

Minutes of a meeting of the
Worthing Licensing and Control Sub-Committee B
18 March 2024
at 6.30 pm

Councillor Ferdousi Henna Chowdhury (Chair)

Councillor Cathy Glynn-Davies

Councillor Kevin Jenkins

*Absent

Councillor Dale Overton

LCSC/39/23-24 Declarations of Interest / Substitute Members

Councillor Dale Overton substituted for Councillor Kevin Jenkins.

Councillor Cathy Glynn-Davies declared that members of her family owned licensed premises in Worthing but she had no interest in them and was not predetermined.

LCSC/40/23-24 Public Question Time

There were no questions from members of the public.

LCSC/41/23-24 Members Questions

There were no questions from Members.

LCSC/42/23-24 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 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 Macmillans, 3 Union Place, Worthing.

Presenting Officer outlined the application

The Licensing Officer outlined the application explaining why the application had been brought to Committee.

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 Sussex Police

Sussex Police gave a representation explaining that the premises had no history of adverse incidents but their current conditions were out of date, and so they had been issued with a new list of conditions. The Sussex Police Representative clarified the application had come to committee as the applicant had agreed to all the new conditions except for the following -

There shall be a minimum of one SIA door supervisor per 100 customers, starting with a minimum of two SIA registered door staff from 21:00 until close on a Friday and Saturday.

Questions from Members to Sussex Police

The Sussex Police Representative addressed members queries by explaining that he knew of no other premises that only employed the use of one SIA registered door supervisor on a Friday and Saturday and clarified that the premises lay in an unusual location being that Union Place, which lay opposite, was a large, currently unused space, but that they were in the business of prevention.

Questions from Applicant to Sussex Police

There were none.

Representation from the applicant

The applicant explained that he was a SIA registered door supervisor himself and had worked as door staff at a venue very similar, in size, customer type and number to Macmillans. He expressed a view that too many door staff could appear to be overbearing to some customers and may hinder door staff diffusing difficult situations. He stated that he would like to propose an alternative condition to Sussex Police that on Friday and Saturday nights they employ one SIA registered door supervisor for up to 50 customers who entered the venue with a second one brought on duty if the clientele rose to 51+.

Questions from Members to the applicant

The applicant confirmed for the Members that, as the premises' floor space was limited, they generally expected a customer attendance of approximately 30 people on a Friday and Saturday night.

The applicant also explained that, in the unlikely event they had an incident inside the club, the bar staff would not be involved as they were not trained and the SIA Registered door supervisor would attend to it. In response to Members queries regarding the absence of door staff at the door if an internal incident was being attended to, he clarified that even if there were two door staff on duty they would both attend to the situation, so it would make no difference to door supervision.

The applicant stated that they used a very reputable security staff agency who supplied the highest trained door supervisors. In addition the majority of their clientele were aged 30+ as their price range did not tend to attract youngsters.

Questions from Sussex Police to the applicant

The applicant clarified for the Sussex Police representative what they were proposing regarding door staff numbers and after a short adjournment to discuss it, they declined to accept the offer.

Summing up of all parties.

The applicant and Sussex Police summed up reiterating aspects of their representations.

The meeting adjourned to go into closed session at 7.30 pm back at 7.45 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: Grant the licence with the variation of hours and conditions as offered by the Applicant below.

The reason for the decision is: The Committee has listened carefully and considered all of the evidence before them. Although the Committee heard evidence that the SIA are the leading experts in this field and that a minimum of two door staff are advised they also considered the application on its own merits, the location and the previous history of no incidents. In these circumstances they felt that the Applicant offer of one SIA to 50 customers was sufficient. If numbers exceeded 50 then 2 SIA would be required and this should be a licensing condition. All of the comprehensive conditions asked for by Sussex Police bar this one had been accepted which demonstrated to the Committee the commitment to uphold the licensing objectives. The Applicant had offered at the hearing and the police had accepted that door staff would only be required from 10.00 pm. The Applicant is urged however to keep this SIA condition under review.

Advice to parties:

The Applicant and those who have made representations in connection with this application are reminded that they may appeal against this decision to the Magistrates Court within 21 days of receiving the notice. The Responsible Authorities and any other 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 7.46 pm

Chair