



Licensing & Control Committee B

Sub-Committee

26 October 2022

Ward: Heene

Licensing Act 2003 – Application for a new Premises Licence

**'Ideal Supermarket'
55-57 Rowlands Road, Worthing, BN11 3JN**

Report by the Director for Communities

1. Recommendation

- 1.1 That a Sub Committee of Licensing & Control Committee "B" consider and determine the application made by:

Mr Shaswar Mohammed Ranjbari

for a new Premises Licence to authorise the sale of alcohol at his new convenience store.

2. Reasons for Hearing

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

3. Background

- 3.1 An application was made by Mr Ranjbari to the Licensing Authority, Worthing Borough Council, on 7 September 2022 for the grant of a new premises licence to allow licenseable activity at a new convenience store.
- 3.2 Mr Ranjbari had previously applied for a premises licence on 16 August but had failed to display public notices, advertise the application in a local newspaper and provide the supporting documentation required. This application had duly been rejected on 5 September 2022. This subsequent application has been properly made.

- 3.3 The applications were made after the applicant secured the use of the double commercial unit in Rowlands Road which had formerly been used as an art studio. The property has residential accommodation above.
- 3.4 Rowlands Road is a busy mixed commercial/residential street running east to west from Montague Street to Heene Road. It contains a large and varied selection of small independent shops, salons, galleries, cafes, restaurants, bars and offices. The southern side of the street is mainly commercial at this location with controlled on street parking and some residential flats above the commercial units. The north side of the road at this location is mainly residential houses, flats and bedsits.
- 3.5 Attached to the report are:
- A plan & photos of the area (Appendix A)
 - A plan of the site (Appendix B)
 - A copy of the application (Appendix C)
 - The representations made by the Responsible Authorities (Appendix D)

4. The Application

- 4.1 The Application is attached at Appendix C. However, in summary, the application is seeking authorisation for:

The sale of alcohol for consumption off the premises:

- Sale of alcohol:
 - 08:00 hrs to 00:00 hrs (midnight) Monday - Saturday
 - 09:00 hrs to 00:00 hrs (midnight) Sunday
- Opening to the Public:
 - 08:00 hrs to 00:00 hrs (midnight) Monday - Saturday
 - 09:00 hrs to 00:00 hrs (midnight) Sunday

- 4.2 As recommended by the Guidance issued under section 182 of the Licensing Act 2003 the applicant has completed an operating schedule as to how it is intended to address the Licensing Objectives if this application were granted.

- 4.3 The proposed designated supervisor (DPS) is [REDACTED] who has a Personal Licence issued by Hastings Borough Council.

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.*

Prevention of Public Nuisance

- 4.24 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of disturbances impacting upon people living, working or sleeping in the vicinity of the premises or wider afield.
- 4.25 Noise disturbance can arise from entertainment or activities held within licensed premises and also from people or motor vehicles outside licensed premises. The Council will expect Operating Schedules to address these issues. Advice and guidance can be obtained from Licensing Officers or the Council's Environmental Protection Team. If representations are received the Council may utilise appropriate conditions to control noise disturbance and the use of such conditions will depend upon the activities/entertainment/hours of operation proposed; the nature of the locality; and existing background noise levels and ambient noise levels. Noise control conditions may include the satisfactory sound insulation of licensed premises; compliance with maximum noise levels; and limiting hours of operation.
- 4.26 When addressing public nuisance the applicant should initially identify any particular issues (having regard to their particular type/construction of their premises, proposed activities and nature of locality) which are likely to adversely affect the promotion of the objective to prevent public nuisance. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule.
- 4.27 Anti-social behaviour such as excessive noise from access and egress or patrons littering should also be addressed in the Operating Schedule.

Designated Premises Supervisors

- 5.31 The 2003 Act provides that, where a Premises Licence authorises the supply of alcohol, a mandatory condition is that no supply of alcohol may be made at a time when no Designated Premises Supervisor has been specified on the licence. That individual must hold a valid Personal Licence.
- 5.32 The Licensing Authority expects that the Designated Premises Supervisor (DPS) will spend a significant amount of time on the licensed premise. When not on the premise and unless exceptional circumstances prevail, the DPS must be contactable.

