



WORTHING BOROUGH
C O U N C I L

8 March 2024

Worthing Licensing and Control Sub-Committee B

Date:	18 March 2024
Time:	6.30 pm
Venue:	Gordon Room, Worthing Town Hall

Committee Membership: Councillors Henna Chowdhury (Chair), Cathy Glynn-Davies and Kevin Jenkins

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 **Wednesday 13 March 2024**.

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 **Wednesday 13 March 2024** 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 – Application for a variation to a Premises Licence (Pages 3 - 62)

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

Part B - Not for publication - Exempt Information Reports

None.

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.



**Licensing & Control Committee
Sub-Committee**

Date of Hearing: 18 March 2024
Ward: Central

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

**Macmillan's Bar (formerly Stacey's Dive Bar)
3 Union Place
Worthing
BN11 1LG**

Report by the Director for Sustainability & Resources

1. Recommendation

- 1.1 That a Sub Committee of the Licensing & Control Committee considers and determines the application made on behalf of:

Mr Sam Cosgrove

for a Variation to Premises Licence [REDACTED] which authorises the Sale of Alcohol, Provision of Regulated Entertainment and Sale of Late Night Refreshment at the above venue.

2. Reasons for Hearing

- 2.1 The application has been the subject of formal representation by a responsible authority and it therefore falls to this sub-committee to determine.

3. Background

- 3.1 An application was made on behalf of Mr Cosgrove to the Licensing Authority, Worthing Borough Council, on 29 January 2024 for the grant of a variation to his premises licence at the above cafe bar.
- 3.2 Macmillan's Bar is a two storey detached building situated at 3 Union Place. It is an old domestic dwelling that had been initially converted for use as offices. It was further converted into a licensed bar & restaurant approximately 30 years ago. Situated on the northern side of Union Place it has a small raised front terrace and a small courtyard garden to the rear.

3.3 The road is a busy mixed commercial & residential street running from High Street, to the east, to Chapel Road, to the west, in Worthing town centre. The residential dwellings are limited to the Amelia House retirement complex located directly next door. Opposite is the site of the demolished old Worthing Police station. Union Place also contains a large surface car park, the old main Post Office, the Connaught Theatre and offices in Haverstock House. There are a number of commercial units, including bars and restaurants, in the wider vicinity.

3.4 Mr Sam Cosgrove became the licence holder at 3 Union Place in October 2019 though the premises has been run by members of his family since 2002.

3.5 Premises licence [REDACTED] is attached at **Appendix C**. It currently authorises the sale of alcohol for consumption on & off the premises; the provision of regulated entertainment and the sale of late night refreshment:

- Sale of Alcohol:
 - 10:00 hrs to 00:00 hrs (midnight) Sunday - Thursday
 - 10:00 hrs to 01:00 hrs (of the following morning) Friday & Saturday
- Provision of Live Music:
 - 19:00 hrs to 23:00 hrs Sunday - Saturday
- Provision of Recorded Music
 - 12:00 hrs to 00:00 hrs (midnight) Sunday
 - 10:00 hrs to 00:00 hrs (midnight) Monday - Thursday
 - 10:00 hrs to 01:00 hrs (of the following morning) Friday & Saturday
- Late Night Refreshment
 - 23:00 hrs to 00:00 hrs (midnight) Sunday - Thursday
 - 23:00 hrs to 01:00 hrs (of the following morning) Friday & Saturday
- Opening to the Public:
 - 10:00 hrs to 00:30 hrs (of the following morning) Sunday - Wednesday
 - 10:00 hrs to 01:30 hrs (of the following morning) Thursday, Friday & Saturday

3.6 Attached to the report are:

- A map & photos of the area (Appendix A)
- A plan of the venue (Appendix B)
- The current premises licence (Appendix C)
- The variation application (Appendix D)
- The representations made by a Responsible Authority (Appendix E)

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:

Amendment of the existing licence to extend the following hours for licensable activity to:

- Sale of alcohol:

- 10:00 hrs to 01:00 hrs (of the following morning) Thursday
- 10:00 hrs to 02:00 hrs (of the following morning) Friday & Saturday
- 10:00 hrs to 03:00 hrs (of the following morning) Christmas Eve
- Live music:
 - 10:00 hrs to 00:30 hrs (midnight) Sunday - Wednesday
 - 10:00 hrs to 01:30 hrs (of the following morning) Thursday
 - 10:00 hrs to 02:30 hrs (of the following morning) Friday & Saturday
- Recorded music:
 - 10:00 hrs to 00:30 hrs (midnight) Sunday - Wednesday
 - 10:00 hrs to 01:30 hrs (of the following morning) Thursday
 - 10:00 hrs to 02:30 hrs (of the following morning) Friday & Saturday
 - 10:00 hrs to 03:00 hrs (of the following morning) Christmas Eve
- Late night refreshment:
 - 23:00 hrs to 01:00 hrs (of the following morning) Thursday
 - 23:00 hrs to 02:00 hrs (of the following morning) Friday & Saturday
 - 23:00 hrs to 03:00 hrs (of the following morning) Christmas Eve
- Opening to the public:
 - 10:00 hrs to 01:30 hrs (of the following morning) Thursday
 - 10:00 hrs to 02:30 hrs (of the following morning) Friday & Saturday
 - 10:00 hrs to 03:30 hrs (of the following morning) Christmas Eve

No other changes to the original timings are proposed by the application.

