

Licensing Act 2003 – Application for a new Premises Licence

**'Nando's'
Unit 1 & 2 The Montague Centre
Worthing, BN11 1YJ**

Report by the Director for Communities

1. Recommendation

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

Nando's Chickenland Ltd.

for a new Premises Licence to authorise the sale of alcohol for consumption on & off the premises and the provision of late night refreshment at its new restaurant.

2. Reasons for Hearing

- 2.1 The application has been the subject of formal representation from 2 responsible authorities and 6 members of the public and it therefore falls to this sub-committee to determine.

3. Background

- 3.1 An application was made on behalf of Nando's Chickenland Ltd. to the Licensing Authority, Worthing Borough Council, on 20 December 2022 for the grant of a new premises licence.
- 3.2 The premises to be located at the front entrance to the Montague Centre adjacent to Alexander Terrace and Montague Place. The premises overlooks Liverpool Gardens

in the heart of Worthing town centre. The Montague Centre is a busy semi-covered shopping centre in the centre of Worthing.

- 3.3 The premises is a double retail unit consisting of two floors with service access on the first floor to a shared delivery area at the rear. The unit was occupied for many years by Laura Ashley as a clothing & furnishings store. The applicant is proposing to open as a restaurant and takeaway with a small outside dining area.
- 3.4 Whilst the area is largely commercial there are some residential premises adjacent to and opposite the premises in Alexander Terrace, Liverpool Terrace and above the commercial premises in Montague Place.
- 3.5 The applicant has secured planning permission for a change of use for the units to a restaurant (Class A3).
- 3.6 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)
 - The representations received from the public (Appendix E)
 - Details of the mediation conducted (Appendix F)

4. The Application

- 4.1 The Application is attached at Appendix C. However, in summary, the application was originally seeking authorisation for:
 - Sale of alcohol:
 - 11:00 hrs to 00:00 hrs (midnight) Monday - Sunday
 - Late Night Refreshment
 - 23:00 hrs to 00:00 hrs (midnight) Monday - Sunday.
 - Opening to the Public
 - 07:00 hrs to 00:30 hrs (of the following morning) Monday - Sunday

These hours have subsequently been amended - see paragraph 8.3 of this report.

- 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 holds a Personal Licence issued by [REDACTED].

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 the 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.*

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
 - A&W Environmental Protection
 - Other Persons
 - 6 Local Residents

7. Relevant Representations

- 7.1 Detail of the relevant representation received is reproduced at Appendices D & E. 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 Sussex Police made a number of comments and listed a number of conditions that they consider are required to enable this premise to meet the licensing objectives if members were of a mind to grant a licence.

- 7.3 A&W Environmental Protection Team made a number of comments regarding the timings being applied for and the potential for noise nuisance particularly with regard to the 07:00 hrs opening time originally applied for.
- 7.4 Six relevant representations were received from the public regarding possible crime & disorder, noise and public nuisance implications that can be associated with alcohol and food sales.
- 7.5 Some of the information included in the representations, whilst highlighting serious issues, should be regarded as not relevant to a licensing application under the Licensing Act 2003 and should not be considered. These include:
- Parking issues
 - Public amenity
 - Congestion
- These are planning matters that have been considered by the Planning Committee and a Licensing Committee cannot consider. However, the representations have been reproduced in their entirety and it is for members to carefully decide how much weight, if any, should be attached to some of the points made and information included.
- 7.6 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 Sussex Police expressed some concerns regarding the application and sought a number of conditions to address the licensing objectives. These have now been successfully mediated with the applicant, Nando's Chickenland Ltd., agreeing that if a licence were to be granted the following conditions would be placed on any licence as enforceable conditions of licence in addition to those included in the operating schedule.

The Prevention of Crime & Disorder:

- *The premises shall at all times maintain and operate a sales refusals log and an incident log which will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty-four (24) months and made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.*
- *The external dining area shall be monitored and regularly cleared of glasses and bottles.*
- *There shall be no vertical drinking at the premises.*
- *All off sales will be made in sealed containers.*

- *Subject to GDPR guidance and legislation Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises.*
 - *The system shall be on and recording at all times the premises licence is in operation.*
 - *The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.*
 - *CCTV footage will be stored for a minimum of 31 days.*
 - *The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.*
 - *The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.*
 - *Subject to 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) for the police without difficulty or delay and without charge to Sussex Police.*
 - *Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.*
 - *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 Prevention of Public Nuisance:

- *Patrons will not be permitted to take drinks in open containers to consume outside on the pavement/public highway beyond the outside licensed area (or any permitted outside tables and chairs area) of the premises whilst smoking or otherwise congregating outside of the premises.*

The Protection of Children from Harm:

- *The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the “Challenge” policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum. The recommended forms of ID that will be accepted are passports, driving licences with a photograph or Citizen Card or validated proof of age card bearing the “PASS” mark hologram.*
- *All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training shall be conducted thereafter at intervals of no more than six (6) months (this may be verbally delivered). All*

restricted sales training undertaken by staff members shall be fully documented and recorded. All training records will be kept at the premises and shall be made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.

Conditions for alcohol delivery service:

- *All sales of alcohol for consumption off the premises are to be ancillary to the sale of a food order. Deliveries including alcohol will only be made to a business or residential address only.*
- *Third party delivery companies will be instructed that an age verification check is to be made by the courier at the point of delivery where alcohol is part of the order and in the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID the courier will retain the alcohol and dispose of it responsibly.*
- *The Premises Licence holder's website/ordering portal e.g. app will have measures in place to prevent underage sales. This will include reminders/pop ups that customers should have their ID ready to prove they are over 18 when receiving any online order containing alcohol.*

As a result Sussex Police have withdrawn their objections.

8.3 A&W Councils' Environmental Protection Team expressed some concerns regarding the application and the timings sought. As a result of mediation the applicant, Nando's Chickenland Ltd., has amended the application seeking new reduced timings these being:

- *Sale of Alcohol for consumption on & off the premises.*
 - *11:00 hrs to 23:00 hrs Sunday - Wednesday*
 - *11:00 hrs to 00:00 hrs (midnight) Thursday - Saturday*
- *Sale of Late Night Refreshment*
 - *23:00 hrs to 00:00 hrs (midnight) Thursday - Saturday*
- *Opening to the Public*
 - *09:00 hrs to 23:30 hrs Sunday - Wednesday*
 - *09:00 hrs to 00:30 hrs (of the following morning) Thursday - Saturday*

As a result the Environmental Protection Team have withdrawn their objections.

8.4 All the other representors have been written to and advised of the new conditions volunteered to address the Police representation and of the amendments to the timings the application is seeking. The applicant has been invited to contact the remaining representors to mediate further. However, no further information regarding the progress of mediation between the applicant and other parties has been provided to date. 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 on behalf of Nando's Chickenland Ltd. for its restaurant to be known as the 'Nando's' situated in units 1 & 2 of the Montague Centre, Worthing and give reasons for that determination.**

**Director for Communities
Tina Favier**

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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 (December 2022)
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2022-accessible>
- Worthing Borough Council's Statement of Licensing Policy
<http://www.adur-worthing.gov.uk/licensing-and-permits/consultations-policy-forum/policy-and-forum/>

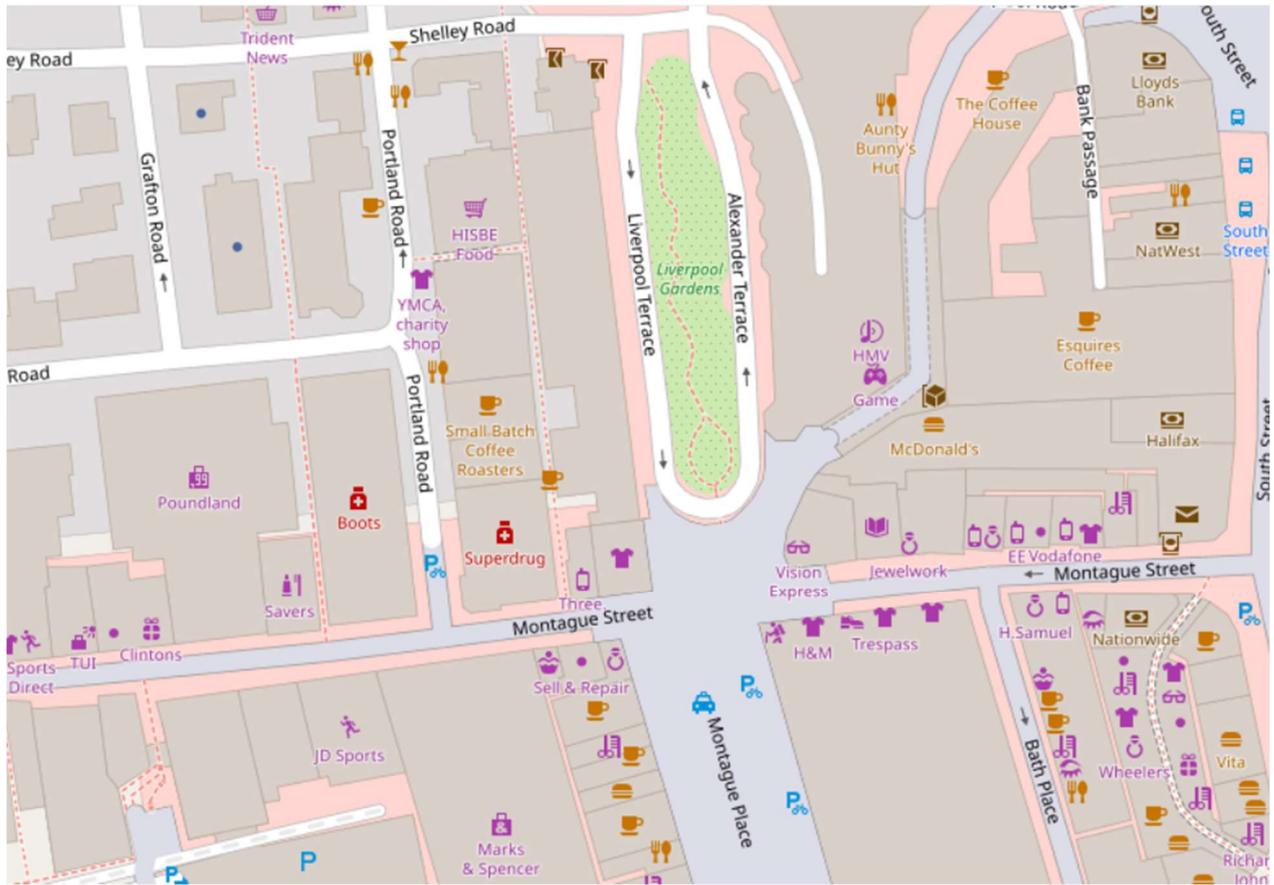
Appendices:

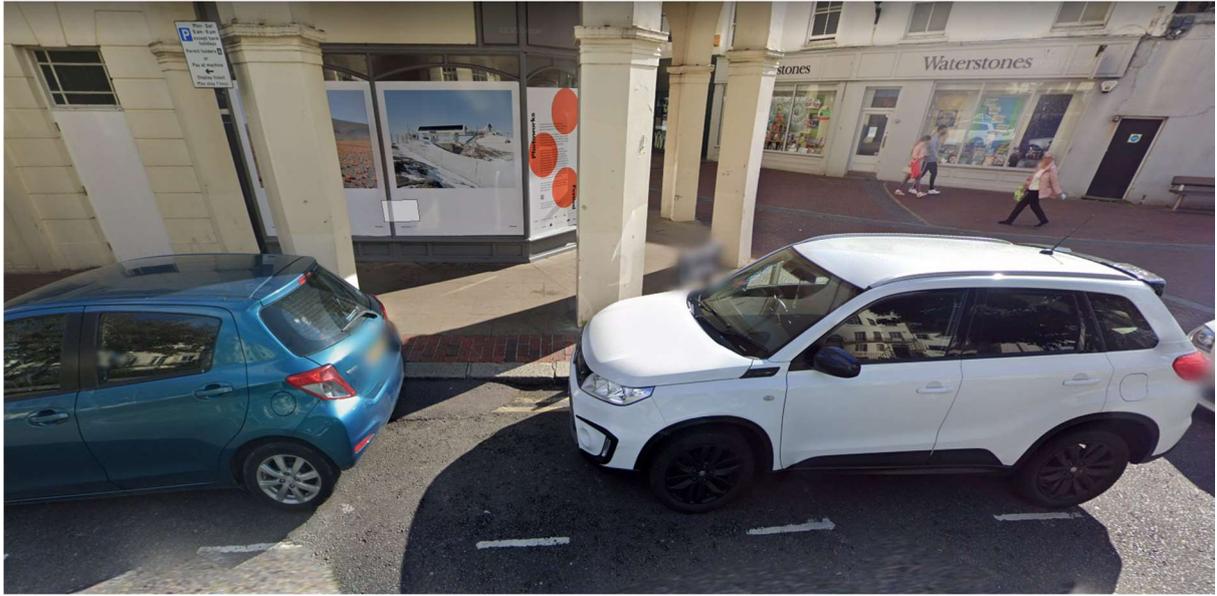
- Appendix A - Plan & photos of the area
- Appendix B - Plan of the premises.
- Appendix C - The Application Form.
- Appendix D - Representations received from the Responsible Authorities
- Appendices E - Representations received from Public
- Appendix F - Details of the mediation conducted

Portland House, Worthing
Ref: SJ/Lic.U/LA03/NEW – Nando's
Date: 26 January 2023.