DEMAND, SATURATION & HOURS

- 6.1 In accordance with the Government's guidance the Council recognises that demand is not a relevant criterion in considering an application under the Act.
- 6.4 Consideration will be given to imposing stricter conditions in respect of noise control where premises are situated in mainly residential areas. This will particularly apply in circumstances where, having regard to the location, size and

nature of the licensed premises, it is likely that disturbance will be caused to residents in the vicinity of the premises, or its environs, by concentrations of people either present or leaving during normal night-time sleeping periods (23.00hrs to 07.00hrs).

SPECIFIC CONSIDERATIONS

Alcohol – On & Off Sales

- 7.1 *It is now a mandatory condition that all licence holders selling alcohol put in place an age verification policy for the premises. In some circumstances the Licensing Authority will impose, where necessary to promote the Licensing Objectives, implicit conditions on the checking of the age of those who appear under 21 or 25 to ensure that alcohol is not sold to those under 18 years of age.*
- 7.2 *Licence holders need to have sufficient day to day control of operations at their premises. They will be held responsible for breaches of the licence and ensuring there is adequate staffing and training. The authorities will continue to use young people for the ‘test purchasing’ of alcohol and CCTV evidence, which has proved its usefulness in prosecutions for unlawful sales of alcohol. The likely consequences of a Review of licence for underage sales include the imposition of additional conditions such as the attendance of a personal licence holder, licence suspensions and in some cases revocation to act as deterrence.*

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
 - West Sussex Trading Standards Service
 - A&W Environmental Protection Team
- Other Persons
 - None

7. Relevant Representations

- 7.1 Detail of the relevant representation received is reproduced at Appendix D. They are considered to relate to the statutory licensing objectives as follows:
 - Prevention of Crime & Disorder
 - Prevention of Public Nuisance
 - Protection of Children from Harm

- 7.2 West Sussex Trading Standard Service, [REDACTED] has objected to the granting of this licence

stating that the service does not have confidence the licensing objectives will be promoted if licensable activities are permitted at these premises.

[REDACTED]

- 7.3 Sussex Police made a number of comments and invites the Sub-Committee to refuse the application
- [REDACTED]

[REDACTED] However, if members were of a mind to grant a licence Sussex Police have listed a number of conditions in their representation that they consider are required to enable this premises to meet the licensing objectives.

- 7.4 The A&W Councils' Environmental Protection Team have made a representation objecting to the midnight terminal hour applied for. Highlighting the low noise levels currently present late at night at this location and the probability that this premises trading until midnight seven days a week will cause a noise nuisance to local residents.
- 7.5 The applicant and all those that made relevant representations have been formally notified of this hearing and invited to attend.

8. Mediation

- 8.1 The Licensing Act 2003 encourages mediation.
- 8.2 I am unaware of any mediation being conducted between the applicant and any of the responsible authorities at the time this report was drafted but members will be informed if there are any developments.

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 premises licence the following options are available to the Sub-Committee:

- Grant the licence, as requested,
- Grant the licence, as requested, with additional conditions appropriate to the promotion of the specific licensing objectives on which relevant representations have been received.
- Reject the whole or part of the application.

Members may also:

- Grant the licence but exclude certain licensable activities from the licence,
- Refuse to specify a particular person as a premises supervisor,
- Approve different parts of the premises for different activities.

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:

- (1) The applicant may appeal against any decision to modify the conditions of the licence.
- (2) The applicant may appeal against a rejection in whole or part of an application.
- (3) 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 Sub-Committee, must be considered against the backdrop of anti-discriminatory legislation, such as the Equality Act 2010 and also in accordance with the Council's stated policy on Equal Opportunities.
- 10.6 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 new Premises Licence made by Mr Shaswar Mohammed Ranjbari for his new convenience store known as the 'Ideal Supermarket' situated at 55-57 Rowlands Road, Worthing and give reasons for that determination.**

**Director for Communities
Tina Favier**

Principal Author and Contact Officer:

Simon Jones
PH&R Team Leader - Licensing
Tel: 01273 263191 or simon.jones@adur-worthing.gov.uk

Background Papers:

- Licensing Act 2003
<https://www.legislation.gov.uk/ukpga/2003/17/contents>
- Guidance issued under section 182 of the Licensing Act 2003
<https://www.gov.uk/government/publications/licensing-act-2003-amended-guidance-is-suited-under-section-182>
- Worthing Borough Council's Statement of Licensing Policy
<http://www.adur-worthing.gov.uk/licensing-and-permits/consultations-policy-forum/policy-and-forum/>