The application also seeks to remove the current condition of licence that states:

- Admittance of customers to be restricted to before 23:00 hrs every night

And replace with:

- No admittance after 00:00 hrs (midnight) Sunday - Wednesday
- No admittance after 01:00 hrs (of the following morning) Thursday
- No admittance after 02:00 hrs (of the following morning) Friday & Saturday
- No admittance after 02:30 hrs (of the following morning) Christmas Eve
- No admittance after 04:00 hrs (of the following morning) New Year's Eve

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 with the exception of those listed above.

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.*

Public Safety

- 4.18 *The 2003 Act covers a wide range of premises that require licensing, including cinemas, concert halls, theatres, nightclubs, public houses, hotels, cafes/restaurants, shops and fast food outlets/takeaways.*
- 4.19 *Each of these types of premises present a mixture of risks, with many common to most premises and others unique to specific operations. It is essential that premises are constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.*
- 4.20 *The Licensing Authority also recognises that the provision of live music, discos and dancing within a premise can lead to potential flashpoints for violence and disorder. The Licensing Authority would expect all entertainment to be properly risk assessed in the Operating Schedule to ensure public safety.*
- 4.21 *Where an applicant identifies an issue in regard to public safety (including fire safety) which is not covered by existing legislation, the applicant should identify in their Operating Schedule and Fire Risk Assessment the steps, which will be taken to ensure public safety.*
- 4.22 *The Licensing Authority will expect Operating Schedules and Fire Risk Assessments to satisfactorily address these issues and new applicants are advised to seek advice, where necessary, from Council Licensing Officers and the West Sussex Fire & Rescue Service before preparing their plans and Schedules.*
- 4.23 *The Licensing Authority will consider attaching conditions to licences and permissions to promote public safety. In attaching conditions the authority will seek to avoid duplication with the requirements of other regulatory regimes, for example legislation covering health and safety at work and fire safety.*

Protection of Children from Harm

- 4.32 *While the 2003 Act does not prohibit children from having free access to any licensed premises, the Licensing Authority recognises that limitations may have to be considered where it appears necessary to protect children from harm. In particular the following are examples of situations that will raise concern where:*
- *there have been previous convictions for serving alcohol to minors or*
 - *with a reputation for underage drinking*
 - *there is a known association with drug taking or dealing*
 - *there is a strong element of gambling on the premises*
 - *entertainment of an adult or sexual nature is commonly provided*
 - *the supply of alcohol for consumption on the premises is the exclusive*
 - *or primary purpose of the services provided at the premises.*
- 4.33 *Following relevant representations the Licensing Authority will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:*
- *Limitations on the hours when children may be present*
 - *Age limitations (below 18)*
 - *Limitations or exclusion for all or part of the premises when certain activities are taking place*
 - *Requirements for an accompanying adult*
 - *Full exclusion of people under 18 from the premises when particular licensable activities are taking place*

4.36 *Licence holders are required to consider carefully ways to ensure that the sale of alcohol is restricted to those over the age of 18. Popular schemes include the 'Challenge 25 scheme' whereby if the individual looks under 25; they are required to prove that they are over the age of 18 when buying alcohol or tobacco. Acceptable forms of proof are: a photo card driver's licence, passport or PASS. PASS is the national guarantee scheme for proof-of-age, which is fully supported by the Home Office. Applicants are encouraged to introduce such schemes and detail them in operating schedules. The council may impose conditions requiring such schemes if relevant representation is received. Special care should be exercised and the licensed trade should be alert to counterfeit IDs and their fraudulent use.*

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
 - No representations were received from the public.

7. Relevant Representations

7.1 Detail of the relevant representation received is reproduced at **Appendix E**. It is considered to relate to the statutory licensing objectives as follows:

- Prevention of Crime & Disorder
- Public Safety
- Protection of Children from Harm

7.2 Sussex Police have made a detailed representation expressing a number of comments and concerns and have suggested a new set of licence conditions they see as appropriate to the grant of the later hours the application proposes. If the committee is of a mind to grant the application Sussex Police suggested a complete overhaul of the conditions of licence particularly regarding the provision of SIA security staff to ensure the venue promotes the licensing objectives.

7.3 The applicant and the responsible authority 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 was invited to mediate with Sussex Police.

8.3 The applicant and Sussex Police have been in mediation but have failed to reach agreement.

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 'Macmillan's Bar' situated at 3 Union Place, Worthing made on behalf of Mr Sam Cosgrove and give reasons for that determination.**

Director for Sustainability & Resources

Paul Brewer

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://assets.publishing.service.gov.uk/media/65a8f578ed27ca00d27b1f9/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf
- Worthing Borough Council's Statement of Licensing Policy
 - <https://www.adur-worthing.gov.uk/licensing-and-permits/consultations-policy-forum/policy-and-forum/#policy>

Appendices:

- Appendix A - Map & photos of the area.
- Appendix B - Plan of the building.
- Appendix C - Current Premises Licence
- Appendix D - The Variation Application Form.
- Appendix E - Representations received from the Responsible Authorities

