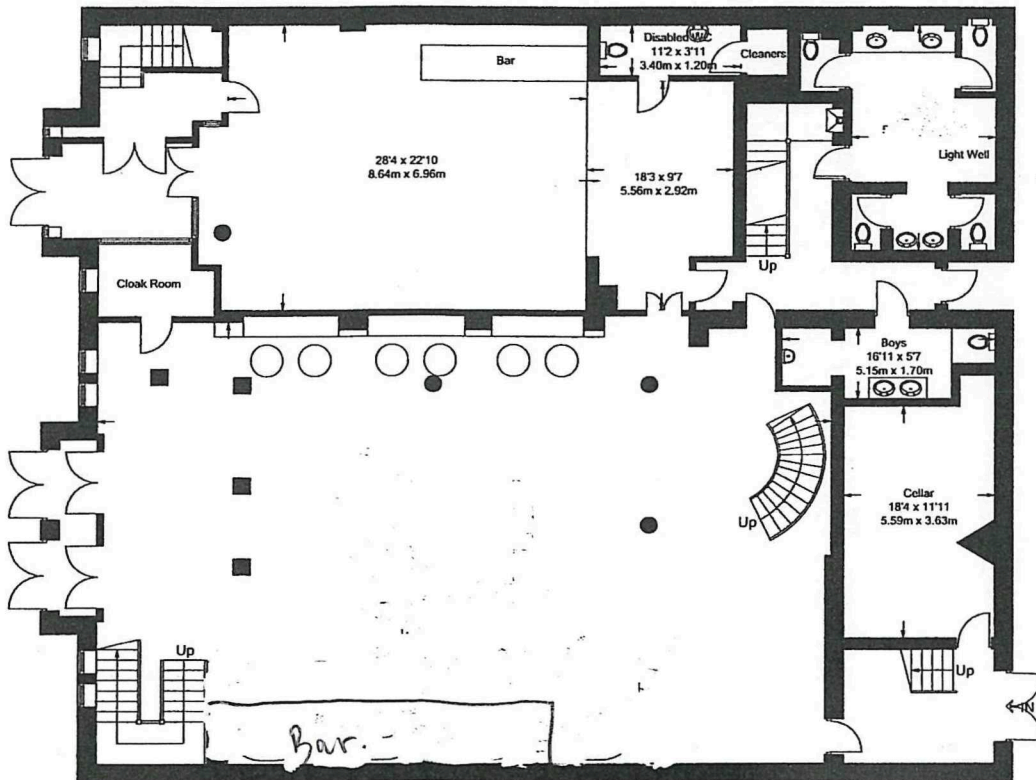




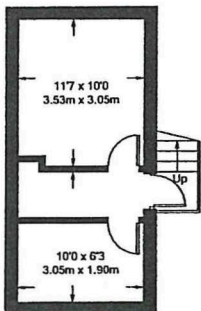
Appendix B – Plan of Premises



First Floor
 3527 sq ft / 327.7 sq m (Excluding Void)



Ground Floor
 4233 sq ft / 393.3 sq m



Basement
 251 sq ft / 23.3 sq m

Approximate Gross Internal Area = 7760 sq ft / 721 sq m
 (Excluding Void)

Basement = 251 sq ft / 23.3 sq m
 Total = 8011 sq ft / 744.3 sq m

Appendix C – Premises Licence



WORTHING BOROUGH
COUNCIL

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

Public Health & Regulation
Town Hall, Chapel Road
Worthing
BN11 1HA

Premises Licence Number - [REDACTED]

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
Angels Bar & Club 10 High Street Worthing BN11 1NU
Telephone number 01903 238392

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 :	Cocktail Bar & Ale House	
Day	Start	Finish
Sunday	10:00	00:00
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	02:30
Friday	10:00	03:30
Saturday	10:00	03:30

Non Standard Timings & Seasonal Variations
<ul style="list-style-type: none"> Notwithstanding these usual opening times the premises, in accordance with the converted right, may choose to open to the public at any time for non-licensable activities/purposes. An extra hour on the evening when British Summer Time commences.