Appendices:

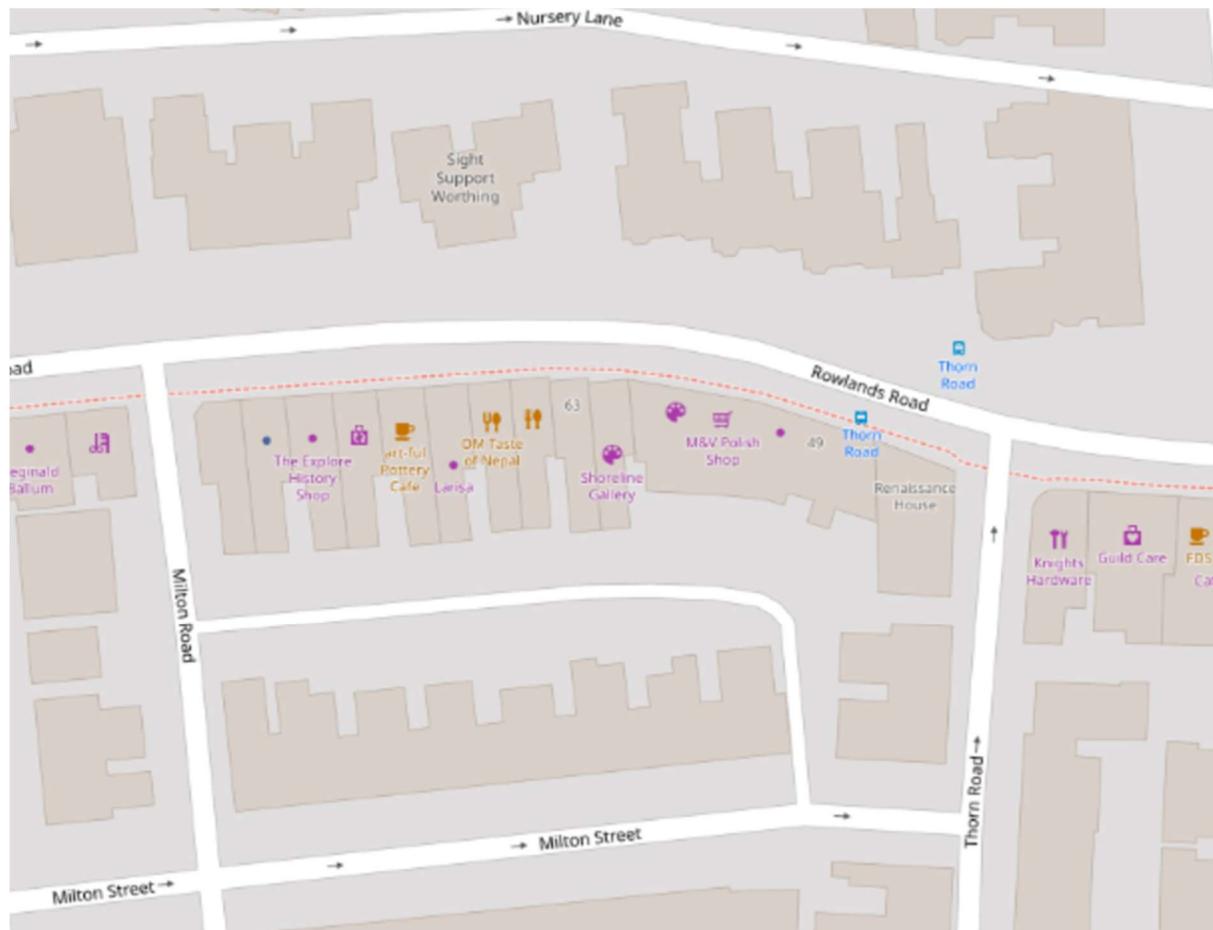
- Appendix A - Plan & photos of the area
- Appendix B - Plan of the site.
- Appendix C - The Application Form.
- Appendix D - Representation received from the Responsible Authority