Town Hall, Worthing

Ref: SJ/LicU/LA03/VAR – Macmillan's Bar

Date: 01 March 2024

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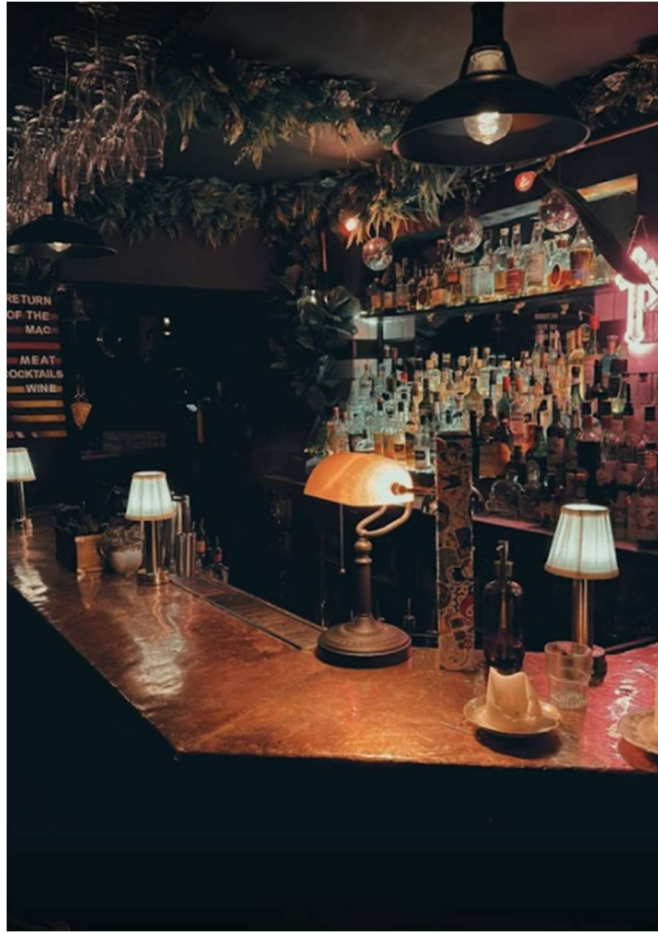
Appendix A – Map & Photos of Area

Appendix A – Map & Photos of Location



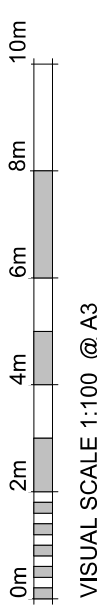






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Appendix B – Plan of Premises

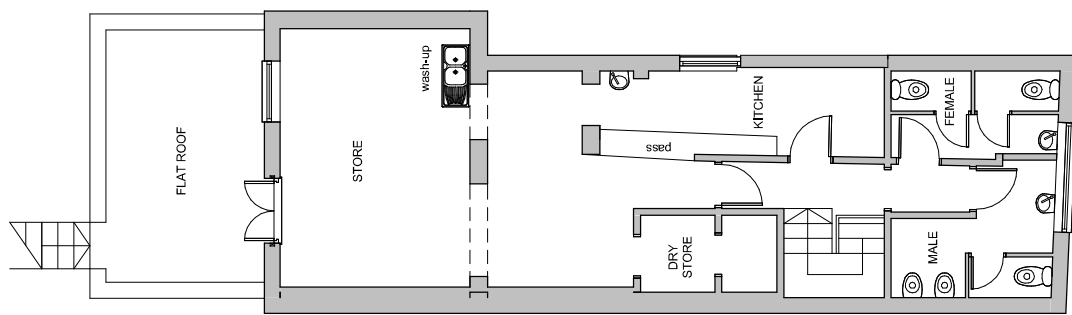


VISUAL SCALE 1:100 @ A3

KRONA DESIGN
 ARCHITECTURAL DESIGN & DRAFTING
 4 Union Place | Worthing | BN11 1LG
 info@kronadesign.co.uk | kronadesign.co.uk
 Tel: 01903 256150 Mob: 07827 994111

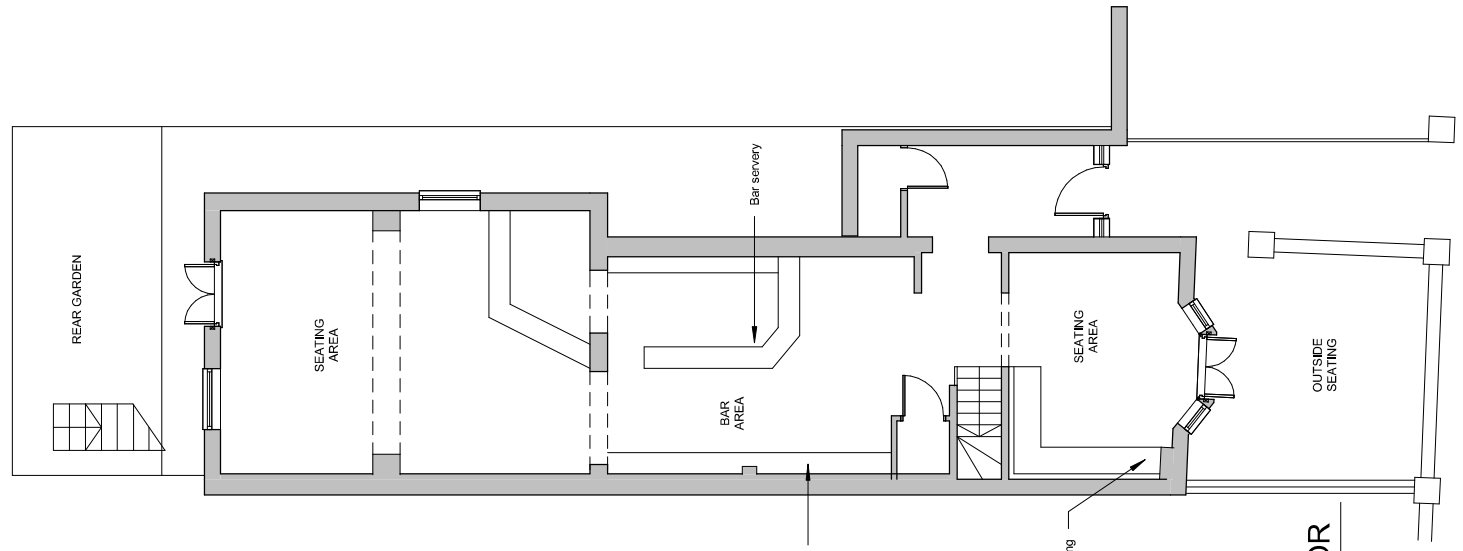
PROJECT		Restaurant Plans	
ADDRESS		MacMillans 3 Union Place Worthing	
TITLE		Existing Plans	
CLIENT Stay Saucy Company Ltd.			
DRAWN	STATUS	DATE	
JLB	Design	04/07/23	
SCALE (@ A3)		PROJECT NUMBER	
1 : 100		KD.1472	
DRAWING NUMBER			REV
A.100			