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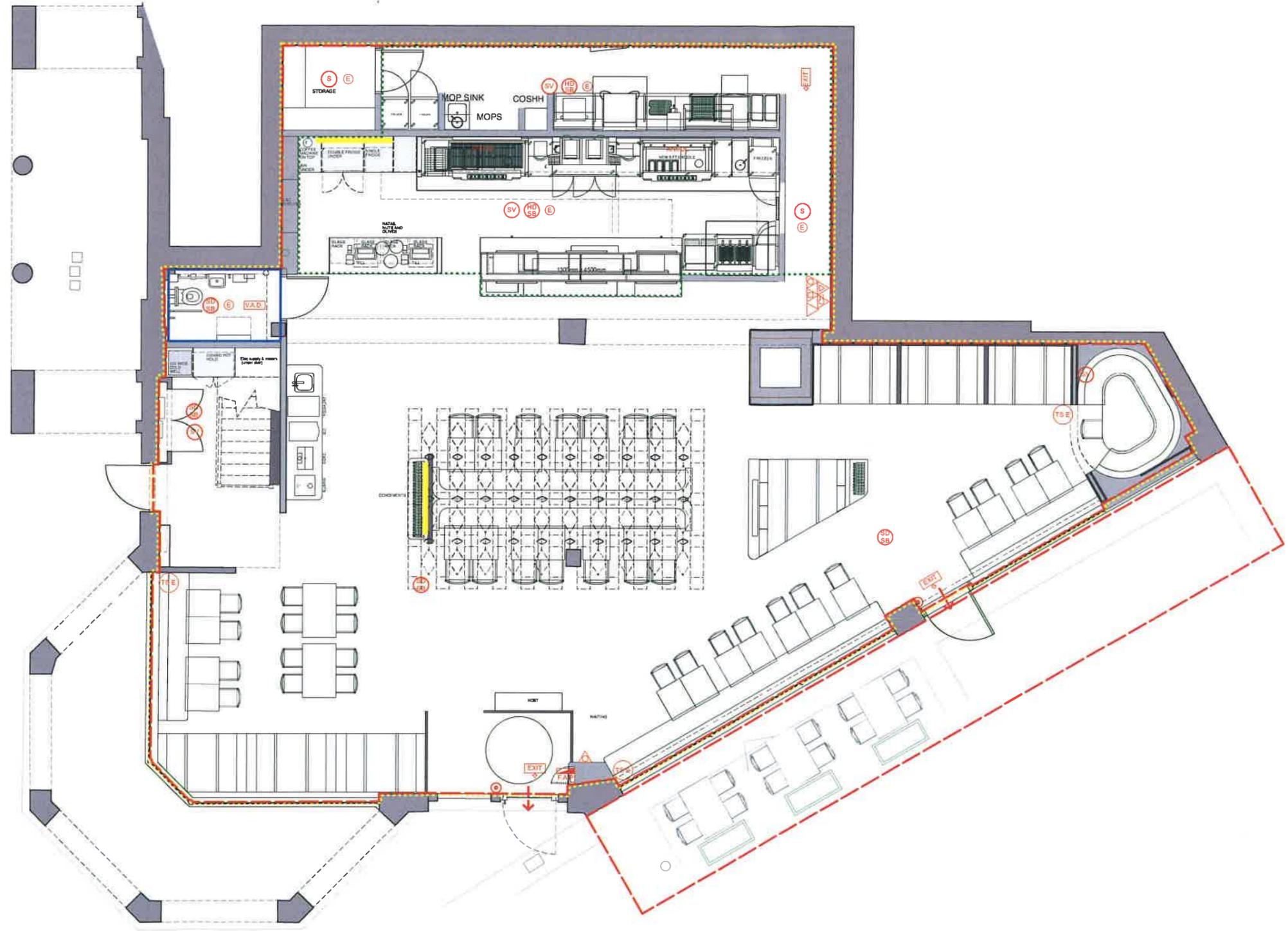
Appendix A – Plan & Photos of Area







GENERAL NOTES
 DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE. REPORT OMISSIONS AND DISCREPANCIES TO THE ARCHITECT IMMEDIATELY.
 REVISION DATES MARKED ON THE DRAWING ARE STATED IN THE FOLLOWING ORDER: YEAR, MONTH, DAY (YYMM DD).
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1 LICENSING PLAN
 SCALE: 1:50
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LEGEND

THE WALL AND CEILING FINISHES ON ESCAPE ROUTES/CIRCULATION SPACES SHOULD ACHIEVE A CLASS '0' SURFACE SPREAD OF FLAME RATING AND ALL OTHER AREAS A CLASS '1' RATING AS PER TABLE 9 IN AD B VOLUME 2.

THE PROPOSED WOOD WALL CLADDINGS ON THE FIRE ESCAPE ROUTE ARE TO BE TREATED TO ACHIEVE THIS RATING AND CERTIFICATION SHOULD BE SUPPLIED TO PROVE THE APPLICATION OF A PROPRIETARY TREATMENT UPON COMPLETION.

ALL PLASTERBOARD TO BE TAPED AND JOINTED. TO BE READ IN CONJUNCTION WITH DRAWINGS AND FINISHES SCHEDULE.

ALLOW FOR ADHESIVE WHEN TILE FINISH INCLUDING TIMBER CERAMIC OR METAL TILES

GENERAL NOTES

- BOUNDARY OF BUILDING AND SITE
- KITCHEN AREA
- PUBLIC CONVENIENCES
- AREA FOR LICENSABLE ACTIVITIES
- ALCOHOL DISPLAY
- FIRE ESCAPE

- 9 LITRE WATER EXTINGUISHER
- 9 LITRE FOAM EXTINGUISHER
- 2KG CARBON DIOXIDE EXTINGUISHER
- FIRE BLANKET
- FRY FIGHTER
- FIRE ALARM CALL POINT (BS 5839)
- AREA COVERED BY SMOKE DETECTOR IN VOID AREA (BS 5839)
- AREA COVERED BY SMOKE DETECTOR (BS 5839)
- AREA COVERED BY HEAT DETECTOR (BS 5839)
- AREA COVERED BY SMOKE DETECTOR SOUNDER BEACON

- FDKL SIGN - 'FIRE DOOR KEEP LOCKED' 75MM LETTERS TO BOTH SIDES OF DOOR LEAF
- FDKC SIGN - 'FIRE DOOR KEEP CLEAR' 75MM LETTERS TO EXTERNAL FACE OF DOOR LEAFS
- EXIT SIGN - INTERNALLY ILLUMINATED 'FIRE EXIT' OR GRAPHIC EQUIVALENT - 75 MM HIGH LETTERS
- EXIT DIRECTIONAL ARROW TO BE PROVIDED IN THE DIRECTION INDICATED
- FDKS SIGN - 'FIRE DOOR KEEP SHUT' 75MM LETTERS TO BOTH SIDES OF DOOR LEAF
- HD SB AREA COVERED BY HEAT DETECTOR SOUNDER BEACON

- E AREA COVERED BY EMERGENCY TWIN SPOT LIGHT LUMINAIRE. CERTIFICATES OF COMPLIANCE TO BS 5839 (FIRE ALARMS) AND / OR BS 5839 (EMERGENCY LIGHTING) TO BE PROVIDED TO THE FIRE AUTHORITY.
- TS E AREA COVERED BY EMERGENCY TWIN SPOT LIGHT LUMINAIRE. CERTIFICATES OF COMPLIANCE TO BS 5839 (FIRE ALARMS) AND / OR BS 5839 (EMERGENCY LIGHTING) TO BE PROVIDED TO THE FIRE AUTHORITY. COVERAGE TO BE CHECKED AND CONFIRMED BY SPECIALIST.
- VP VISION PANEL
- FD30 FD30 (FITTED WITH AUTOMATIC CLOSERS)
- FD30(S) FD30S (FITTED WITH AUTOMATIC CLOSER AND COLD SMOKE SEALS)
- FD30(S)(INT) FD30S (FITTED WITH AUTOMATIC CLOSER, COLD SMOKE SEALS AND INTUMESCENT STRIP)

- FD60 FD60 (FITTED WITH AUTOMATIC CLOSERS)
- FD60(S) FD60S (FITTED WITH AUTOMATIC CLOSERS AND COLD SMOKE SEAL)
- FD60(S)(INT) FD60S (FITTED WITH AUTOMATIC CLOSER, COLD SMOKE SEALS AND INTUMESCENT STRIP)
- ML DOOR FITTED WITH MAGNETIC LOCK/RELEASE
- F.A.P FIRE ALARM PANEL TO BE KENTEC 4 ZONE CONVENTIONAL PANEL
- ANSUL ANSUL SYSTEM IN HOOD
- V.A.D VISUAL ALARM DEVICE

ALL FIRE EXTINGUISHERS TO HAVE PLYWOOD PATRES BUILT INTO WALL

ALL DOORS AND WALLS TO CONFORM TO THE DEFINITION OF THE FIRE RESISTING INCLUDING FRAMES ARE TO BE TESTED AND INSTALLED IN ACCORDANCE WITH THE CURRENT BRITISH STANDARD BS476: PART 22 (AND BS 476: SECTION 31.1 WHERE 'S' SPECIFICATION REQUIRES SMOKE STOPPING)