Portland House, Worthing

Ref: SJ/Lic.U/LA03/NEW – Ideal Supermarket

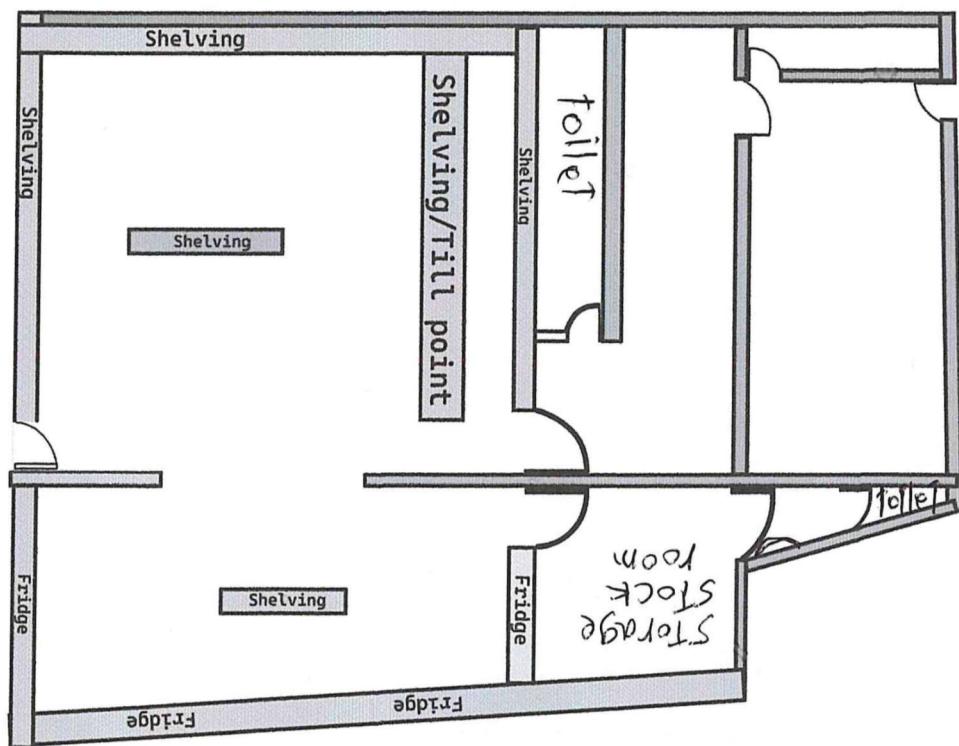
Date: 13 October 2022.

Appendix A Plan & Photos of Area





Ideal Supermarket





ADUR & WORTHING COUNCILS

Adur & Worthing Councils
Licensing Unit
RECEIVED

07 SEP 2022

Public Health & Regulation – Licensing Unit Initials
Portland House, 44 Richmond Road, Worthing, BN11 1HS

Licensing Act 2003 - New Premises Licence Application pack including Application Form & Designated Premises Supervisor Consent

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We SHASWAR MOHAMMED RANSBARI (insert name(s) of applicant)
apply for a premises licence under section 17 of the Licensing Act 2003 for the premises
described in Part 1 below (the premises) and I/we are making this application to you as the
relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
55-57 ROWLANDS ROAD, WORTHING, SUSSEX	
TOWN LOCATION SITUATED BETWEEN OTHER RETAILERS	
Post town	Post code
WORTHING	BN11 3JN

Telephone number at premises (if any)

<input type="text"/>	<input type="text"/>
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Non domestic rateable value of premises

<input type="text"/> f	<input type="text"/>
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Part 2 – Applicant Details

Please state whether you are applying for a Premises Licence as:

- a) an individual or individuals*
- b) a person other than an individual*
 - i. as a limited company
 - ii. as a partnership
 - iii. as an unincorporated association or
 - iv. Other (for example a statutory corporation)
- c) a recognised club
- d) a charity
- e) The proprietor of an educational establishment
- f) A health service body
- g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital
- h) The chief officer of police of a police force in England and Wales

Please tick ✓

please complete section (A)

please complete section (B)

Please tick ✓

*If you are applying as a person described in (a) or (b) please confirm:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - Statutory function; or
 - A function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

RANJBARI

First names

SHASWAR

Date of Birth:
[REDACTED]

Nationality

[REDACTED]

[REDACTED]

Current postal address
if different from
premises address

[REDACTED]

Post Town

[REDACTED]

Daytime contact telephone number

[REDACTED]

Email address (optional)

[REDACTED]