© KRONA DESIGN



FIRST FLOOR

2 1 : 100



GROUND FLOOR

1 1 : 100

Appendix C – Premises Licence



Premises Licence Number - [REDACTED]

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
Stacey's Dive Bar 3 Union Place Worthing BN11 1LG	
Telephone number	01903 602020

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 : Café Bar with Gardens & Balcony		
	From	To
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	01:30
Saturday	10:00	01:30
Sunday	10:00	00:30
Non Standard Times & Seasonal Variations	<ul style="list-style-type: none"> • No admittance after 23.00hrs on any day. • Christmas Eve 10.00hrs to 02.30hrs of the following morning. • New Year's Eve the premises may remain open from the normal closing time until opening time New Year's Day. • Extensions until 02.30hrs on 12 occasions a year in accordance with the provisions of the ACPO guidelines. 	

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

Part 2 – Premises Licence Holder Details

Name
Mr Sam Cosgrove

Registered Address
████████████████████ ██████████ ██████████████ ██████████
Telephone Number: ██████████
E-mail: info@staceysdivebar.co.uk

Registered number of holder
N/A

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

Name
████████████████████

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 : ████████████████████

Schedule 1 – Licensable Activities authorised by this Licence

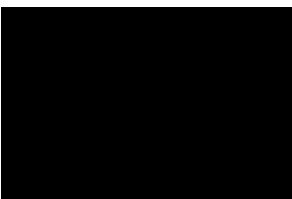
Times the licence authorises the carrying out of the licensable activities

Location :	Bar & Restaurant	
Activities :	Alcohol ON & OFF Sales/Supply (M)	
Day	Start	Finish
Sunday	10:00	00:00
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	01:00
Saturday	10:00	01:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • Christmas Eve 10.00hrs to 02.00hrs of the following morning. • New Year's Day from the end of permitted hours until the start of permitted hours New Year's Day. • Extensions until 02.00hrs on up to 12 occasions a year in accordance with the provisions of the ACPO guidelines. 		

Location :	Bar & Restaurant	
Activities :	Live Music (E)	
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		
<ul style="list-style-type: none"> • On an occasional basis limited to a maximum of one occasion per week. • Christmas Eve 19.00hrs to 00.00hrs. • New Year's Eve 19.00hrs to 01.00hrs of the following morning. 		

Location :	Bar & Restaurant	
Activities :	Recorded Music (F) Music Making Facilities (I) Dance Facility (J)	
Day	Start	Finish
Sunday	12:00	00:00
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	01:00
Saturday	10:00	01:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • Discos/DJ presentations limited to 1 occasion a week (open to the public.) • Open Microphone/Karaoke limited to 1 occasion a week. • Christmas Eve 10.00hrs to 02.00hrs of the following morning. • New Year's Eve 10.00hrs to 02.00hrs of the following morning • Extensions until 02.00hrs on up to 12 occasions a year in accordance with the provisions of the ACPO guidelines. 		

Location : Bar & Restaurant		
Activities : Late Night Refresh (L)		
Day	Start	Finish
Sunday	23:00	00:00
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	01:00
Saturday	23:00	01:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • Christmas Eve 23.00hrs to 02.00hrs of the following morning. • New Year's Day 23.00hrs to 02.00hrs of the following morning. • Extensions until 02.00hrs on up to 12 occasions a year in accordance with the provisions of the ACPO guidelines. 		

Signed 	Date : 14 July 2022
Authorised Officer (on behalf of the Licensing Authority)	

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

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 —

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

1. Permitted Hours

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

Restrictions

The above restrictions do not prohibit:

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

- a) during the first twenty minutes after the above hours the consumption of alcohol on the premises;
- b) during the first twenty minutes after the above hours, the taking of alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- c) during the first thirty minutes after the above hours the consumption of alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- d) consumption of alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
- f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- h) the taking of alcohol from the premises by a person residing there; or
- i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

1. Premises with no children's certificate-

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- a) He is the child of the holder of the premises licence.
- b) He resides in the premises, but is not employed there.
- c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of alcohol. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Source Section 168,171 and 201 Licensing Act 1964

3. 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 set out above, and on New Year's Eve until 05.00hrs on New Year's Day.

4. Recorded Music

Premises licensed for the sale and supply of alcohol may provide, at any time, regulated entertainment by the reproduction of wireless, including television broadcast and of public entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound.