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

Part 2 – Premises Licence Holder Details


Name
Mr Omar Mohammad Rafique


Registered Address

Telephone Number:
E-mail: 

Registered number of holder, for example company number, charity number
N/A

Part 3 - Designated Premises Supervisor Details (Where the premises licence authorises for the supply of alcohol)

Name
Mr Omar Mohammad Rafique

Registered 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 : 
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 :	Bars	
Activities :	Alcohol ON&OFF Sales/Supply (M)	
Day	Start	Finish
Sunday	10:00	23:30
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • New Year's Eve from the end of permitted hours to the start of permitted hours New Year's Day. • Christmas Eve and Boxing Day until 02:00 hours the following morning. • An additional hour for: Burn's Night, St David's Day, St George's Day, Australia Day, St Patrick's Day, St Andrew's Day, the Thursday preceding Easter and the Sunday preceding a Bank Holiday. • In addition to the 12 existing 'Temporary Event Notices' a further 12 'Event Days' whereby the hours for the supply of alcohol are extended by an additional hour. The Police will be given 10 working days' notice of any 'Events' and will be provided an operating plan detailing the nature of the 'Event'. The Police to have the power of absolute veto over the 'Event'. These 'Event Days' will only occur on Monday to Thursday of any given week. • An extra hour on the evening when British Summer Time commences. 		

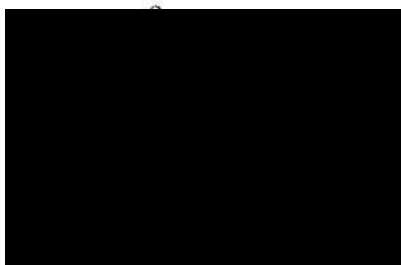
Location :	Bars & Restaurant areas	
Activities :	Live Music (E)	
Day	Start	Finish
Sunday	10:00	23:30
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	01:00
Friday	10:00	03:00
Saturday	10:00	03:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • Christmas Eve and New Year's Eve an additional hour. • All of the 'named' days detailed in the 'Non-standard timings' under Alcoholic Sales. 		

Location :	Bars & Restaurant areas	
Activities :	Recorded Music (F)	
Day	Start	Finish
Sunday	10:00	23:30
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • In line with the hours for 'Non-standard timings' under ' Alcoholic sales' plus an additional 30 minutes, excepting Sunday, to act as a 'wind-down period' where the music will be reduced to a low background. • An extra hour on the evening when British Summer Time commences. 		

Location :	Bars & Restaurant areas	
Activities :	Late Night Refreshment (L)	
Day	Start	Finish
Sunday	23:00	00:00
Monday	23:00	00:30
Tuesday	23:00	00:30
Wednesday	23:00	00:30
Thursday	23:00	02:30
Friday	23:00	03:00
Saturday	23:00	03:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • In line with the hours for 'Non-standard timings' under ' Alcoholic sales' plus an additional 30 minutes 'wind-down period'. • An extra hour on the evening when British Summer Time commences. 		

Location :	Bars & Restaurant areas	
Activities :	Exhibit Film (B) Indoor Sports Event (C) Perform Dance (G) Anything similar to E,F,G (H)	
Day	Start	Finish
Sunday	10:00	23:30
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • In line with the timings mentioned under 'Non-standard timings' in the operating schedule for Alcoholic Sales. • An extra hour on the evening when British Summer Time commences. 		

Signed on behalf of the issuing licensing authority



Senior Licensing Officer

Date : 12 May 2023

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:

1. a holographic mark, or
2. 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 —

- I. P is the permitted price
- II. 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
- III. 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 —

- I. the holder of the premises licence
- II. the designated premises supervisor (if any) in respect of such a licence, or
- III. 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. Mandatory conditions: Exhibition of films

No film shall be exhibited unless it has received a “U”, “PG”, “12A”, “15” or “18” certificate from the British Board of Film Censors or the British Board of Film Classification or has been approved, in writing, by the Licensing Authority, Worthing Borough Council.

Where a programme includes a film in an age limited category no person appearing to be under that age shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms –

PERSONS UNDER THE AGE OF (INSERT APPROPRIATE AGE) CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person’s parents or legal guardian has first been obtained.