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

[REDACTED]

First names

[REDACTED]

Date of Birth:

I am 18 years old or over

Please tick ✓

Nationality

[REDACTED]

Current postal address
if different from
premises address

[REDACTED]

Post Town

[REDACTED]

Postcode

[REDACTED]

Daytime contact telephone number

[REDACTED]

Email address (optional)

[REDACTED]

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
30	10	2022

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

If 5000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please give a general description of the premises (please read guidance note 1)

What licensable activities do you intend to carry on from the premises?
 (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick ✓

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performance of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

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Sale by retail of alcohol (if ticking yes, fill in box J)

<input checked="" type="checkbox"/>

In all cases complete boxes K,L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Both					
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat					
Sun					

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e),(f) or(g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing			
			Will this entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within e), f) or g) at different times to those listed in the column on the left, please list. (please read guidance note 5)			
Sat						
Sun						

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)			
					Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 5)			
Sat						
Sun						

J

Sale of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	<input checked="" type="checkbox"/>
Mon	8	- 12		Both	
Tue	8	- 12			
Wed	8	- 12			
Thur	8	- 12	Non standard timings. Where you intend to use the premises for the sale of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri	8	- 12			
Sat	8	- 12			
Sun	9	- 12			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor. (Please see declaration about entitlement to work in the checklist at the end of the form)	
Name:	[REDACTED]
Date of Birth:	[REDACTED]
Address:	[REDACTED]
Postcode:	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	[REDACTED]

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	8 - 12		
Tue	8 - 12		
Wed	8 - 12		
Thur	8 - 12		Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5)
Fri	8 - 12		
Sat	8 - 12		
Sun	9 - 12		

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)

b) The prevention of crime and disorder

TO INFORM THE POLICE OF ANY CRIMINAL ACTIVITY OBSERVED, OR ANY ANTI SOCIAL BEHAVIOUR.

c) Public safety

ANY FIRE ISSUE WILL BE REPORTED TO FIRE BRIGADE.
ANY BODY INJURED IN THE PREMISES WILL BE GIVEN ASSISTANCE IF REQUIRED AMBULANCE ASSISTANCE.

d) The prevention of public nuisance

ENSURING NO ONE LOITERS AROUND THE SHOP OR OUTSIDE THE SHOP CAUSING NUISANCE TO LOCALS AND PEOPLE PASSING BY.

e) The protection of children from harm

WE WILL ENSURE WE STRICTLY ABIDE BY THE RESTRICTION LEGISLATION AND A POLICY OF ASKING ANYBODY LOOKING UNDER 25 TO PROVIDE PROOF IN FORM OF DRIVING LICENCE PASSPORT
REFUSAL BOOK KEPT AND MAINTAINED.

Checklist:**Please tick ✓**

- I have made or enclosed payment of the fee
- I have enclosed a plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the proposed premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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 (UNLIMITED) AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 - Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 12). If signing on behalf of the applicant please state in what capacity.

Declaration

- [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
- The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)



Signature:

Date: *6/09/22*Capacity: *OWNER*

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for guidance

1. 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.
2. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.

- 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give 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.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give 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 or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Information on the Licensing Act 2003 is available on the website of the Home Office
<http://www.homeoffice.gov.uk/>

or from

Public Health & Regulation (Licensing Unit)
Adur & Worthing Councils
Portland House
44 Richmond Road
Worthing, BN11 1HS
Telephone: 01903 221068 or 01273 263331
Email: licensing.unit@adur-worthing.gov.uk
Website: <http://www.adur-worthing.gov.uk/licensing-and-permits/>



ADUR & WORTHING COUNCILS

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

Consent of individual to being specified as premises supervisor

I

[REDACTED] (full name of prospective premises supervisor)

[REDACTED]
[REDACTED]
.....
.....
(home address of prospective premises supervisor)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for RETAIL SHOP OFF LICENCE (type of application) by SHASWAR RANJIBARI (name of applicant)

relating to a premises licence (number of existing licence, if any)
for 55 - 57 ROWLANDS ROAD, WORTHING,
SUSSEX, BN11 3JN.....

..... (name and address of premises to which the application relates)
and any premises licence to be granted or varied in respect of this application made by SHASWAR RANJIBARI (name of applicant)
concerning the supply of alcohol at 55 - 57 ROWLANDS ROAD,
WORTHING, BN11 3JN (name and address of premises to which application relates).