Source Section 182 Licensing Act 1964

Annexe 2: Conditions Consistent with the Operating Schedule

1. 12 extensions are to be permitted a year in addition to the Temporary Event Notices allowed at the premise. These extensions of the hours for the sale of alcohol and provision of regulated entertainment are to be up until 02.00hrs in accordance with the ACPO guidance.
2. No more than 12 extensions per premises per year (excluding applications made under TENS) should be allowed. An operating plan covering the additional measures that will be taken to manage crime and disorder on these occasions to be completed:
 - A minimum of 7 days' notice to police and the licensing authority.
 - An absolute veto for police in respect of any of these occasions.
3. There will be a 30 minute period after the terminal hour for the sale of alcohol to allow the premise to be cleared of the public.
4. Admittance of customers to be restricted to before 23.00hrs every night.
5. In the case of an incident of public disorder requiring Sussex Police attendance a CCTV system will be installed and maintained within fourteen days of the incident. The system will cover the main bar servery and entrance together with image storage for at least 28 days.
6. The management will play an active part in Worthing Town Centre Pub-Watch.
7. Management & staff to receive training in the details of the Licensing Act 2003 and particularly the Licensing Objectives.
8. SIA door staff to be used when the venue operates for the sale of alcohol beyond 00.00 hours if requested by Sussex Police.
9. A zero tolerance drug policy to be enforced.
10. Glasses or opened bottles are not to be removed by customers from the premise.

11. All drinks to be supplied in toughened shatterproof glasses.
12. First aid kits to be provided & maintained.
13. Fire & safety equipment to be maintained under contract.
14. The rear garden & balcony to be cleared of customers by 23.00hrs on any day.
15. Doors and windows to be closed during the provision of regulated entertainment to prevent any noise leakage from premise if the type of entertainment warrants it. There will be regular monitoring outside premises by management to ensure no noise nuisance.
16. Signage will be installed in the entrance hall reminding patrons to leave quietly and have consideration for local residents.
17. No children under 16 allowed in Bar unless accompanied by a responsible adult.
18. Persons appearing under 21 to provide proof that they are over 18 to be served alcohol.

Annexe 3: Conditions attached after a hearing by the Licensing Authority

None.

Annexe 4: Plans

See attached plan.



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

Premises Licence Number - [REDACTED]

Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
Stacey's Dive Bar 3 Union Place Worthing BN11 1LG	
Telephone number	01903 602020

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 : Café Bar with Gardens & Balcony		
	From	To
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	01:30
Saturday	10:00	01:30
Sunday	10:00	00:30
Non Standard Times & Seasonal Variations	<ul style="list-style-type: none"> No admittance after 23.00hrs on any day. Christmas Eve 10.00hrs to 02.30hrs of the following morning. New Year's Eve the premises may remain open from the normal closing time until opening time New Year's Day. Extensions until 02.30hrs on 12 occasions a year in accordance with the provisions of the ACPO guidelines. 	

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

Premises Licence Holder Details

Name
[REDACTED]

Registered Address
[REDACTED]

Registered number of holder
N/A

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

Name
[REDACTED]

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]
Licensing Authority :	[REDACTED]

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 :	Bar & Restaurant	
Activities :	Alcohol ON & OFF Sales/Supply (M)	
Day	Start	Finish
Sunday	10:00	00:00
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	01:00
Saturday	10:00	01:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • Christmas Eve 10.00hrs to 02.00hrs of the following morning. • New Year's Day from the end of permitted hours until the start of permitted hours New Year's Day. • Extensions until 02.00hrs on up to 12 occasions a year in accordance with the provisions of the ACPO guidelines. 		

Location :	Bar & Restaurant	
Activities :	Live Music (E)	
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		
<ul style="list-style-type: none"> • On an occasional basis limited to a maximum of one occasion per week. • Christmas Eve 19.00hrs to 00.00hrs. • New Year's Eve 19.00hrs to 01.00hrs of the following morning. 		

Location :	Bar & Restaurant	
Activities :	Recorded Music (F) Music Making Facilities (I) Dance Facility (J)	
Day	Start	Finish
Sunday	12:00	00:00
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	01:00
Saturday	10:00	01:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • Discos/DJ presentations limited to 1 occasion a week (open to the public.) • Open Microphone/Karaoke limited to 1 occasion a week. • Christmas Eve 10.00hrs to 02.00hrs of the following morning. • New Year's Eve 10.00hrs to 02.00hrs of the following morning • Extensions until 02.00hrs on up to 12 occasions a year in accordance with the provisions of the ACPO guidelines. 		

Location : Bar & Restaurant		
Activities : Late Night Refresh (L)		
Day	Start	Finish
Sunday	23:00	00:00
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	01:00
Saturday	23:00	01:00
Non Standard Timings & Seasonal Variations		
<ul style="list-style-type: none"> • Christmas Eve 23.00hrs to 02.00hrs of the following morning. • New Year's Day 23.00hrs to 02.00hrs of the following morning. • Extensions until 02.00hrs on up to 12 occasions a year in accordance with the provisions of the ACPO guidelines. 		

Signe 	Date : 14 July 2022
Authorised Officer (on behalf of the Licensing Authority)	

Appendix D – Variation Application Form

* required information

Section 1 of 18

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 This is the unique reference for this application generated by the system.

Your reference 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

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

0

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe 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.

Extend the licensing hours to match our new planning permission.

Increase the Last entry time

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes
- No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes
- No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

SUNDAY

Start

End

Start

End

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 select 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.

Live music including DJ's, aswell as live music both acoustic and amplified.

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.

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

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

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

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 select 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.

DJ's playing during the above times but adhering to a noise management plan exceeding no more than 90db
Christmas Eve 10.00hrs to 03.00hrs of the following morning.
New Year's Eve 10.00hrs to 10.00hrs of the following morning

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.

Christmas eve until 03:00
new years eve until opening time the following morning

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

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

Christmas eve until 03:00
new years eve until opening time the following morning

Continued from previous page...

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

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 select 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.

Drinking alcohol on site after 23:00 until the times stated above.

State any seasonal variations.