REV	DATE	NOTES
C1	22 12 13	FOR CONSTRUCTION

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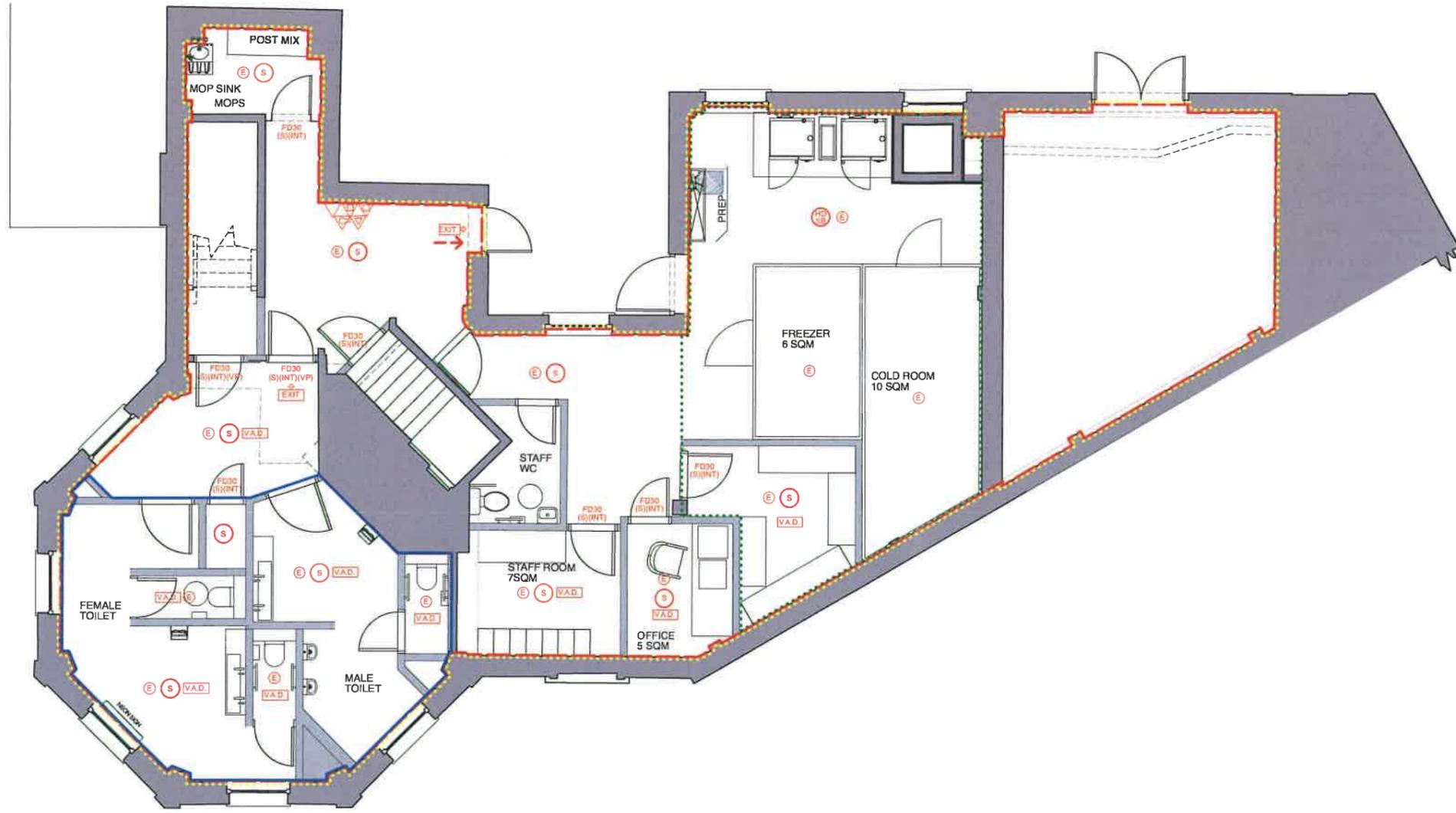
PROJECT
 NANDOS WORTHING

CLIENT
 NANDOS CHICKENLAND

DRAWING TITLE
 PROPOSED GROUND FLOOR LICENSING PLAN

SCALE	DATE	DRW	SHEET
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- FD60 (S)(INT) - FD60S (FITTED WITH AUTOMATIC CLOSER, COLD SMOKE SEALS AND INTUMESCENT STRIP)
- ML - DOOR FITTED WITH MAGNETIC LOCK/RELEASE
- F.A.P. - FIRE ALARM PANEL TO BE KENTEC 4 ZONE CONVENTIONAL PANEL
- ANSUL - ANSUL SYSTEM IN HOOD
- V.A.D. - VISUAL ALARM DEVICE

ALL FIRE EXTINGUISHERS TO HAVE PLYWOOD PATRESS BUILT INTO WALL

ALL DOORS AND WALLS TO CONFORM TO THE DEFINITION OF FIRE RESISTING INCLUDING FRAMES ARE TO BE TESTED AND INSTALLED IN ACCORDANCE WITH THE CURRENT BRITISH STANDARD BS476 PART 22 (AND BS 476 SECTION 31.1 WHERE 'S' SPECIFICATION REQUIRES SMOKE STOPPING).

REV	DATE	NOTES
C1	22 12 13	FOR CONSTRUCTION

MorenoMasey
 Working From_Southwark
 32 Blackfriars Road, London, SE1 9PB
 +44 20 3142 6554
 morenomasey.com

PROJECT
 NANDOS WORTHING

CLIENT
 NANDOS CHICKENLAND

DRAWING TITLE
 PROPOSED FIRST FLOOR LICENSING PLAN

SCALE	DATE	DESIGN	CHECK
1:50	NOVEMBER 22	RMR	RMR
PROJECT NO.	DWG NO.	REVISION	
22018	217	C1	

* required information

Section 1 of 21

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

Not Currently In Use

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

Your reference

[REDACTED]

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

Nando's Chickenland Ltd

* Family name

Nando's Chickenland Ltd

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

- Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

[REDACTED]

Business name

Nando's Chickenland Ltd

If the applicant's business is registered, use its registered name.

VAT number

GB

[REDACTED]

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent 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:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent 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.

Agent 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 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

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

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

The applicant is an experienced operator of a chain of nationwide South African/Portuguese Chicken restaurants offering dine in and takeaway/delivery. The applicant's business is family orientated and very much food based with alcohol making up only a very small part of the business.

Opening hours have been applied for to provide for possible early morning opening of the restaurant to allow service of

Continued from previous page...

breakfasts (a non-licensable activity).

The layout is as shown on the accompanying licensing drawings of the ground and first floors. Loose seating is shown for information only and does not form part of the proposed approved plan. The extent of the area is as shown and the areas for licensable activities are outlined in red including a small external dining area.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Continued from previous page...

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Section 13 of 21

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

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

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 provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick 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.

Supply of hot food and/or hot drink

State any seasonal variations

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 supply of late night refreshments at different times from those listed in the column on the left, 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 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

Continued from previous page...

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

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

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 etc gambling machines etc.

-

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

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

State any seasonal variations

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

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, 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 18 of 21

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.

The applicant is an experienced and responsible operator and with regard to the Licensing Act 2003 and the Worthing Borough Council Statement of Licensing Policy offers conditions to promote the licensing objectives as set out below.

b) The prevention of crime and disorder

A CCTV system with recording equipment shall be installed, operated and maintained at the premises (unforeseen faults excepted). All recordings made by the system shall

- Be of evidential quality
- Indicate the time and date
- Be retained for a period of 28 days
- Be made available for inspection and downloading upon request to an authorised officer of a responsible authority or the licensing authority in accordance with the principles of the Data Protection legislation. The Manager on duty will be trained in the operation of the system to ensure compliance with any such request.

c) Public safety

The external dining area shall be monitored and regularly cleared of glasses and bottles.

d) The prevention of public nuisance

As above and below.

e) The protection of children from harm

Each member of staff authorised to sell alcohol will receive adequate training on the law with regard to alcohol sales. All training will be properly documented and retained. The training records will be kept on the premises and made available for inspection by authorised officers.

The premises will operate a "Challenge 21" policy whereby any person attempting to buy alcohol who appears to be under 21 will be asked for photographic ID to prove their age. Acceptable identification for the purposes of age verification will

Continued from previous page...

include a driving licence, passport or photographic identification bearing the "PASS" logo and date of birth. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to that person. Challenge 21 signage shall be displayed within the premises.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

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 21 of 21

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.

Premises Licence 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

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event 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 (£)

DECLARATION

Continued from previous page...

* 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

* Capacity

* Date / /
dd mm yyyy

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/apply-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 LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="██████████"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>



Licensing Unit,
Adur and Worthing Councils
Portland House,
Richmond Road,
Worthing,
BN11 1LF

West Sussex Division Neighbourhood Licensing Team

6th January 2023

RE: APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003 FOR NANDO'S, UNIT 1 & 2, MONTAGUE CENTRE, WORTHING, BN11 1YJ.

Dear Mr Jones,

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds of the licensing objectives of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and the Protection of Children from Harm.

Sussex Police have no objection to the principal of the application, however while the operating schedule provided identifies a number of steps to address the licensing objectives, it is considered that additional measures are necessary. Sussex Police propose the following additional conditions which should not prove onerous on the day-to-day operation of the premises:

The Prevention of Crime & Disorder:

- 1 The premises shall at all times maintain and operate a sales refusals log and an incident log which will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty-four (24) months and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
- 2 Any external dining area shall be monitored and regularly cleared of glasses and bottles.
- 3 There shall be no vertical drinking at the premises.
- 4 All off sales will be made in sealed containers.

Sussex Police, Neighbourhood Licensing Team



If the applicant is agreeable to the proposed conditions, Sussex Police can resolve this representation subject to these conditions being attached to the premises licence.

Please contact this office on the number below or via email to ws_licensing_wor@sussex.pnn.police.uk should you wish to discuss this representation.

Yours sincerely



West Sussex Licensing Inspector
Sussex Police

Sussex Police, Neighbourhood Licensing Team



Fwd: LA 2003 New Premises Licence Application - Nando's, Worthing

1 message

Nadeem Shad <nadeem.shad@adur-worthing.gov.uk>

29 December 2022 at 11:19

To: [REDACTED]

Cc: Simon Jones <simon.jones@adur-worthing.gov.uk>

Dear Karen,

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

The application states in Section 17, *Hours Premises are Open to the Public*: 07:00 to 00:30. Section 5 of the *Operating Schedule* states "Opening hours have been applied for to provide for possible early morning opening of the restaurant to allow service of breakfasts (a non-licensable activity)."

There are residential premises adjacent to and opposite the premises of concern. This means any noise associated with the operation early in the morning has the potential to cause a public nuisance to the occupiers of these properties. It is specifically the operation of the kitchen extract system which is of concern.

The kitchen extract was approved by planning, however its use is restricted to the hours permitted by the [planning permission](#), namely Conditions 7 and 9:

7. No customer trade or business shall take place on the premises except between the hours of 09:00hrs and 23.00hrs on Sunday to Wednesday and between 09:00hrs and 00:00hrs (midnight) on Thursday to Saturday. The premises shall be emptied of customers 30 minutes outside of these hours. All staff activity associated with the use shall cease at the premises within one hour of the closing time.

9. No plant or equipment, including the kitchen ventilation and extraction system, shall be operated on the premises except between the approved operating hours as specified in condition 7.

This was included to reduce the likelihood of noise from the extract causing a loss of amenity to nearby residents. This licence application therefore conflicts with the planning permission.

If breakfasts are to be served from 07:00, will the extract system need to be operated prior to 07:00 hours to facilitate this? Would you be willing to amend the hours applied for?

I am happy to discuss this further.

Regards

Nadeem Shad (he/him)Team Leader Environmental Protection, Public Health & Regulation
01273 263303

Adur & Worthing Councils

Portland House, [44 Richmond Road, Worthing, West Sussex, BN11 1HS](#)<http://www.adur-worthing.gov.uk/environmental-health/>



Licensing Unit <licensing.unit@adur-worthing.gov.uk>

Nando's Extension of Licensing Request

1 message

9 January 2023 at 18:03

To: "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>

Dear Sirs/Mesdames

As a resident of the block that **Nando's** is turning into their restaurant I am extremely distressed to hear that they are asking for a further extension to their licencing hours. This is before they even open – so we have no way to judge even - what a problem, if any, the currently granted liquor licence may cause.