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number [REDACTED] (insert personal licence number, if any)

Personal licence issuing authority [REDACTED]

[REDACTED] (insert name and address and telephone number of personal licence issuing authority, if any)

[REDACTED] ed

[REDACTED] e (please print)

6/9/12 dated



ADUR & WORTHING
COUNCILS

Licensing Act 2003: Requirements of the Plan

Scale 1:100 unless an alternative agreed with licensing authority.

Plan to show:

- a. Extent of the boundary of the building and any internal external walls.
- b. Points of access & egress/escape routes.
- c. If used for a number of activities, where each takes place.
- d. Where application relates to the supply of alcohol, areas used for its consumption.
- e. Fixed structures (including furniture) which may impact on the use of exits and escape routes.
- f. Location and height of any stages.
- g. Any steps, stairs, and lifts, etc.
- h. Public conveniences.
- i. Fire safety equipment.
- k. Location of any kitchen.

These can be shown by use of a legend.

Advertising/displaying application for, or to vary, a Premises Licence

When an application is made for, or to vary, a **premises licence**, the applicant must advertise the application in the following ways:

- (a) **By Display of a notice** for a period of no less than 28 consecutive days starting on the day after the application was given to the licensing authority, which is –
- (i) of a size equal or larger than A4,
 - (ii) on a pale blue colour,
 - (iii) printed legibly in black ink or typed in black in a font size equal to/larger than 16.

The notice must be displayed prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises and in the case of a premises covering an area of more than fifty metres square, a further notice in the same form and subject to the same requirements every fifty metres along the external perimeter of the premises abutting any highway; (see sample notice), and

- (b) **By publishing a notice** –
- (i) in a local newspaper;
 - (ii) on at least one occasion during the period of 10 working days starting on the day after the application was given to the licensing authority.

What information does the notice have to contain?

The regulations prescribe that in respect of an application for, or to vary, a premises licence, the notice shall contain the following information –

- (a) a brief description of the proposed variation;
- (b) the name of the applicant;
- (c) the postal address of the premises, if any, or if there is no postal address for the premises, a description of those premises sufficient to enable the location and extent of the premises to be identified;
- (d) the postal address and, where applicable, the web site address where the register of the licensing authority is kept and where and when the application may be inspected;
- (e) the date by which an interested party or responsible authority may make representations to the licensing authority;
- (f) that representations shall be made in writing; and
- (g) that it is an offence knowingly or recklessly to make a false statement in connection with an application, and a person guilty of an offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).

**Licensing Act 2003 - Premises Licence
TO WHOM IT MAY CONCERN**

I/We..... *SHASWAR RANJIBARI*

Of....

Do hereby give notice that on *(insert date of application)* served application on Adur & Worthing Councils and the relevant authorities for a new premises licence on the premises known as

IDE

situated at

55-57 ROWLANDS ROAD, WORTHING, SUSSEX BN11 3JN

A) The application is to allow the following Licensable activities:

SALE OF ALCOHOL OFF PREMISES

B) The application seeks to allow Licensable activities to be conducted between the hours of:

*8-12 MON-SAT
9-12 SUN*

(give details of times and days of the week)

Any person who desires to make objection to the said grant should set out, in writing, a brief statement of the grounds of his/her objection and send to:

**The Licensing Unit, Adur & Worthing Councils, Portland House,
44 Richmond Road, Worthing, West Sussex, BN11 1HS.**

Representations must reach the Licensing Unit no later than:

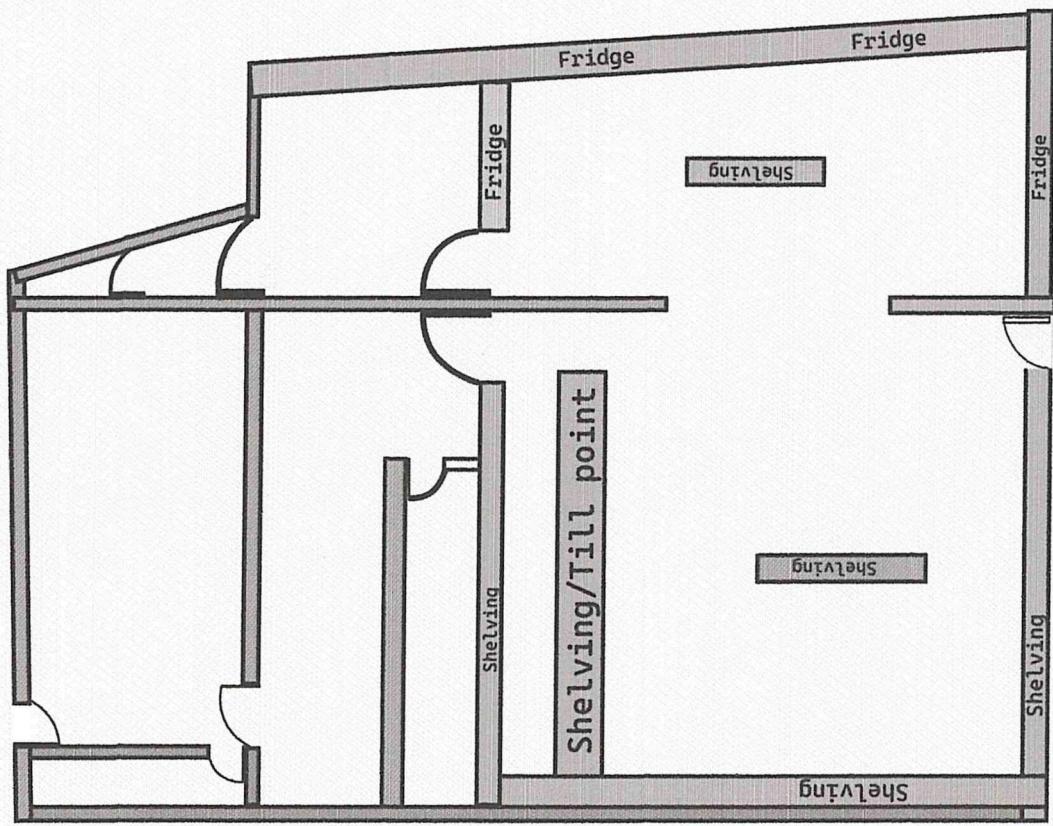
The application may be viewed, in full, at the above offices between the hours of 9.00am and 4.00pm Monday to Friday.

Information as to the date of hearing to determine the application may be obtained from www.adur-worthing.gov.uk.

Dated this..... *7th* day of... *SEPTEMBER* *2022*

Signed:.....

It is an offence to knowingly or recklessly make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is £5,000



Ideal Supermarket, 55-57 Rowlands Road, Worthing

1 message

Nadeem Shad <[REDACTED]>

29 September 2022 at 15:54

To: Licensing Unit <Licensing.Unit@adur-worthing.gov.uk>, Police Licensing

<[REDACTED]>, Simon Jones <simon.jones@adur-worthing.gov.uk>

Re: LA 2003 New Premises Licence Application

Premises: Ideal Supermarket, **55-57 Rowlands Road, Worthing, BN11 3JM**

I refer to the above application and make the following comments on behalf of Public Health and Regulation regarding the prevention of Public Nuisance.

This application seeks to provide off-sales of alcohol from 08:00 until 00:00 each day.

Whilst I acknowledge the premises are situated on Rowlands Road, which has a number of premises open into the evening, this end of Rowlands Road is relatively quiet. There are residential premises opposite and above the parade of shops. The background noise at this location in the late evening will be low despite its location, meaning any noise produced by customers arriving and departing is likely to be audible within neighbouring properties and therefore could result in a public nuisance. Other licensed premises in the vicinity operate until 23:00 hours and some of the unlicensed takeaways close even earlier.

I understand this premises currently only has planning permission to operate between 09:00 and 23:00 Mon - Sat and 10:00 and 22:30 Sundays.

It is my opinion that if the application is granted as applied for, a public nuisance (as defined by the Licensing Act 2003, ("the Act") may be caused to residents within the vicinity. I am therefore unable to support this application. We would consider 23:00 acceptable.

Kind regards

Nadeem Shad (he/him)

Team Leader Environmental Protection, Public Health & Regulation
[REDACTED]

Adur & Worthing Councils

Portland House, **44 Richmond Road, Worthing, West Sussex, BN11 1HS**

<http://www.adur-worthing.gov.uk/environmental-health/>