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

Christmas Eve 23.00hrs to 03.00hrs of the following morning.
New Year's Day 23.00hrs to 10.00hrs of the following morning.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, 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 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Provide 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 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.

Christmas Eve 10.00hrs to 03.00hrs of the following morning.
New Year's Day from the end of permitted hours until the start of permitted hours New Year's Day.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, 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 14 of 18

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.

Provide 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.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations.

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

Christmas eve - 10:00-03:30

New Years Eves the premises will remain opening until the opening time new years day

No admittance after 00.00hrs on monday, tuesday, wednesday, Sunday.

No admittance after 01:00 on Thursdays

No Admittance after 02:00 on Fridays and Saturdays

Christmas eve no admittance after 02:30 on christmas day

New Years Eve No admittance after 04:00 on new years day

Christmas Eve 10.00hrs to 02.30hrs of the following morning.

New Year's Eve the premises may remain open from the normal closing time until opening time New Year's Day.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

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

Christmas eve - 10:00-03:30

New Years Eves the premises will remain opening until the opening time new years day

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

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

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

Continued from previous page...

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.

We will be a part of pubwatch and work with the other bars to ensure that all licensing objectives are met.

b) The prevention of crime and disorder

we will have SIA on site on Friday and Saturday nights to maintain a presence both for us and the passing community

c) Public safety

Our SIA staff and regular staff prioritise safety both for themselves and the public they are experienced at spotting issues and will report anything irregular

d) The prevention of public nuisance

The SIA Staff will eject anyone that is being unruly as well as refusing entry to anyone on pubwatch or who seem intoxicated.

e) The protection of children from harm

No under 18s will be permitted to drink alcohol and we operate a check 25 policy.

Section 17 of 18

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 18 of 18

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.

Variation 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

If you own a large premise 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 (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* 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	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

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/change-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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Appendix E – Responsible Authority Representations



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

Tel: 01273 404 030

WS_Licensing_WOR@sussex.pnn.police.uk

19th February 2024

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 3 UNION PLACE, WORTHING, WEST SUSSEX, BN11 1LG. PREMISES KNOWN AS MACMILLANS AND STACEY'S DIVE BAR. 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, public safety and the protection of children from harm.

This variation application seeks to extend the permitted hours for licensable activities and to extend the last entry time as follows:

Open Hours Existing Hours New Hours being applied for

NC = No Change

For the purposes of NC, + or – we have taken into account the finish times only

Monday	10:00	00:30	10:00	00:30	NC
Tuesday	10:00	00:30	10:00	00:30	NC
Wednesday	10:00	00:30	10:00	00:30	NC
Thursday	10:00	00:30	10:00	01:30	+1
Friday	10:00	01:30	10:00	02:30	+1
Saturday	10:00	01:30	10:00	02:30	+1
Sunday	10:00	00:30	10:00	00:30	NC

On Christmas Morning the premises may stay open until 03:30.

On New Year’s morning the premises may stay open around the clock until 10:00 and then thereafter continuously until closing time on the 2nd January.

Supply of alcohol on and off

Monday	10:00	00:00	10:00	00:00	NC
Tuesday	10:00	00:00	10:00	00:00	NC
Wednesday	10:00	00:00	10:00	00:00	NC
Thursday	10:00	00:00	10:00	01:00	+1
Friday	10:00	00:00	10:00	02:00	+2
Saturday	10:00	01:00	10:00	02:00	+1
Sunday	10:00	01:00	10:00	00:00	-1

On Christmas Morning supply of alcohol until 03:00.

On New Year’s morning supply of alcohol around the clock until 10:00 and then thereafter continuously until cessation of supply of alcohol on the 2nd January.

Live Music

Monday	19:00	23:00	19:00	00:30	+ 1.5
Tuesday	19:00	23:00	10:00	00:30	+ 1.5
Wednesday	19:00	23:00	10:00	00:30	+ 1.5
Thursday	19:00	23:00	10:00	01:30	+ 2.5
Friday	19:00	23:00	10:00	02:30	+3.5
Saturday	19:00	23:00	10:00	02:30	+3.5
Sunday	19:00	23:00	10:00	00:30	+1.5

On Christmas Morning live music until 03:00.

On New Year's morning live music around the clock until 10:00 and then thereafter continuously until cessation of live music on the 2nd January.

Recorded music

Monday	12:00	00:00	10:00	00:30	+0.5
Tuesday	10:00	00:00	10:00	00:30	+0.5
Wednesday	10:00	00:00	10:00	00:30	+0.5
Thursday	10:00	00:00	10:00	01:30	+1.5
Friday	10:00	00:00	10:00	02:30	+2.5
Saturday	10:00	01:00	10:00	02:30	+1.5
Sunday	10:00	01:00	10:00	00:30	-0.5

On Christmas morning live music until 03:00.

On New Year's morning live music until 10:00.

Late Night Refreshment

Monday	23:00	00:00	23:00	00:00	NC
Tuesday	23:00	00:00	23:00	00:00	NC
Wednesday	23:00	00:00	23:00	00:00	NC
Thursday	23:00	00:00	23:00	01:00	+1
Friday	23:00	00:00	23:00	02:00	+2
Saturday	23:00	01:00	23:00	02:00	+1
Sunday	23:00	01:00	23:00	00:00	-1

On Christmas Morning late night refreshment until 03:00.

On New Year's late night refreshment until 05:00.

The existing conditions on the premises licence are very old and out of date by current modern standards. The new conditions offered by the applicant in part M of their application consist of a one sentence statement under each licensing objective.