I. Conditions consistent with the Specific Conditions of the Public Entertainment Licence.

Departing customers must not be permitted to take glasses or opened bottles outside the premises.

Annexe 2: Conditions consistent with the Operating Schedule

1. A quiet room/recovery area is to be provided at the premises and staff are trained to deal with minor medical issues.
2. Floor walkers will be employed during the evening trading hours to highlight and intoxicated or vulnerable people and provide them with appropriate care and attention and if appropriate to arrange for SIA security to eject them.
3. Comprehensive staff training to take place which will include care for vulnerable persons and an awareness of signs of drink spiking etc. Records will be kept of all training.
4. The premise will have a risk assessment in place ascertaining the maximum number of persons allowed in each area at any one time, this to be available for inspection by all relevant authorities.
5. All regulated entertainment to cease half an hour prior to the licensed closing time of the premises (i.e. at the commencement of the ‘wind down time’).
6. The noise of regulated entertainment from the premises not to exceed 61 dB LAeq (5 mins) before 23:00 hours or 55dB LAeq (5 mins) after 23:00 hours; the noise level to be measured at any position outside the curtilage of the premises.
7. The placing of refuse (including bottles), outside the premises shall only occur between 10.00hrs – 22.00hrs on any day.

8. A suitable sound level-monitoring device to be available on the premises to make hourly checks outside the building to check on noise levels. These noise levels will be recorded in writing and made available for inspection at the request of any officer of Worthing Borough Council.
9. Staff to be trained on the requirements of the Licensing Act 2003 on recruitment and given training on “drugs awareness” as part of their induction.
10. A 30 minute period after the terminal hours for the sale of alcohol to allow the premises to be cleared of the public.
11. No entry to the premises within the 30 minutes before the cessation of sale of alcohol with the exception of patrons who leave the interior of the premises for the purposes of smoking. They may re-enter up to the time of the cessation of the sale of alcohol. These patrons will have to remain in the designated smoking area at the front of the building in order to qualify for re-entry.
12. There will be a no entry/re-entry to the premises by members of the public after 01:00 hours on Thursday, 02:00 hours on Friday & Saturday
13. A personal licence holder to be present on the premises for the majority of the trading period.
14. All door supervisors will be SIA registered and will carry ID registration badges at all times. The Number of door supervisors will be as directed by the Licensing Authority.
15. The DPS, or other such nominated person, to inspect all of the exits from the premises to ensure they are free from obstruction both before the commencement and during the trading hours.
16. A well-stocked first aid kit to be provided and maintained on the premises at all times.
17. Any reasonable safety measures identified by the management team to be implemented following risk assessments.
18. 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 on advice of the local authority.
19. A notice to be placed prominently at all exits asking customers to leave quietly; staff to monitor the situation.
20. Duty management to make regular visits during the hours of entertainment to the outside of the premises to ensure that no nuisance is being caused to local residents/other neighbouring premises.
21. No children under the age of 18 to be allowed on the premises except when accompanied by an adult.
22. Photographic proof of age to be provided to anyone who appears to be under 20 years of age wishing to purchase alcohol.
23. All areas of the operation to be maintained when considering children’s access to the premises by way of risk assessment, reviewed on a regular basis.

24. No children under the age of 18 years old will be permitted on the premise after 20.00hrs unless they are sitting down to consume a meal within the restaurant area and accompanied by an adult.
25. SIA trained & licensed door supervisors shall be deployed within the bar from 21.00hrs until 30 minutes after closing time every Friday & Saturday evening. There shall be a minimum of one door supervisor to every 100 or part 100 customers plus one additional door supervisor at the main entrance. SIA trained & licensed door supervisors shall be employed within the restaurant area on occasions when a requirement is identified by the licence holder's risk assessment or requested by Sussex Police due to an increase in Crime & Disorder relating to the premises. (A minimum of 48 hrs. written notice required from the Police Licensing Team)
26. Polycarbonate drinking vessels (excluding bottles) will be used within the bar area on Friday & Saturday from 20.00hrs to close and at other times as determined by risk assessment. Polycarbonate drinking vessels will be used within the restaurant area when the need is identified through the risk assessment or notified in writing by Sussex Police.
27. The premises will not, at agreed/vulnerable times negotiated with Sussex Police, sell alcohol to any person appearing to be under 21 without the use of an identification check and recording system such as I/Dscan or Clubscan.
28. A personal licence holder shall be on the premises at all times after 20.30 hours on a Thursday, Friday and Saturday evening until closure.
29. The management of the premises will ensure that it takes an active part in participating in the local pub watch scheme.
30. That the management commits itself (as it has agreed to at present) to assist in the funding of the Taxi Marshalling Scheme
31. 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 Data Protection 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 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.