+

As a Town Centre resident I feel it would of course, be unreasonable to expect quiet at all times. I do feel that now being next door directly to a restaurant that wishes to have open air seating and drinking, with the accompanying noise and behavioural disturbance, late into the night- all week -is a step too far. This is traditionally a quiet area, due to the lovely green open space we share with the trees and birds outside our windows.

+

I have spoken to door staff at Manuka in Portland Place and also to the Libertine about late night drunken, noisy behaviour and fighting on several occasions. This spills out to our street even though they are both located one street away. The last thing I would like to see is for disturbance to be from a business directly adjoining my residential block of flats. The former Laura Ashley, being a retail shop caused no increase of noise whatsoever.

+

We also have time and weight restrictions on the vehicles using the delivery ramp at the direct back of our property to reduce noise, so we hope that will also still be strictly adhered to.

+

I am also quite worried about the extractor fans running each day and late into the night, as we have yet to experience them at Nando's location.

+

Finally, our Street – Liverpool Gardens - is now fast becoming more and more RESIDENTIAL. This is an excellent process as it keeps out Town Centre alive and most residents can use the local buses for transport. This change has to be recognised by licensing when it comes to late night drinking moving forward.

+

I hope that the licensing unit will take my concerns into consideration when looking at this new proposal.

Many Thanks for your consideration

Kind Regards



[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

+

This message has been scanned for malware by Forcepoint. www.forcepoint.com

----- Forwarded message -----

From: [REDACTED]

Date: Tue, 3 Jan 2023 at 09:21

Subject: NANDOS Alexander Terrace

To: <licensing.unit@adur-worthing.gov.uk>

Dear Sirs

I protest in the strongest measure at the licensing hours proposed for Nandos.

The disturbances have become intolerable with the delivery bikers taking up to five parking bays..hanging around continually.. drinks on the green..and now extended license??? I ABSOLUTELY OBJECT.

This area is not only commercial..it is RESIDENTIAL and therefore the RESIDENTS feelings need to be considered.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]



Licensing Unit <licensing.unit@adur-worthing.gov.uk>

Application for licence by Nandos

1 message

[REDACTED]
To: licensing.unit@adur-worthing.gov.uk

10 January 2023 at 12:21

I find the hours being applied for to be excessive, particularly as they go into the early hours of the morning all seven days of the week

The proposed restaurant is adjacent to a largely residential area which is already struggling with noise, anti social behaviour and an increase in traffic from early in the morning until late in the evening due to McDonalds deliveries and Nandos will contribute to a large increase in delivery traffic

Whilst I recognise that the night time economy does help the vitality of the town, due to the close proximity of residential dwellings, this application is unwelcome and if granted, needs to be carefully considered and monitored

[REDACTED]



Licensing Unit <licensing.unit@adur-worthing.gov.uk>

Premises Licence: Nando's 1 & 2 Montague Centre Worthing.

1 message

[Redacted]
To: licensing.unit@adur-worthing.gov.uk

16 January 2023 at 11:19

I am writing to object to the late night opening and sale of alcohol at the above premises.

Despite restricting licences in the area to 23.00, we are already experiencing increased noise and anti-social behaviour in the largely residential streets fronting Liverpool Gardens. If we are to successfully combine residential and commercial uses in the town centre, there has to be reasonable and focussed control on late night activity.

Because of the close proximity of houses and flats and bearing in mind that there will always be a further half an hour of disturbance as the customers leave the premises, opening hours in the Montague Centre, with or without alcohol sales, should be no later than 23.00pm.

[Redacted]



Licensing Unit <licensing.unit@adur-worthing.gov.uk>

Re: Nando's - Alexander Terrace.

1 message

[REDACTED]
To: Licensing Unit <licensing.unit@adur-worthing.gov.uk>

11 January 2023 at 23:37

Hi,

On Tue, 10 Jan 2023 at 09:29, Licensing Unit <licensing.unit@adur-worthing.gov.uk> wrote:

Good morning,

Please can you confirm your address

Kind regards
Becca

On Mon, 9 Jan 2023 at 20:39, [REDACTED] wrote:

I am a resident of Alexander Terrace and wish to lodge my complaint regarding Nando's asking to extend there licensing hours to 12 midnight.

This is a residential area of which we have to put up with many noise issues, without delivery drivers late at night, we certainly do not need anymore so I would like to oppose this request.

[REDACTED]

----- Forwarded message -----

From: [REDACTED]
Date: Mon, 2 Jan 2023 at 20:42
Subject: Nando's Licence Application
To: <licensing.unit@adur-worthing.gov.uk>

To whom it may concern,

Please accept this email as an objection in the strongest possible terms to the application by Nando's for extended opening hours and to the serving of alcohol on & off premises.

The residential area of Alexander Terrace and Liverpool Gardens and the new apartments above Montague Centre will be hugely impacted by noise, traffic, litter and anti social behaviour.

We as residents have no respite from 7am until gone midnight, 7 days a week from the issues that arise from late licences. Other establishments in the centre close at 11pm which still means we are subject to disturbance a while after this time whilst people leave. To give Nando's an extra hour would mean noise and disturbance until well after midnight. The acoustics around the area mean that any noise is amplified many times making residents lives a misery, being deprived of sleep many nights.

By encouraging take outs means yet more delivery drivers on noisy motor bikes or parking in resident bays or spaces without paying, again at the expense of residents who pay for permits and who are often unable to park anywhere.

Sadly many people who use McDonald's do not seem to understand what the rubbish bins are for and no doubt Nando's rubbish will add to the mess left in the gardens for residents or the council bin men to clear.

Anti social behaviour by people drinking in the town centre is a worsening problem which is not being addressed. A late liquor licence will do nothing but worsen the issue.

Residents of the area pay a large amount of council tax and we should at least expect to have a modicum of peace and quiet and be afforded the luxury of sleep for more than 6 hrs a night.

If any on the panel feel I am over reacting, I would like to offer my apartment for a weekend stay for you to experience the disturbance for yourselves so that you are able to come to an INFORMED decision.

Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sent from my iPad



Simon Jones <simon.jones@adur-worthing.gov.uk>

LA 2003 Premises Licence Application Hearing Notice - Nando's, Worthing

1 message

Simon Jones <simon.jones@adur-worthing.gov.uk>

19 January 2023 at 15:49

To: Worthing & Adur Police Licensing Team <[REDACTED]>, A&W Environmental Support

<publichealth.regulation@adur-worthing.gov.uk>

Cc: A&W Licensing Unit <licensing.unit@adur-worthing.gov.uk>

Bcc: [REDACTED]

Dear Sir/Madam

Re: LA 2003 New Premises Licence Application
Premises: Nando's, Unit 1&2 Montague Centre, Worthing, Bn11 1YJ
Applicant: Nando's Chickenland Ltd

Consultation on the above application has now closed. Two representations regarding the application were received during the consultation period from the Responsible Authorities, in this case Sussex Police and A&W Councils' Environmental Protection Team.

Six relevant representations were received from local residents and members of the public.

In such circumstances the Licensing Act 2003 encourages mediation and if agreement cannot be reached then the application is referred to a Licensing & Control Sub-Committee to consider at hearing. Your representation has been forwarded to the applicant's representative and you may be contacted directly to discuss your concerns.

I am aware that the applicant and Sussex Police are in mediation.

I am also aware that after mediation with the Environmental Protection Team the applicant has agreed to amend the timings sought to:

- **Late Night Refreshment**
 - No LNR Sunday - Wednesday
 - 2300hrs to 00:00hrs (midnight) Thursday - Saturday (hours to remain as applied for)
- **Sale of Alcohol**
 - 11:00hrs to 23:00hrs Sunday - Wednesday
 - 11:00hrs to 00:00hrs (midnight) Thursday - Saturday (hours to remain as applied for)
- **Opening Hours**
 - 09:00hrs to 23:30hrs Sunday - Wednesday
 - 09:00hrs to 00:30hrs (of the following morning) Thursday - Saturday

Consequently, the Environmental Protection Team has withdrawn its objections to a licence being granted subject to the above timings being imposed on any licence granted.

In case further mediation with those making representation is unsuccessful or considered impractical a hearing has been scheduled and you will find attached the formal hearing notice relating to the Sub-Committee hearing that may sit to consider the above application. I have scheduled a hearing to consider Nando's Chickenland Ltd.'s application for **Thursday 9 February 2023 @ 18:30 hrs at Worthing Town Hall** if required.

Under the Licensing Act 2003 the Licensing & Control Sub-Committee that determines the application can only consider matters that relate to the licensable activities proposed by this application and consider if the licensable activities carried out in the way proposed would undermine the Licensing Objectives. These being:

- The Prevention of Crime & Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Harm to Children

The Sub-Committee cannot consider, under the Licensing Act, issues such as public amenity, congestion, parking, road safety, need or demand or even, as in this case, that the area is partially residential. Whilst such representations highlight serious concerns these are planning matters that have been considered by the Planning Committee and a Licensing Committee cannot consider.

At any hearing all written representations are considered and the applicant and those that have made representation, and expressed their intention in advance, are given an opportunity to address members if they wish. Having registered to address the committee you will be able to highlight any relevant points you have made in your written representation but will not be able to introduce any new arguments or evidence.

But please be aware that the Committee can only allocate the same total amount of time to the parties making representation as it does to the applicant so any verbal presentation may need to be brief if the number of residents that wish to speak is high. Alternatively, you may wish to consider appointing a spokesperson to coordinate a presentation on behalf of a group of residents that have made representation.

Please can you confirm if you:

- Are intending to attend the meeting on 09 February.
- Would like to address the Sub-Committee.
- Would like to nominate someone to speak on your behalf.

If you would like to address the committee you must register your intention 5 working days prior to the hearing at: licensing.unit@adur-worthing.gov.uk

The Committee papers relating to this application will be published 5 working days prior to the hearing on the A&W Councils' website at:

<https://democracy.adur-worthing.gov.uk/ieListMeetings.aspx?Committeeld=171>

If you feel that the amendments to the timings sought, as a result of the Environmental Pollution Team mediation, address your concerns and you wish to withdraw your representation please email the licensing unit to confirm and disregard this notice. I will inform you of the results of the Police mediation in due course.

If you have any queries regarding this matter please do not hesitate to contact the licensing unit at: licensing.unit@adur-worthing.gov.uk

The formal hearing notice is attached.

Regards

Simon Jones

Team Leader - Licensing, Public Health & Regulation

01273 263191

Adur & Worthing Councils

Public Health & Regulation

Portland House

Worthing

BN11 1HS

<http://www.adur-worthing.gov.uk/licensing-and-permits/>



Nando's, Units 1-2 The Montague Centre, Worthing, BN11 1YJ

1 message

Cc: "simon.jones@adur-worthing.gov.uk" <simon.jones@adur-worthing.gov.uk>, "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>, Karen Lush

Good afternoon.

Your email of 3 January has, following the close of consultation, been forwarded to us by the licensing unit.

As a responsible national operator, Nando's wishes to assure you that it is keen to work not only with the authorities, but also with those living and working in the area in which it trades.

It does appreciate the sensitivity of this proposed site, and has already substantially altered its normal trading pattern requests, which were part of the original application, in response to discussions with the Environmental Protection Team and the Police.

In response to the concerns specifically raised by you, please note :

1. **Hours.** In response to the request from the Environmental Protection team, and to satisfy their concerns, we have already reduced the hours requested as follows :

Late night refreshment. Application withdrawn in respect of Sunday to Wednesday, leaving only an hour sought on Thursday to Saturday from 23:00-00:00

Sale of alcohol. Sunday to Wednesday 11:00-23:00 and the additional hour only

on Thursday to Saturday (11:00-00:00).

