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From: **Peter Aston** <[peter.aston@westsussex.gov.uk](mailto:peter.aston@westsussex.gov.uk)>

Date: Tue, 19 Apr 2022 at 13:08

Subject: RE: LA 2003 Premises Licence Review Application - Om Food & Wine, Worthing

To: Simon Jones <[simon.jones@adur-worthing.gov.uk](mailto:simon.jones@adur-worthing.gov.uk)>

Cc: A&W Licensing Unit <[licensing.unit@adur-worthing.gov.uk](mailto:licensing.unit@adur-worthing.gov.uk)>

Dear Simon,

Please find attached our evidence bundle for the licence review on the 8<sup>th</sup> June.

Regards

Peter

**Peter Aston**

Trading Standards Team Manager

Trading Standards, West Sussex County Council

4<sup>th</sup> Floor, Parkside, Chart Way, Horsham, West Sussex, RH12 1XH

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**From:** Simon Jones <[simon.jones@adur-worthing.gov.uk](mailto:simon.jones@adur-worthing.gov.uk)>

**Sent:** 24 March 2022 15:32

**To:** [REDACTED]

**Cc:** A&W Licensing Unit <[licensing.unit@adur-worthing.gov.uk](mailto:licensing.unit@adur-worthing.gov.uk)>; Peter Aston <[peter.aston@westsussex.gov.uk](mailto:peter.aston@westsussex.gov.uk)>

**Subject:** LA 2003 Premises Licence Review Application - Om Food & Wine, Worthing

**\*\*EXTERNAL\*\***

Dear Mr Kodeswaran

**Re: LA 2003 Premises Licence Review Application**

**Premises:** Om Food & Wine, 123 Clifton Road, Worthing, West Sussex, BN11 4DP (formerly known as Clifton Food & Wine)

**Premises Licence No:** [REDACTED]

**Licence Holder:** [REDACTED]

**Designated Premises Supervisor:** [REDACTED]  
**Applicant: West Sussex Trading Standards Service**

Please see attached an application from Trading Standards for a Review of the above Premises Licence. The application is seeking revocation of the licence. I've enclosed a copy of the application. The application contends that the licence holder has failed to promote the licensing objectives by selling alcohol to persons under 18 years of age in contravention of Section 146 of the Licensing Act 2003 during a test purchase operation.

When considering an application for a review the following options are available to the Licensing Authority:

- Take no action.
- Issue an informal warning to the licence holder and/or recommend improvement within a particular period of time.
- Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition).
- Exclude a licensable activity from the scope of the licence.
- Remove the designated premises supervisor because they consider the problems are the result of poor management.
- Suspend the licence for a period not exceeding three months
- Revocation of the licence.

In this instance, as stated, Trading Standards are seeking the revocation of the licence.

The application will now be subject to a 28 day consultation period closing at midnight on 20 April 2022. During which time the Responsible Authorities and public can make written representation regarding the application.

A hearing has been pencilled in for the Licensing & Control Committee to consider this application for 18 May 2022 at 18.30 hrs though this is subject to confirmation. The Legal Notices confirming the hearing will be sent to you 10 working days prior to the hearing together with the committee papers & reports and will include all relevant representations, both for and against the application, received within the consultation period.

You are welcome to forward any written information to support your case you want presented to the Licensing & Control Committee at any time prior to the hearing date but I must stress any representations from the public must be made in writing directly to the Licensing Unit prior to the close of consultation on 20 April to be accepted.

In addition the Licensing Act 2003 encourages mediation and you, or your solicitor, might want to consider contacting Trading Standards to see if a mediated solution to this matter could be found though I should point out that a Licensing & Control Committee hearing must now take place even if a mediated agreement is reached but if a mutually agreeable solution can be found then the Licensing & Control Committee would be recommended to impose that agreement.

You will be expected to attend the hearing and will be given the opportunity to address the Committee. You can be represented at the hearing but if you do not attend, the hearing may go ahead without you. When dealing with a Licensing Act 2003 Review application I would always advise the Licence holder to take independent legal advice. Information regarding licence reviews can be found at: <https://www.adur-worthing.gov.uk/licensing-and-permits/consultations-policy-forum/reviews-and-hearings/>

Any queries please do not hesitate to contact me.

Regards

**Simon Jones**

Team Leader - Licensing, Adur & Worthing Councils  
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Email: [simon.jones@adur-worthing.gov.uk](mailto:simon.jones@adur-worthing.gov.uk)  
Website: <http://www.adur-worthing.gov.uk/licensing-and-permits/>  
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