Conditions specific to the 'Alehouse/Restaurant'

32. An SIA registered security operative to be employed during the hours that the Alehouse and Ten Cocktail Bar are open as one business for the free flow of people between each site.

The Chapman Groups Condition's attached to the Licence

33. These are attached as 'Supplementary Standard Conditions of the Chapman Group.

Annexe 3: Conditions attached after hearing by the Licensing Authority

1. Background music only shall be played during the last 30 minutes that the premises are open to the public on any day.
2. Karaoke shall finish at the same time as the latest sale of alcohol on any day.

Annexe 4: Plans

See attached plan dated 23.01.2023.



WORTHING BOROUGH
COUNCIL

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

Public Health & Regulation
Town Hall, Chapel Road
Worthing
BN11 1HA

Premises Licence Number - [REDACTED]

Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
Angels Bar & Club 10 High Street Worthing BN11 1NU	
Telephone number	01903 238392

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 :	Cocktail Bar & Ale House	
Day	Start	Finish
Sunday	10:00	00:00
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	02:30
Friday	10:00	03:30
Saturday	10:00	03:30
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> Notwithstanding these usual opening times the premises, in accordance with the converted right, may choose to open to the public at any time for non-licensable activities/purposes. An extra hour on the evening when British Summer Time commences. 		

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

Premises Licence Holder Details

Name
Mr Omar Mohammad Rafique

Registered Address
██████████ ██████████ ██████████

Registered number of holder, for example company number, charity number
N/A

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 : ██████████
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 :	Bars	
Activities :	Alcohol ON&OFF Sales/Supply (M)	
Day	Start	Finish
Sunday	10:00	23:30
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • New Year's Eve from the end of permitted hours to the start of permitted hours New Year's Day. • Christmas Eve and Boxing Day until 02:00 hours the following morning. • An additional hour for: Burn's Night, St David's Day, St George's Day, Australia Day, St Patrick's Day, St Andrew's Day, the Thursday preceding Easter and the Sunday preceding a Bank Holiday. • In addition to the 12 existing 'Temporary Event Notices' a further 12 'Event Days' whereby the hours for the supply of alcohol are extended by an additional hour. The Police will be given 10 working days' notice of any 'Events' and will be provided an operating plan detailing the nature of the 'Event'. The Police to have the power of absolute veto over the 'Event'. These 'Event Days' will only occur on Monday to Thursday of any given week. • An extra hour on the evening when British Summer Time commences. 		

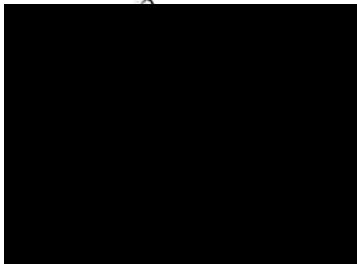
Location :	Bars & Restaurant areas	
Activities :	Live Music (E)	
Day	Start	Finish
Sunday	10:00	23:30
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	01:00
Friday	10:00	03:00
Saturday	10:00	03:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • Christmas Eve and New Year's Eve an additional hour. • All of the 'named' days detailed in the 'Non-standard timings' under Alcoholic Sales. 		

Location :	Bars & Restaurant areas	
Activities :	Recorded Music (F)	
Day	Start	Finish
Sunday	10:00	23:30
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • In line with the hours for 'Non-standard timings' under ' Alcoholic sales' plus an additional 30 minutes, excepting Sunday, to act as a 'wind-down period' where the music will be reduced to a low background. • An extra hour on the evening when British Summer Time commences. 		