Opening hours. Sunday to Wednesday 09:00-23:30 and Thursday to Saturday, 09:00-00:30

The operation's normally requested trading hours of midnight, which applies to most of its premises licences in England and Wales, is therefore only now sought on this site at the weekend. As they have many years of operational track record in areas of this nature without issue, they are confident that they can trade these hours without causing a nuisance to residents. You will be familiar with the style of Nando's, which is primarily dining orientated, and only offers a limited number of alcoholic drinks. It is not a destination for those who just want to drink, and the hours indicated above cannot compete with the late night entertainment venues in the area and so will not be attractive to the same customer base.

2. **Delivery bikers.** It is inappropriate for my clients to comment on the manner in which McDonalds conduct their business. Once again, most of the Nando's restaurants across the country offer a takeaway facility and partner with Deliveroo to efficiently and properly deliver the meal to the customers. This is a much appreciated facility, especially in this period following the strict Covid restrictions when many people are, for example, still working from home and/or remain unconfident about going out. They would not continue to offer this facility if it was something which regularly caused complaints with their neighbours, but it does not. They are, however, conscious of the sensitivity of some residential areas, including the area around Liverpool Gardens, and they are able to assure you that they will implement their Delivery Management Plan to control the collection of takeaways from the premises. That is attached for your information and will be before the Committee. You will note that it is extremely comprehensive.

We believe that the licensing team have kindly forwarded the 11 additional conditions agreed with the Police, amplifying and adding to the conditions originally offered in the application. We would commend these to you as considerable additional safeguards to those living and working in the area, as well as giving the Police additional controls to ensure that the prevention of crime and disorder objective will be promoted.

If you still have some questions, please feel free to contact me on the landline or email address shown on this email so that we may discuss your concerns further.

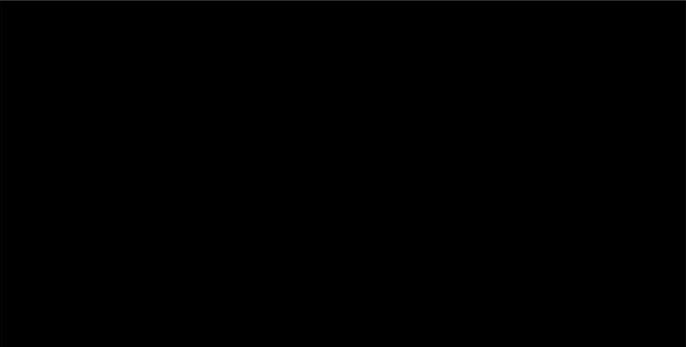
We very much hope that these assurances and steps will enable you to kindly withdraw your representation, and, if this is the case, please liaise directly with the licensing team.

Kind regards

Julia Palmer

Consultant - Licensing

For and on behalf of Trethowans LLP



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Nando's, Units 1-2 The Montague Centre, Worthing BN11 1YJ

1 message

31 January 2023 at 13:50

Cc: "simon.jones@adur-worthing.gov.uk" <simon.jones@adur-worthing.gov.uk>, "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>, Karen Lush

Good afternoon.

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It does appreciate the sensitivity of this proposed site, and has already reduced its normal trading pattern requests, which were part of the original application, in response to discussions with the Environmental Protection Team and the Police.

In response to the concerns specifically raised by you, please note :

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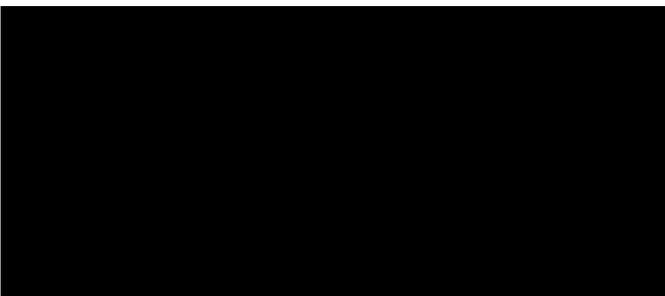
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Kind regards

Julia Palmer

Consultant - Licensing

For and on behalf of Trethowans LLP



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Nando's, Units 1-2 The Montague Centre, Worthing, BN11 1YJ

1 message

31 January 2023 at 13:54

Cc: "simon.jones@adur-worthing.gov.uk" <simon.jones@adur-worthing.gov.uk>, "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>, Karen Lush <[REDACTED]>

Good afternoon.

Your email of 10 January has, following the close of consultation, been forwarded to us by the licensing unit.

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on Thursday to Saturday (11:00-00:00).

Opening hours. Sunday to Wednesday 09:00-23:30 and Thursday to Saturday, 09:00-00:30

The operation's normally requested trading hours of midnight, which applies to most of its premises licences in England and Wales, is therefore only now sought on this site at the weekend. As they have many years of operational track record in areas of this nature without issue, they are confident that they can trade these hours without causing a nuisance to residents. You will be familiar with the style of Nando's, which is primarily dining orientated, and only offers a limited number of alcoholic drinks. It is not a destination for those who just want to drink, and the hours indicated above cannot compete with the late night entertainment venues in the area and so will not be attractive to the same customer base.

2. **Delivery traffic.** It is inappropriate for my clients to comment on the manner in which McDonalds conduct their business. Once again, most of the Nando's restaurants across the country offer a takeaway facility and partner with Deliveroo to efficiently and properly deliver the meal to the customers. This is a much appreciated facility, especially in this period following the strict Covid restrictions when many people are, for example, still working from home and/or remain unconfident about going out. They would not continue to offer this facility if it was something which regularly caused complaints with their neighbours, but it does not. They are, however, conscious of the sensitivity of some residential areas, including the area around Liverpool Gardens, and they are able to assure you that they will implement their Delivery Management Plan to control the collection of takeaways from the premises. That is attached for your information and will be before the Committee. You will note that it is extremely comprehensive.

We believe that the licensing team have kindly forwarded the 11 additional conditions agreed with the Police, amplifying and adding to the conditions originally offered in the application. We would commend these to you as considerable additional safeguards to those living and working in the area, as well as giving the Police additional controls to ensure that the prevention of crime and disorder objective will be promoted.

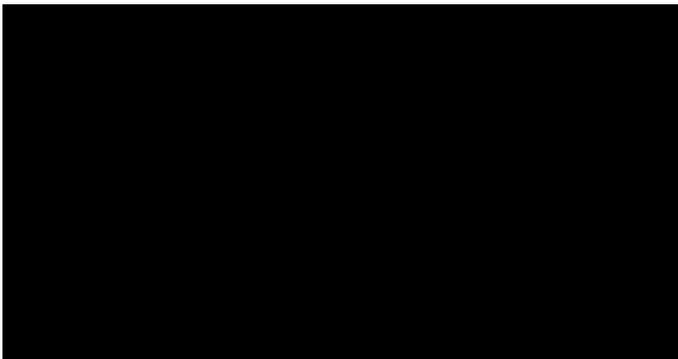
If you still have some questions, please feel free to contact me on the landline or email address shown on this email so that we may discuss your concerns further.

We very much hope that these assurances and steps will enable you to kindly withdraw your representation, and, if this is the case, please liaise directly with the licensing team.

Julia Palmer

Consultant - Licensing

For and on behalf of Trethowans LLP



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Nando's, Units 1-2 The Montague Centre, Worthing, BN11 1YJ

1 message

31 January 2023 at 13:40

Cc: "simon.jones@adur-worthing.gov.uk" <simon.jones@adur-worthing.gov.uk>, "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>, Karen Lush

Good afternoon.

Your email of 9 January has, following the close of consultation, been forwarded to us by the licensing unit.

As a responsible national operator, Nando's wishes to assure you that it is keen to work not only with the authorities, but also with those living and working in the area in which it trades.

It does appreciate the sensitivity of this proposed site, and has already substantially altered its normal trading pattern requests, which were part of the original application, in response to discussions with the Environmental Protection Team and the Police.

In response to the concerns specifically raised by you, please note :

1. **Hours.** We have already reduced the hours requested as follows :

Late night refreshment. Application withdrawn in respect of Sunday to Wednesday, leaving only an hour sought on Thursday to Saturday from 23:00-00:00

Sale of alcohol. Sunday to Wednesday 11:00-23:00 and the additional hour only

on Thursday to Saturday (11:00-00:00).

Opening hours. Sunday to Wednesday 09:00-23:30 and Thursday to Saturday, 09:00-00:30

The operation's normally requested trading hours of midnight, which applies to most of its premises licences in England and Wales, is therefore only now sought on this site at the weekend. As they have many years of operational track record in areas of this nature without issue, they are confident that they can trade these hours without causing a nuisance to residents. You will be familiar with the style of Nando's, which is primarily dining orientated, and only offers a limited number of alcoholic drinks. It is not a destination for those who just want to drink, and the hours indicated above cannot compete with the late night entertainment venues you cite (Manuka and Libertine) and so will not be attractive to the same customer base.

2. **Outside seating.** Nando's successfully operate outside seating areas in residential town and city settings throughout the country. However, to work with you and to demonstrate their good faith they are willing to offer the following condition in addition to those already offered :

'No customers will be allowed to use the outside seating area after 22:00'

3. **Delivery ramp.** The current restrictions are noted and Nando's will, in accordance with its usual policies and procedures, place the highest importance on the welfare and interests of the residents in its operation of this site, including deliveries to and collections from it.

4. **Extractor fans.** This issue was, of course, carefully considered by the Planning Department in granting permission for the units, and for permitting them to run to 01:00 for cleaning etc. In so doing, they relied on the Noise Assessment filed in support, which clearly showed that such use would not cause a loss of amenity to local residents.

We believe that the licensing team have kindly forwarded the 11 additional conditions agreed with the Police, amplifying and adding to the conditions originally offered in the application. We would commend these to you as considerable additional safeguards to those living and working in the area, as well as giving the Police additional controls to ensure that the prevention of crime and disorder objective will be promoted.

If you still have some questions, please feel free to contact me on the landline or email address shown on this email so that we may discuss your concerns further.

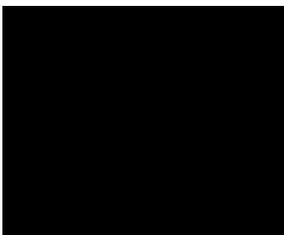
We very much hope that these assurances will enable you to kindly withdraw your representation, and, if this is the case, please liaise directly with the licensing team.

Kind regards

Julia Palmer

Consultant - Licensing

For and on behalf of Trethowans LLP



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Units 1-2 Montague Centre, Worthing, BN11 1YJ

1 message

31 January 2023 at 13:34

Cc: "simon.jones@adur-worthing.gov.uk" <simon.jones@adur-worthing.gov.uk>, "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>, Karen Lush

Good afternoon.

Your email of 16 January has, following the close of consultation, been forwarded to us by the licensing unit.

As a responsible national operator, Nando's wishes to assure you that it is keen to work not only with the authorities, but also with those living and working in the area in which it trades.

It does appreciate the sensitivity of this proposed site, and has already substantially altered its normal trading pattern requests, which were part of the original application, in response to discussions with the Environmental Protection Team and the Police.

In response to the concerns specifically raised by you, please note that in response to the Environmental Protection team, and to satisfy their concerns, we have already reduced the hours requested as follows :

Late night refreshment. Application withdrawn in respect of Sunday to Wednesday, leaving only an hour sought on Thursday to Saturday from 23:00-00:00

Sale of alcohol. Sunday to Wednesday 11:00-23:00 and the additional hour only

on Thursday to Saturday (11:00-00:00).

Opening hours. Sunday to Wednesday 09:00-23:30 and Thursday to Saturday, 09:00-00:30

The operation's normally requested trading hours of midnight, which applies to most of its premises licences in England and Wales, is therefore only now sought on this site at the weekend. As they have many years of operational track record in areas of this nature without issue, they are confident that they can trade these hours without causing a nuisance to residents. You will be familiar with the style of Nando's, which is primarily dining orientated, and only offers a limited number of alcoholic drinks. It is not a destination for those who just want to drink, and the hours indicated above cannot compete with the late night entertainment venues in the area and so will not be attractive to the same customer base.