Subsequently Sussex Police Licensing have approached the applicant with a new set of proposed modern conditions to go on the new varied licence with the additional hours being applied for. Following discussions with Mr Price who acts for the applicant, a number of amendments were made to the draft conditions. The conditions set out below are the amended conditions we have provisionally agreed with Mr Price, subject to his final written confirmation.

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

Annexe 2: Conditions Consistent with the Operating Schedule

1. 12 extensions are to be permitted a year in addition to the Temporary Event Notices allowed at the premise. These extensions of the hours for the sale of alcohol and provision of regulated entertainment are to be up until 02.00hrs in accordance with the ACPO guidance.
2. No more than 12 extensions per premises per year (excluding applications made under TENS) should be allowed. An operating plan covering the additional measures that will be taken to manage crime and disorder on these occasions to be completed:
 - A minimum of 7 to police and the licensing authority.
 - An absolute veto for police in respect of any of these occasions.
3. There will be a 30 minute period after the terminal hour for the sale of alcohol to allow the premise to be cleared of the public.
4. Admittance of customers to be restricted to before 23.00hrs every night.
5. In the case of an incident of public disorder requiring Sussex Police attendance a CCTV system will be installed and maintained within fourteen days of the incident. The system will cover the main bar servery and entrance together with image storage for at least 28 days.
6. The management will play an active part in Worthing Town Centre Pub-Watch.
7. Management & staff to receive training in the details of the Licensing Act 2003 and particularly the Licensing Objectives.
8. SIA door staff to be used when the venue operates for the sale of alcohol beyond 00.00 hours if requested by Sussex Police.
9. A zero tolerance drug policy to be enforced.
10. Glasses or opened bottles are not to be removed by customers from the premise.
11. All drinks to be supplied in toughened shatterproof glasses.
12. First aid kits to be provided & maintained.
13. Fire & safety equipment to be maintained under contract.
14. The rear garden & balcony to be cleared of customers by 23.00hrs on any day.
15. Doors and windows to be closed during the provision of regulated entertainment to prevent any noise leakage from premise if the type of entertainment warrants it. There will be regular monitoring outside premises by management to ensure no noise nuisance.
16. Signage will be installed in the entrance hall reminding patrons to leave quietly and have consideration for local residents.

17. No children under 16 allowed in Bar unless accompanied by a responsible adult.

18. Persons appearing under 21 to provide proof that they are over 18 to be served alcohol.

To be replaced by:

Last entry times (NB: these times are those offered in the applicant's variation application):

- No entry to the premises after midnight on a:
 - Sunday night (24:00)
 - Monday night (24:00)
 - Tuesday night (24:00)
 - Wednesday night (24:00)
- 01:00 on a Friday morning
- 02:00 on a Friday morning
- 02:00 on a Saturday morning
- Christmas Day morning– no admittance after 02:30.
- New Year's Day – no admittance after 04:00.

The Prevention of Crime & 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 front of the premises and the area where door staff meet and greet new entrants before allowing them entry or refusing admission.
- any outside areas including the outside patio area at the front of the premises and any smoking area.
- all public stairs.
- The entrances to all toilets to which the public have access (but not inside the toilets)
- Any Quiet Room/Safe Room/recovery area/office or other area where members of the public may be taken.

The system shall be on and recording at all times the premises licence is in operation plus one hour after close to cover dispersal of customers from the venue.

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

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.

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), or upload CCTV footage to Sussex Police Digital media systems via the internet for the police without difficulty or delay and without charge to Sussex Police. The CCTV system will have internet connectivity, in order to facilitate the uploading of requested footage to Sussex Police Digital media systems.

Any breakdown or system failure will be notified to the police licensing team immediately (and a receipt or acknowledgement from police licensing obtained and retained) & 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.

The maximum number of persons permitted on the premises at any one time shall not exceed the safe capacity figures prescribed following the requisite Fire Safety Risk Assessment.

SIA Door Staff

Security Industry Authority (SIA) door supervisors must be deployed at the premises in accordance with the following requirements:

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.

On Christmas Eve and New Year's Eve when the seasonal variation extension of hours is used.

At any time when the licence holder identifies by way of a suitable and sufficient written risk assessment that SIA door supervisors and/or other security measures are necessary on any day of the week at any time in addition to the above.

The written risk assessment 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 drinking vessels, ticket only events, entry restrictions and last entry times.

The written risk assessment will be kept on the premises and made available immediately upon request to officers of any responsible authority.

Door staff will wear a clearly defined neon arm band to hold their SIA badges to make it obvious who the door staff are.

All SIA registered door supervisors shall wear and operate body worn video cameras with a recording facility. 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 at ground level. 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.

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.

When persons are restrained or ejected from the premises, this will always be done via rooms, corridors and entrances that are properly lit and covered by premises CCTV cameras. There will be no restraints or ejections from the premises through rooms, corridors or entrances at the front or rear of the premises not covered by CCTV, or ejections where the person is taken out of the building into an area not covered by external CCTV.

There shall be regular (at least once during every hour from 21:00 until close) patrols of the customer trading areas, smoking area and WCs to ensure that customer behaviour is not in breach of the law or venue policies or harming the licensing objectives. These patrols will be recorded in writing in the incident book. Door supervisors will be instructed to have particular regard to the care of vulnerable persons particularly anyone who appears to be drunk, incapacitated and potentially vulnerable due to excessive alcohol consumption and/or drug misuse. If it is necessary to eject them, they will be peaceably ejected from the premises as long as an on the spot risk assessment is clear that the person will not be vulnerable and at risk

when placed outside. If necessary (and especially in the case of vulnerable women), a taxi will be called, and the person escorted to and put into the taxi to be taken home. Door supervisors will be aware of the need to call the emergency services if necessary.