Location :	Bars & Restaurant areas	
Activities :	Late Night Refreshment (L)	
Day	Start	Finish
Sunday	23:00	00:00
Monday	23:00	00:30
Tuesday	23:00	00:30
Wednesday	23:00	00:30
Thursday	23:00	02:30
Friday	23:00	03:00
Saturday	23:00	03:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • In line with the hours for 'Non-standard timings' under ' Alcoholic sales' plus an additional 30 minutes 'wind-down period'. • An extra hour on the evening when British Summer Time commences. 		

Location :	Bars & Restaurant areas	
Activities :	Exhibit Film (B) Indoor Sports Event (C) Perform Dance (G) Anything similar to E,F,G (H)	
Day	Start	Finish
Sunday	10:00	23:30
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	02:00
Friday	10:00	03:00
Saturday	10:00	03:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • In line with the timings mentioned under 'Non-standard timings' in the operating schedule for Alcoholic Sales. • An extra hour on the evening when British Summer Time commences. 		

Signed on behalf of the issuing licensing authority



Senior Licensing Officer

Date : 12 May 2023

Appendix D – Temporary Event Notice

E21

L21 cheque
received 03/08/23

Adur & Worthing Councils
Licensing Unit
RECEIVED
03 AUG 2023

Temporary Event Notice

Before completing this notice, please read the guidance notes at the ~~end of the notice~~. If you are **Initials** completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	RAFIQUE
Forenames	OMAR
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	
4. Your place of birth	
5. National Insurance Number	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
10 High Street	
Post town	WORTHING
Postcode	BN11 1NU
7. Other contact details	
Telephone numbers Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Angeli Bar & club 10 High Street Worthing BN11 1WV	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
Bar & nightclub.	
Please describe the nature of the event below. (Please read note 5)	
Bank Holiday Bankers celebrations.	

--

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input checked="" type="checkbox"/>	
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
SUNDAY 27 th AUGUST 2023		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
23.30 hrs - 03.00 hrs (next day) 23.30 hrs - 03.00 hrs		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		300
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p> <p style="text-align: center;">Recorded music.</p>

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	WBC
Licence number	[REDACTED]
Date of issue	23-11-2021
Any further relevant details	


5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)	
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	7
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)	
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.	

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
--	---------------------------------	---

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for such an offence to a fine of any amount, or to imprisonment for a term not exceeding	
Signature	
Date	5-8-2023
Name of Person signing	Omar Raheem

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Appendix E – Notice of Objection



ADUR & WORTHING
COUNCILS

Adur & Worthing Councils
Town Hall, Chapel Road
Worthing
West Sussex, BN11 1HN
www.adur-worthing.gov.uk

To: Licensing Unit
Adur & Worthing Councils

Date: 7th August 2023
Service: Public Health & Regulation
Tel: 01903 221064
Email: publichealth.regulation@adur-worthing.gov.uk

By email

**Licensing Act 2003
Notice of Objection to TEN Application
Angels Bar and Club, 10 High Street, Worthing, West Sussex**

I refer to the application submitted for a Temporary Event Notice (TEN) between 23:30 and 03:00 hours on 27 August 2023. The TEN describes this as 'Bank Holiday Birthday Celebrations'.

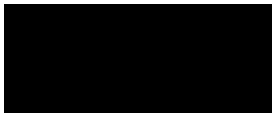
Notice of objection is hereby given on behalf of the Environmental Protection Team for the above TEN on the grounds of the prevention of public nuisance.

There is an outstanding Abatement Notice, served on Angels on 26 July 2023, which followed investigations into a large number of noise complaints about loud music from the premises. These complaints continue. Therefore it is our opinion that the extended hours proposed in the TEN are likely to give rise to a public nuisance in the vicinity.

We therefore request that a Counter Notice is issued by the Licensing Authority.

I confirm that a copy of this objection letter has been sent by email to the applicant and other 'relevant persons'.

Yours faithfully,



Nadeem Shad

Team Leader Environmental Protection
Public Health & Regulation

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