We believe that the licensing team have kindly forwarded the 11 additional conditions agreed with the Police, amplifying and adding to the conditions originally offered in the application. We would commend these to you as considerable additional safeguards to those living and working in the area, as well as giving the Police additional controls to ensure that the prevention of crime and disorder objective will be promoted.

If you still have some questions, please feel free to contact me on the landline or email address shown on this email so that we may discuss your concerns further.

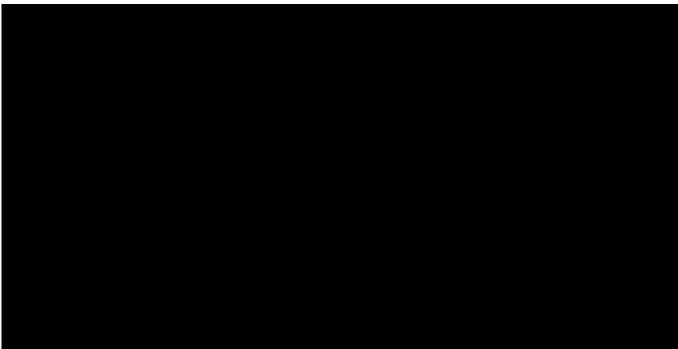
We very much hope that these assurances will enable you to kindly withdraw your representation, and, if this is the case, please liaise directly with the licensing team.

Kind regards

Julia Palmer

Consultant - Licensing

For and on behalf of Trethowans LLP



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Nando's, Units 1-2 The Montague Centre, Worthing, BN11 1YJ

1 message

31 January 2023 at 13:45

>
>
Cc: "simon.jones@adur-worthing.gov.uk" <simon.jones@adur-worthing.gov.uk>, "licensing.unit@adur-worthing.gov.uk" <licensing.unit@adur-worthing.gov.uk>, Karen Lush <[REDACTED]>

Good afternoon.

Your email of 2 January has, following the close of consultation, been forwarded to us by the licensing unit.

As a responsible national operator, Nando's wishes to assure you that it is keen to work not only with the authorities, but also with those living and working in the area in which it trades.

It does appreciate the sensitivity of this proposed site, and has already substantially altered its normal trading pattern requests, which were part of the original application, in response to discussions with the Environmental Protection Team and the Police.

In response to the concerns specifically raised by you, please note :

1. **Hours.** In response to the request from the Environmental Protection team, and to satisfy their concerns, we have already reduced the hours requested as follows :

Late night refreshment. Application withdrawn in respect of Sunday to Wednesday, leaving only an hour sought on Thursday to Saturday from 23:00-00:00

Sale of alcohol. Sunday to Wednesday 11:00-23:00 and the additional hour only

on Thursday to Saturday (11:00-00:00).

Opening hours. Sunday to Wednesday 09:00-23:30 and Thursday to Saturday, 09:00-00:30

The operation's normally requested trading hours of midnight, which applies to most of its premises licences in England and Wales, is therefore only now sought on this site at the weekend. As they have many years of operational track record in areas of this nature without issue, they are confident that they can trade these hours without causing a nuisance to residents. You will be familiar with the style of Nando's, which is primarily dining orientated, and only offers a limited number of alcoholic drinks. It is not a destination for those who just want to drink, and the hours indicated above cannot compete with the late night entertainment venues in the area and so will not be attractive to the same customer base.

2. **Delivery drivers.** It is inappropriate for my clients to comment on the manner in which McDonalds conduct their business. Once again, most of the Nando's restaurants across the country offer a takeaway facility and partner with Deliveroo to efficiently and properly deliver the meal to the customers. This is a much appreciated facility, especially in this period following the strict Covid restrictions when many people are, for example, still working from home and/or remain unconfident about going out. They would not continue to offer this facility if it was something which regularly caused complaints with their neighbours, but it does not. They are, however, conscious of the sensitivity of some residential areas, including the area around Liverpool Gardens, and they are able to assure you that they will implement their Delivery Management Plan to control the collection of takeaways from the premises. That is attached for your information and will be before the Committee. You will note that it is extremely comprehensive.

3. **Litter.** Nando's will continue to demonstrate their responsibility and care for their neighbourhood and neighbours by arranging regular litter patrols in the immediate vicinity (which will include Liverpool Gardens) to ensure that if there is any litter that can be attributed to Nando's, it will be cleared.

We believe that the licensing team have kindly forwarded the 11 additional conditions agreed with the Police, amplifying and adding to the conditions originally offered in the application. We would commend these to you as considerable additional safeguards to those living and working in the area, as well as giving the Police additional controls to ensure that the prevention of crime and disorder objective will be promoted.

If you still have some questions, please feel free to contact me on the landline or email address shown on this email so that we may discuss your concerns further.

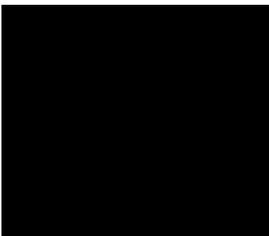
We very much hope that these assurances and steps will enable you to kindly withdraw your representation, and, if this is the case, please liaise directly with the licensing team.

Kind regards

Julia Palmer

Consultant - Licensing

For and on behalf of Trethowans LLP



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Nando's Montague Centre, Worthing - application for new premises licence

1 message

Karen Lush <[REDACTED]>
To: Simon Jones <simon.jones@adur-worthing.gov.uk>

6 January 2023 at 14:32

Good Afternoon Simon

Following on from emails with Nadeem Shad, I am instructed to amend our application to the operating hours set out below:

Late Night Refreshment

No LNR Sunday to Wednesday

Thursday to Saturday hours to remain as applied for which are 2300 to 00:00 hours

Sale of Alcohol

Hours to be amended to:

Sunday to Wednesday 11:00 to 23:00 hours

Thursday to Saturday to remain as applied for 11:00 to 00:00 hours

Opening Hours

To be amended to:

Sunday to Wednesday 09:00 to 23:30 hours

Thursday to Saturday to be amended to 09:00 to 00:30 hours

Please can you amend our application accordingly? I look forward to hearing from you.

Kind regards

Karen

Karen Lush
Associate & Head of Licensing
For and on behalf of Trethowans LLP

Please note that this office will be closing at 5.00pm on Friday 23 December and will re-open at 9.00am on Wednesday 28 December 2022. For New Year, the office will close at 5.00pm on Friday 30 December and will re-open at 9.00am on Tuesday 3 January 2023. We wish all our clients a happy and safe Christmas and New Year.

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Fwd: LA 2003 New Premises Licence Application - Nando's, Worthing

1 message

Nadeem Shad <nadeem.shad@adur-worthing.gov.uk>
To: Simon Jones <simon.jones@adur-worthing.gov.uk>

6 January 2023 at 16:40

Dear Simon

No comments from EP as a result of the amended hours below.

regards
Nadeem

Nadeem Shad (he/him)

Team Leader Environmental Protection, Public Health & Regulation
01273 263303
Adur & Worthing Councils
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
<http://www.adur-worthing.gov.uk/environmental-health/>



----- Forwarded message -----

From: **Karen Lush** [REDACTED]
Date: Fri, 6 Jan 2023 at 14:27
Subject: RE: LA 2003 New Premises Licence Application - Nando's, Worthing
To: Nadeem Shad <nadeem.shad@adur-worthing.gov.uk>
Cc: Simon Jones <simon.jones@adur-worthing.gov.uk>

Many thanks Nadeem.

Karen Lush
Associate & Head of Licensing
For and on behalf of Trethowans LLP



Please note that this office will be closing at 5.00pm on Friday 23 December and will re-open at 9.00am on Wednesday 28 December 2022. For New Year, the office will close at 5.00pm on Friday 30 December and will re-open at 9.00am on Tuesday 3 January 2023. We wish all our clients a happy and safe Christmas and New Year.



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From: Nadeem Shad <nadeem.shad@adur-worthing.gov.uk>
Sent: 06 January 2023 14:24
To: Karen Lush [REDACTED]
Cc: Simon Jones <simon.jones@adur-worthing.gov.uk>
Subject: Re: LA 2003 New Premises Licence Application - Nando's, Worthing

Many thanks Karen.

As a result I will make no representation to the Licensing officer.

regards

Nadeem

Nadeem Shad (he/him)

Team Leader Environmental Protection, Public Health & Regulation

01273 263303

Adur & Worthing Councils

Portland House, [44 Richmond Road, Worthing, West Sussex, BN11 1HS](#)

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



On Fri, 6 Jan 2023 at 12:20, Karen Lush <[REDACTED]> wrote:

Dear Nadeem

Thank you for the copy planning permission.

I am instructed to apply to amend operating hours, details of which I set out below:

Late Night Refreshment

No LNR Sunday to Wednesday

Thursday to Saturday hours to remain as applied for which are 2300 to 00:00 hours

Sale of Alcohol

Hours to be amended to:

Sunday to Wednesday 11:00 to 23:00 hours

Thursday to Saturday to remain as applied for 11:00 to 00:00 hours

Opening Hours

To be amended to:

Sunday to Wednesday 09:00 to 23:30 hours

Thursday to Saturday to be amended to 09:00 to 00:30 hours

I trust these changes will reassure you?

I have copied in Simon Jones of the licensing authority for information but will also send a separate email confirmation to amend the hours.

Kind regards

Karen

Karen Lush

Associate & Head of Licensing

For and on behalf of Trethowans LLP

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Please note that this office will be closing at 5.00pm on Friday 23 December and will re-open at 9.00am on Wednesday 28 December 2022.
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We wish all our clients a happy and safe Christmas and New Year.



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From: Nadeem Shad <nadeem.shad@adur-worthing.gov.uk>
Sent: 06 January 2023 11:17
To: <[REDACTED]>
Cc: Simon Jones <simon.jones@adur-worthing.gov.uk>
Subject: Re: LA 2003 New Premises Licence Application - Nando's, Worthing

Dear Karen

Please see attached.

regards

Nadeem

Nadeem Shad (he/him)

Team Leader Environmental Protection, Public Health & Regulation

01273 263303

Adur & Worthing Councils

Portland House, [44 Richmond Road, Worthing, West Sussex, BN11 1HS](#)

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



On Fri, 6 Jan 2023 at 11:06, Karen Lush <[REDACTED]> wrote:

Dear Nadeem

I am dealing with your query below but unfortunately when I click on the link to the planning permission, I receive an error message. Please can you scan me over a copy of the permission to which you refer?

Kind regards

Karen

Karen Lush

Associate & Head of Licensing

For and on behalf of Trethowans LLP

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Please note that this office will be closing at 5.00pm on Friday 23 December and will re-open at 9.00am on Wednesday 28 December 2022.
For New Year, the office will close at 5.00pm on Friday 30 December and will re-open at 9.00am on Tuesday 3 January 2023.
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From: Karen Lush
Sent: 30 December 2022 10:18
To: Nadeem Shad <nadeem.shad@adur-worthing.gov.uk>
Cc: Simon Jones <simon.jones@adur-worthing.gov.uk>
Subject: RE: LA 2003 New Premises Licence Application - Nando's, Worthing

Dear Nadeem

Thank you for your email upon which I am taking instructions and will get back to you in due course.

Kind regards

Karen

From: Nadeem Shad <nadeem.shad@adur-worthing.gov.uk>
Sent: 29 December 2022 11:20
To: Karen Lush <[REDACTED]>
Cc: Simon Jones <simon.jones@adur-worthing.gov.uk>
Subject: Fwd: LA 2003 New Premises Licence Application - Nando's, Worthing

Dear Karen,

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

The application states in Section 17, *Hours Premises are Open to the Public*: 07:00 to 00:30. Section 5 of the *Operating Schedule* states "Opening hours have been applied for to provide for possible early morning opening of the restaurant to allow service of breakfasts (a non-licensable activity)."