The premises management will ensure that any crime scene is preserved (without being cleaned), and cordoned off to preserve evidence until the police arrive.

All such training undertaken by staff members shall be fully documented/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.

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.

Door supervisors will be trained on the following subjects:

- training awareness of drink spiking, violence against women and girls and the care and protection of all vulnerable persons, welfare and vulnerability engagement
- drugs awareness.
- The preservation of crime scenes pending police arrival.
- Persons on the Worthing pub watch banned list (in the event that the scanning machine is not working).

These training records will be kept on the premises and shall be made available to the local licensing authority and/or Sussex Police upon request.

Outside smoking area:

A member of the SIA door staff will monitor and actively patrol the smoking area while the premises licence is in operation or until the area has been emptied of patrons at closing time, and ensure that persons using the outside smoking area do not create noise that disturbs nearby residential properties.

Patrons will not be permitted to take drinks in open containers to consume outside on the pavement/public highway beyond the licensed area of the premises whilst smoking or otherwise congregating outside of the premises beyond the licensed area. Departing customers must not be permitted to take drinking receptacles or opened bottles outside the premises.

Drugs and weapons policy:

The management and premises will have an absolute zero tolerance policy towards drugs and drugs misuse. Any illegal drugs seized will be stored in a secure 'drugs box', with all deposits and removals from the drugs box full documented with the date, time, description of item and the name of the person inputting or removing each item clearly printed in a log book. The log book will be kept on the premises and made available for inspection by officers of any responsible authority.

Individuals found to have drugs or weapons in their possession will be banned from the premises. Their details will be promptly passed on to the Pubwatch organiser.

Anyone suspected of dealing drugs will be detained at the premises and the police called.

Weapons taken from customers will be stored securely and delivered to the police in a manner agreed with the police.

The management will permit the police to use drugs detection process e.g. and 'ION Track' machine or similar device inside the premises to detect the illegal use of drugs and will sign a Police consent form.

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 must 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, together with the name, job title and name of the responsible authority which the visitor represents.

The premises will be active and participating members of the local pub watch or Business Crime Reduction Partnership if one of these schemes is operating in the area. The premises will operate and enforce the local pub watch banned list.

The premises management will ensure that any crime scene is preserved (without being cleaned), and cordoned off to preserve evidence until the police arrive.

The Protection of Children from Harm

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.

Suitable and sufficient signage advertising the Challenge 25 policy will be displayed in prominent locations in the premises.

The Premises Licence Holder shall ensure that all staff members engaged, or to be engaged, in selling alcohol at the premises shall receive the following 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
- training awareness of drink spiking, violence against women and girls and the care and protection of all vulnerable persons, welfare and vulnerability engagement
- drugs awareness.
- The preservation of crime scenes pending police arrival

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.

Admission of children to the premises

Under 16s must be accompanied by a responsible adult at all times whilst on the premises.

No under 18s (including customers and staff/employees) will be permitted on the premises in any circumstances after 22:00.

We have had some provisional discussions with the applicant's agent [REDACTED]. There is one key point on which we disagree (we anticipate, subject to the applicant's confirmation, that they agree to the rest of our conditions requested above...), which is the proposed new condition below:

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.

Our view is that for mutual aid and protection there should always be a minimum of two SIA registered door supervisors on duty. Inevitably door staff will deal with conflict including refusing entry to people at the door, and ejecting (with reasonable force if necessary) problem customers. Thus it will be immediately apparent to a Committee that in line with accepted industry good practice, there should always be a minimum of two door SIA door staff. One member of door staff working alone will inevitably be vulnerable and at risk of assault and possible injury if they are expected to refuse entry and eject problem persons (who may be in groups of two or more....) working on their own.

We appreciate that there is a cost implication in employing two door staff and we do not make this request lightly. However ultimately the safety and welfare of both door staff and the customers and premises employees they are protecting is paramount.

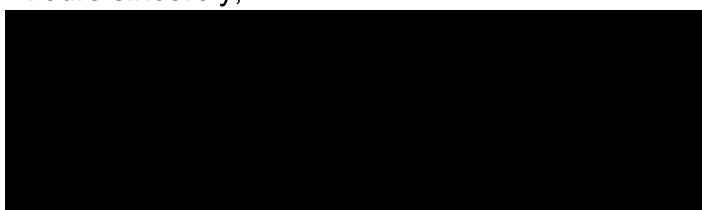
The premises however have declined to accept this specific condition, arguing that the premises is food led, and is a high class cocktail lounge that will not require two door staff. However when asked the premises has declined to have a restaurant condition (alcohol served by waiter/waitress to customers seated at tables and ancillary to a table meal only).

Ultimately our view is that if the premises wants to have a pub or a bar trading at weekends until 02.30 in the morning, and around the clock on New Year's Eve into New Year's Day, then a minimum of two SIA door staff is required for safety reasons. We have no doubt that the premises will be food led and will be an upmarket cocktail bar. However with the new varied licence as being applied for, the premises can immediately change into a bar or pub with live music. Equally problem customers who may well have been ejected from other nearby premises are probably not going to be discouraged from trying to enter this premises based on the owner's perception (as genuine and in good faith as it may be) that it is a high class cocktail bar.

Our view that a minimum of two SIA door staff are required as a minimum (as opposed to one) is fully endorsed by The Security Industry Authority.

Accordingly variation application will now go to a Committee hearing for a decision.

Yours sincerely,



**West Sussex Licensing Inspector
Sussex Police**