There are residential premises adjacent to and opposite the premises of concern. This means any noise associated with the operation early in the morning has the potential to cause a public nuisance to the occupiers of these properties. It is specifically the operation of the kitchen extract system which is of concern.

The kitchen extract was approved by planning, however its use is restricted to the hours permitted by the [planning permission](#), namely Conditions 7 and 9:

7. No customer trade or business shall take place on the premises except between the hours of 09:00hrs and 23.00hrs on Sunday to Wednesday and between 09:00hrs and 00:00hrs (midnight) on Thursday to Saturday. The premises shall be emptied of customers 30 minutes outside of these hours. All staff activity associated with the use shall cease at the premises within one hour of the closing time.

9. No plant or equipment, including the kitchen ventilation and extraction system, shall be operated on the premises except between the approved operating hours as specified in condition 7.

This was included to reduce the likelihood of noise from the extract causing a loss of amenity to nearby residents. This licence application therefore conflicts with the planning permission.

If breakfasts are to be served from 07:00, will the extract system need to be operated prior to 07:00 hours to facilitate this? Would you be willing to amend the hours applied for?

I am happy to discuss this further.

Regards

Nadeem Shad (he/him)

Team Leader Environmental Protection, Public Health & Regulation

01273 263303

Adur & Worthing Councils

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

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



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RE: Nando's Worthing Police Representation

1 message

19 January 2023 at 11:53

Good morning Karen and Licensing,

With regards to the below conditions, Sussex Police are able to resolve this representation, subject to the agreed conditions below being attached to the premises licence.

The Prevention of Crime & Disorder:

1. The premises shall at all times maintain and operate a sales refusals log and an incident log which will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty-four (24) months and made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
2. The external dining area shall be monitored and regularly cleared of glasses and bottles.
3. There shall be no vertical drinking at the premises.
4. All off sales will be made in sealed containers.
5. Subject to GDPR guidance and legislation Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises.
 - The system shall be on and recording at all times the premises license is in operation.
 - The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - CCTV footage will be stored for a minimum of 31 days.
 - The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
 - The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - Subject to 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) for the police without difficulty or delay and without charge to Sussex Police.
 - Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
 - 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 Prevention of Public Nuisance:

6. Patrons will not be permitted to take drinks in open containers to consume outside on the pavement/public highway beyond the outside licensed area (or any permitted outside tables and chairs area) of the premises whilst smoking or otherwise congregating outside of the premises.

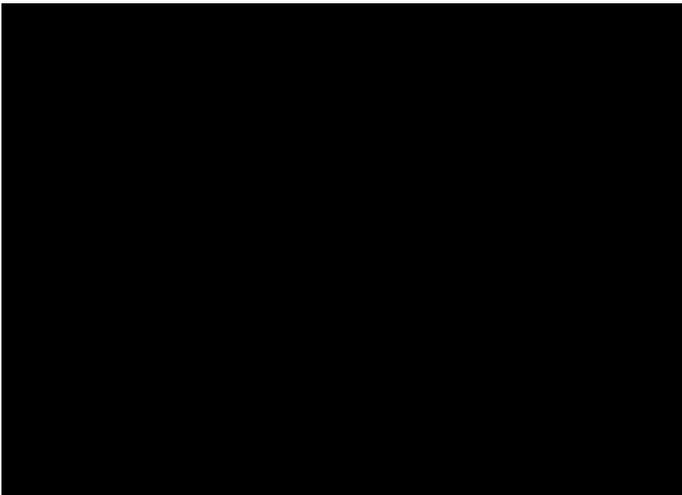
The Protection of Children from Harm:

7. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum. The recommended forms of ID that will be accepted are passports, driving licences with a photograph or Citizen Card or validated proof of age cards bearing the "PASS" mark hologram.
8. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training shall be conducted thereafter at intervals of no more than six (6) months (this may be verbally delivered). All restricted sales training undertaken by staff members shall be fully documented and recorded. All training records will be kept at the premises and shall be made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.

Conditions for alcohol delivery service:

9. All sales of alcohol for consumption off the premises are to be ancillary to the sale of a food order. Deliveries including alcohol will only be made to a business or residential address only.
10. Third party delivery companies will be instructed that an age verification check is to be made by the courier at the point of delivery where alcohol is part of the order and in the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID the courier will retain the alcohol and dispose of it responsibly.
11. The Premises Licence holder's website/ordering portal e.g. app will have measures in place to prevent underage sales. This will include reminders/pop ups that customers should have their ID ready to prove they are over 18 when receiving any online order containing alcohol.

Regards,



From: [Redacted] >
Sent: 19 January 2023 11:27
To: [Redacted] >
Subject: RE: Nando's Worthing Police Representation

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Good Morning

Thank you for your email and agreement on the conditions.

In relation to your latest request, my client does not undertake its own deliveries but uses well established and reputable delivery agents. As it has no direct control over third party delivery riders it would not be able to agree to the condition as currently worded but we have made amendments to incorporate it into an already agreed condition which we trust you will find acceptable:

Third party delivery companies will be instructed that an age verification check is to be made by the courier at the point of delivery where alcohol is part of the order **and in the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID the courier will retain the alcohol and dispose of it responsibly.**

I hope you are now able to withdraw your representation and we can present our agreed conditions to the licensing authority?

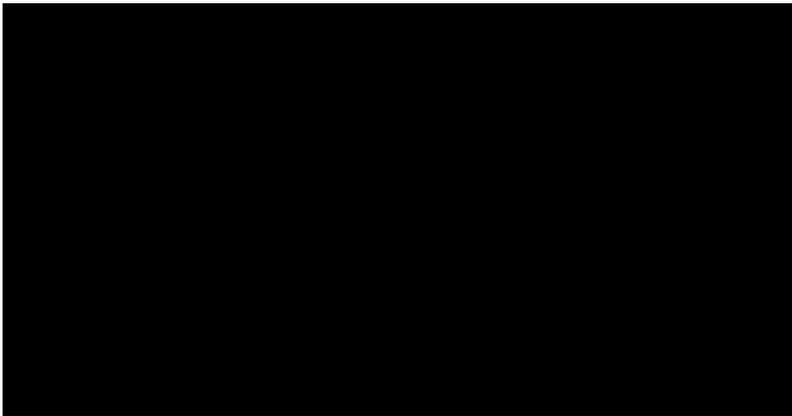
Kind regards

Karen

Karen Lush

Associate & Head of Licensing

For and on behalf of Trethowans LLP



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From: [REDACTED] >
Sent: 17 January 2023 16:25
To: [REDACTED]
Subject: RE: Nando's Worthing Police Representation

Good afternoon,

Thank you for the reply regarding the application for a new premises licence for Nando's, Unit 1 & 2, Montague Centre, Worthing, BN11 1YJ.

Sussex Police have no objection to the applicants amended operational hours, which to confirm are:

- Late Night Refreshment
 - No LNR Sunday to Wednesday
 - Thursday to Saturday hours to remain as applied for which are 2300 to 00:00 hours
- Sale of Alcohol
 - Hours to be amended to:
 - Sunday to Wednesday 11:00 to 23:00 hours
 - Thursday to Saturday to remain as applied for 11:00 to 00:00 hours
- Opening Hours
 - To be amended to
 - Sunday to Wednesday 09:00 to 23:30 hours
 - Thursday to Saturday to be amended to 09:00 to 00:30 hours.

Sussex police have no objection to the applicants amended conditions, which to confirm are below. We would like to propose a condition relating to Delivery services, which will ensure that in the event of a failed ID challenge, the alcohol will be returned to the premises. I have placed this in Red below and within the below agreed conditions (number 12). Please study the condition and get back to me if your client agrees for this to be placed on the premises licence.

"In the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID, the delivery person will retain the alcohol and return it to the premises".

The Prevention of Crime & Disorder:

1. The premises shall at all times maintain and operate a sales refusals log and an incident log which will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty-four (24) months and made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.
2. The external dining area shall be monitored and regularly cleared of glasses and bottles.
3. There shall be no vertical drinking at the premises.
4. All off sales will be made in sealed containers.
5. Subject to GDPR guidance and legislation Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises.
 - The system shall be on and recording at all times the premises license is in operation.
 - The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - CCTV footage will be stored for a minimum of 31 days.
 - The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
 - The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

- Subject to 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) for the police without difficulty or delay and without charge to Sussex Police.
- Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
- 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 Prevention of Public Nuisance:

6. Patrons will not be permitted to take drinks in open containers to consume outside on the pavement/public highway beyond the outside licensed area (or any permitted outside tables and chairs area) of the premises whilst smoking or otherwise congregating outside of the premises.

The Protection of Children from Harm:

7. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum. The recommended forms of ID that will be accepted are passports, driving licences with a photograph or Citizen Card or validated proof of age cards bearing the "PASS" mark hologram.
8. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training shall be conducted thereafter at intervals of no more than six (6) months (this may be verbally delivered). All restricted sales training undertaken by staff members shall be fully documented and recorded. All training records will be kept at the premises and shall be made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.

Conditions for alcohol delivery service:

9. All sales of alcohol for consumption off the premises are to be ancillary to the sale of a food order. Deliveries including alcohol will only be made to a business or residential address only.
10. Third party delivery companies will be instructed that an age verification check is to be made by the courier at the point of delivery where alcohol is part of the order
11. The Premises Licence holder's website/ordering portal e.g. app will have measures in place to prevent underage sales. This will include reminders/pop ups that customers should have their ID ready to prove they are over 18 when receiving any online order containing alcohol
12. **In the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID, the delivery person will retain the alcohol and return it to the premises**

Regards,

[Redacted]

[Redacted]

Police Licensing Officer

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Neighbourhood Police Licensing Team

[Redacted]

[Redacted]

From: [REDACTED]
Sent: 11 January 2023 14:38
To: [REDACTED] >
Subject: Nando's Worthing Police Representation (2)

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Good Afternoon

Further to recent emails, I am able to come back to you with my client's instructions on your proposed conditions.

I thought a little background information would be helpful. As you may be aware Nando's is a food led operator trading 450+ restaurants nationwide. As such it has vast experience of operating well run restaurants within all types of localities, many of which are within cumulative impact areas. Whilst we note this particular site is not within an area identified as experiencing saturation or cumulative impact within the Worthing BC Licensing Policy, my client is always willing to work with responsible authorities to agree appropriate and proportionate conditions where possible. The main offering and draw for customers to visit Nando's is the well-known food offer, but there is a customer expectation that, should they wish, some alcoholic drinks will be available. The range is both limited and premium priced so is not attractive to potential customers (particularly young people) who simply want to have a drink. Nando's is popular with all age groups and particularly families who are drawn to their food offering and ambience.

Please be aware that we have applied to amend our operating schedule to reduce operational hours and the amended hours the premises will trade are:

Late Night Refreshment

No LNR Sunday to Wednesday

Thursday to Saturday hours to remain as applied for which are 2300 to 00:00 hours

Sale of Alcohol

Hours to be amended to:

Sunday to Wednesday 11:00 to 23:00 hours

Thursday to Saturday to remain as applied for 11:00 to 00:00 hours

Opening Hours

To be amended to

Sunday to Wednesday 09:00 to 23:30 hours

Thursday to Saturday to be amended to 09:00 to 00:30 hours

Turning to your proposal, we note a number of the conditions you seek are very similar to those we had final agreement on yesterday with Brighton Police in relation to a new Nando's in London Road, Brighton. That particular site fell within Brighton & Hove's stress area whereas of course this Worthing site does not. However, having said that my client is keen to work with authorities and has been able to agree a number of your conditions and where appropriate I have used the wording agreed for Brighton and set out below. There are some proposed which are incompatible with my client's style of operation or would create a condition over which they would not have control to enforce. As such, we would not be able to agree to no. 9 which is we respectfully believe is neither appropriate or proportionate to our client's style of operation. The age verification policy including signage advertising the Challenge 25 will act as a deterrent as will the premium prices and limited range of available alcohol. As a food led operation age checking guests at entry point would be onerous and as already stated other safeguards are already in place. In relation to alcohol delivery service, my client does have difficulties in agreeing some of these due to the specific site related detail asked for whereby the Nando's portal applies nationally and it would be too onerous to individualise for every site. We do appreciate the goals you are seeking to reinforce with the age verification and we propose that we substitute these paragraphs with what we have agreed at Brighton and I set out below.

The Prevention of Crime & Disorder:

1 The premises shall at all times maintain and operate a sales refusals log and an incident log which will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty-four (24) months and made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.

2 The external dining area shall be monitored and regularly cleared of glasses and bottles.

3 There shall be no vertical drinking at the premises.

4 All off sales will be made in sealed containers.

5 Subject to GDPR guidance and legislation

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises.

- The system shall be on and recording at all times the premises license is in operation.
- The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

- • CCTV footage will be stored for a minimum of 31 days.
- • The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
- • The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
- • Subject to 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) for the police without difficulty or delay and without charge to Sussex Police.

- • Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
- • 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 Prevention of Public Nuisance:

6 Patrons will not be permitted to take drinks in open containers to consume outside on the pavement/public highway beyond the outside licensed area (or any permitted outside tables and chairs area) of the premises whilst smoking or otherwise congregating outside of the premises.

The Protection of Children from Harm:

7 The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum. The recommended forms of ID that will be accepted are passports, driving licences with a photograph or Citizen Card or validated proof of age cards bearing the "PASS" mark hologram.

8 All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training shall be conducted thereafter at intervals of no more than six (6) months (this may be verbally delivered). All restricted sales training undertaken by staff members shall be fully documented and recorded. All training records will be kept at the premises and shall be made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.

Conditions for alcohol delivery service:

9. All sales of alcohol for consumption off the premises are to be ancillary to the sale of a food order. Deliveries including alcohol will only be made to a business or residential address only.

10. Third party delivery companies will be instructed that an age verification check is to be made by the courier at the point of delivery where alcohol is part of the order

11. The Premises Licence holder's website/ordering portal e.g. app will have measures in place to prevent underage sales. This will include reminders/pop ups that customers should have their ID ready to prove they are over 18 when receiving any online order containing alcohol

I look forward to hearing from you.

Kind regards

Karen

Karen Lush

Associate & Head of Licensing

For and on behalf of Trethowans LLP



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From: [REDACTED]
Sent: 06 January 2023 11:51
To: licensing.unit@adur-worthing.gov.uk; [REDACTED] Karen Lush [REDACTED]
Subject: Nando's Worthing Police Representation

Good morning,

Please find attached the representation from Sussex Police in relation to the application for a premises licence for Nando's, Unit 1 & 2, Montague Centre, Worthing, BN11 1YJ.

Sussex Police have no objections in principle to the application but seek to ensure the measures proffered are clear and enforceable.

If the applicant is able to agree to these conditions Sussex Police may be able to resolve this representation. If this is the case please can this agreement be confirmed in writing via 'reply all'.

If however you wish to discuss the matter further please do not hesitate to contact this office either via email WS_Licensing_WOR@sussex.police.uk or the phone number below.

Please note due to current staffing levels it may not be possible to respond to phone calls immediately.

Regards,

[Redacted signature block]

You can report crime and incidents online at

<https://www.sussex.police.uk/report-online>

We want to know your views - see what's new and give us your feedback and suggestions at www.sussex.police.uk

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Re: LA 2003 Premises Licence Application Hearing Notice - Nando's, Worthing

1 message

Simon Jones <simon.jones@adur-worthing.gov.uk>

19 January 2023 at 16:30

To: Worthing & Adur Police Licensing Team <[REDACTED]>, A&W Environmental Support <publichealth.regulation@adur-worthing.gov.uk>

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

Dear Sir/Madam

I can now report that Sussex Police and the applicant have mediated successfully and the following enforceable conditions agreed. These would become enforceable conditions on any licence granted.

The Prevention of Crime & Disorder:

1. *The premises shall at all times maintain and operate a sales refusals log and an incident log which will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty-four (24) months and made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.*
2. *The external dining area shall be monitored and regularly cleared of glasses and bottles.*
3. *There shall be no vertical drinking at the premises.*
4. *All off sales will be made in sealed containers.*
5. *Subject to GDPR guidance and legislation Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises.*
 - *The system shall be on and recording at all times the premises license is in operation.*
 - *The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.*
 - *CCTV footage will be stored for a minimum of 31 days.*
 - *The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.*
 - *The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.*
 - *Subject to 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) for the police without difficulty or delay and without charge to Sussex Police.*
 - *Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.*
 - *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 Prevention of Public Nuisance:

1. Patrons will not be permitted to take drinks in open containers to consume outside on the pavement/public highway beyond the outside licensed area (or any permitted outside tables and chairs area) of the premises whilst smoking or otherwise congregating outside of the premises.

The Protection of Children from Harm:

1. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum. The recommended forms of ID that will be accepted are passports, driving licences with a photograph or Citizen Card or validated proof of age cards bearing the "PASS" mark hologram.
2. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training shall be conducted thereafter at intervals of no more than six (6) months (this may be verbally delivered). All restricted sales training undertaken by staff members shall be fully documented and recorded. All training records will be kept at the premises and shall be made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.

Conditions for alcohol delivery service:

1. All sales of alcohol for consumption off the premises are to be ancillary to the sale of a food order. Deliveries including alcohol will only be made to a business or residential address only.
2. Third party delivery companies will be instructed that an age verification check is to be made by the courier at the point of delivery where alcohol is part of the order and in the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID the courier will retain the alcohol and dispose of it responsibly.
3. The Premises Licence holder's website/ordering portal e.g. app will have measures in place to prevent underage sales. This will include reminders/pop ups that customers should have their ID ready to prove they are over 18 when receiving any online order containing alcohol.

Consequently, Sussex Police have withdrawn their representation, subject to the agreed conditions above being attached to any premises licence that may be granted.

Regards

Simon Jones

Team Leader - Licensing, Public Health & Regulation
01273 263191
Adur & Worthing Councils
Public Health & Regulation
Portland House
Worthing
BN11 1HS
<http://www.adur-worthing.gov.uk/licensing-and-permits/>



On Thu, 19 Jan 2023 at 15:49, Simon Jones <simon.jones@adur-worthing.gov.uk> wrote:

Dear Sir/Madam

Re: LA 2003 New Premises Licence Application
Premises: Nando's, Unit 1&2 Montague Centre, Worthing, Bn11 1YJ
Applicant: Nando's Chickenland Ltd

Consultation on the above application has now closed. Two representations regarding the application were received during the consultation period from the Responsible Authorities, in this case Sussex Police and A&W Councils' Environmental Protection Team.

Six relevant representations were received from local residents and members of the public.

In such circumstances the Licensing Act 2003 encourages mediation and if agreement cannot be reached then the application is referred to a Licensing & Control Sub-Committee to consider at hearing. Your representation has been forwarded to the applicant's representative and you may be contacted directly to discuss your concerns.

I am aware that the applicant and Sussex Police are in mediation.

I am also aware that after mediation with the Environmental Protection Team the applicant has agreed to amend the timings sought to:

- **Late Night Refreshment**
 - No LNR Sunday - Wednesday
 - 2300hrs to 00:00hrs (midnight) Thursday - Saturday (hours to remain as applied for)
- **Sale of Alcohol**
 - 11:00hrs to 23:00hrs Sunday - Wednesday
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- **Opening Hours**
 - 09:00hrs to 23:30hrs Sunday - Wednesday
 - 09:00hrs to 00:30hrs (of the following morning) Thursday - Saturday

Consequently, the Environmental Protection Team has withdrawn its objections to a licence being granted subject to the above timings being imposed on any licence granted.

In case further mediation with those making representation is unsuccessful or considered impractical a hearing has been scheduled and you will find attached the formal hearing notice relating to the Sub-Committee hearing that may sit to consider the above application. I have scheduled a hearing to consider Nando's Chickenland Ltd.'s application for **Thursday 9 February 2023 @ 18:30 hrs at Worthing Town Hall** if required.

Under the Licensing Act 2003 the Licensing & Control Sub-Committee that determines the application can only consider matters that relate to the licensable activities proposed by this application and consider if the licensable activities carried out in the way proposed would undermine the Licensing Objectives. These being:

- The Prevention of Crime & Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Harm to Children

The Sub-Committee cannot consider, under the Licensing Act, issues such as public amenity, congestion, parking, road safety, need or demand or even, as in this case, that the area is partially residential. Whilst such representations highlight serious concerns these are planning matters that have been considered by the Planning Committee and a Licensing Committee cannot consider.

At any hearing all written representations are considered and the applicant and those that have made representation, and expressed their intention in advance, are given an opportunity to address members if they wish. Having registered to address the committee you will be able to highlight any relevant points you have made in your written representation but will not be able to introduce any new arguments or evidence.

But please be aware that the Committee can only allocate the same total amount of time to the parties making representation as it does to the applicant so any verbal presentation may need to be brief if the number of residents that wish to speak is high. Alternatively, you may wish to consider appointing a spokesperson to coordinate a presentation on behalf of a group of residents that have made representation.

Please can you confirm if you:

- Are intending to attend the meeting on 09 February.
- Would like to address the Sub-Committee.
- Would like to nominate someone to speak on your behalf.

If you would like to address the committee you must register your intention 5 working days prior to the hearing at: licensing.unit@adur-worthing.gov.uk

The Committee papers relating to this application will be published 5 working days prior to the hearing on the A&W Councils' website at:

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If you feel that the amendments to the timings sought, as a result of the Environmental Pollution Team mediation, address your concerns and you wish to withdraw your representation please email the licensing unit to confirm and disregard this notice. I will inform you of the results of the Police mediation in due course.

If you have any queries regarding this matter please do not hesitate to contact the licensing unit at: licensing.unit@adur-worthing.gov.uk

The formal hearing notice is attached.

Regards

Simon Jones

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Re: LA 2003 Premises Licence Application Hearing Notice - Nando's, Worthing

1 message

Simon Jones <simon.jones@adur-worthing.gov.uk>

19 January 2023 at 16:30

To: Worthing & Adur Police Licensing Team <[REDACTED]>, A&W Environmental Support <publichealth.regulation@adur-worthing.gov.uk>

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

Dear Sir/Madam

I can now report that Sussex Police and the applicant have mediated successfully and the following enforceable conditions agreed. These would become enforceable conditions on any licence granted.

The Prevention of Crime & Disorder:

1. *The premises shall at all times maintain and operate a sales refusals log and an incident log which will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty-four (24) months and made available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff.*
2. *The external dining area shall be monitored and regularly cleared of glasses and bottles.*
3. *There shall be no vertical drinking at the premises.*
4. *All off sales will be made in sealed containers.*
5. *Subject to GDPR guidance and legislation Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises.*
 - *The system shall be on and recording at all times the premises license is in operation.*
 - *The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.*
 - *CCTV footage will be stored for a minimum of 31 days.*
 - *The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.*
 - *The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.*
 - *Subject to 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) for the police without difficulty or delay and without charge to Sussex Police.*
 - *Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.*
 - *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 Prevention of Public Nuisance:

1. Patrons will not be permitted to take drinks in open containers to consume outside on the pavement/public highway beyond the outside licensed area (or any permitted outside tables and chairs area) of the premises whilst smoking or otherwise congregating outside of the premises.

The Protection of Children from Harm:

1. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum. The recommended forms of ID that will be accepted are passports, driving licences with a photograph or Citizen Card or validated proof of age cards bearing the "PASS" mark hologram.
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